(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 10:01 AM
To: (b) (6), (b) (7)(C) FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: For final review
Attachments: ES Twitter (b) (7)(E) - 040717 (002).docx

Here are mine……

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
(b) (7)(E)
(b) (7)(E)
(b) (6), (b) (7)(C)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

[redacted]

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[redacted]

(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Friday, April 07, 2017 9:03 AM
To: (b) (6), (b) (7)(C)
Subject: Please quickly review - comment in track changes
Attachments: ES Twitter (b) (7)(E) - 040717.docx

Importance: High

CBP FOIA000936

(b) (5), (b) (7)(E)

[redacted]

(b) (5), (b) (7)(E)

[redacted]

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[redacted]

CBP FOIA000939

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 9:14 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Please quickly review - comment in track changes
Attachments: ES Twitter (b) (7)(E) - 040717.docx

Importance: High

fysa

Respectfully,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
Investigative Operations Division
Office of Professional Responsibility
U.S. Customs and Border Protection

(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Friday, April 07, 2017 10:03 AM
To: (b) (6), (b) (7)(C)
Subject: Please quickly review - comment in track changes
Importance: High

CBP FOIA000940

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

[redacted]

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[redacted]

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 9:24 AM
To: FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: RE: Please quickly review - comment in track changes
Attachments: ES Twitter (b) (7)(E) - 040717.docx

Here are my edits and comments.

(b) (6), (b) (7)(C)
DEPUTY DIRECTOR, INVESTIGATIVE OPERATIONS DIVISION
CBP I OFFICE OF PROFESSIONAL RESPONSIBILITY (b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Friday, April 7, 2017 10:03 AM
To: (b) (6), (b) (7)(C)
Subject: Please quickly review - comment in track changes
Importance: High

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

[redacted]

(b) (6), (b) (7)(C)

From: CUPP, MARY E (OCC)
Sent: Friday, April 07, 2017 11:48 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: FW: Twitter NDCA Suit

(b) (5)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 8:27 AM
To: (b) (6), (b) (7)(C)
Cc: CUPP, MARY E (OCC) (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Adding Miami as well.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 11:25:28 AM
To: (b) (6), (b) (7)(C)
Cc: CUPP, MARY E (OCC); (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (6), (b) (7)(C) Just FYI. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 11:04:26 AM
To: Maher, Joseph
Cc: Palmer, David; (b) (6) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC); (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Joe --(b) (5) [redacted] (b) (6) [redacted])(b) (5) [redacted] Please let us know if you'd like to discuss. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
[redacted] (b) (6), (b) (7)(C) [redacted]
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 7:16 PM
To: Maher, Joseph <Joseph.Maher@HQ.DHS.GOV>
Cc:(b) (6), (b) (7)(C) [redacted] FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C) [redacted] HIGHSMITH, ANNMARIE (OCC)(b) (6), (b) (7)(C) [redacted]
Subject: Twitter NDCA Suit
Importance: High

Joe – We wanted to ensure that you have awareness of litigation filed today that is receiving media attention.

(b) (5)

(b) (5)

Please let us know if you have any questions or would like to discuss. (b) (6)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 7:39 AM
To: COUREY, MARC BENNETT (OCC)
Cc: FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Subject: RE: Twitter NDCA Suit

Thanks, I am heading to speak at the AILA conference but will give you a call later this morning. Appreciate the information!

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 8:36 AM
To: (b) (6), (b) (7)(C)
Cc: FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Subject: FW: Twitter NDCA Suit
Importance: High

(b) (6), (b) (7)(C)
[redacted] – As requested. Feel free to call to discuss. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
[redacted] (b) (6), (b) (7)(C) [redacted]
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 7:16 PM
To: Maher, Joseph (b) (6), (b) (7)(C) [redacted]
Cc: Palmer, David <(b) (6), (b) (7)(C) [redacted] >; FALK, SCOTT K (OCC) (b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC) (b) (6), (b) (7)(C) [redacted]
Subject: Twitter NDCA Suit
Importance: High

Joe – We wanted to ensure that you have awareness of litigation filed today that is receiving media attention.

(b) (5)

(b) (5)

Please let us know if you have any questions or would like to discuss. (b) (6)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 7:06 AM
To: HIGHSMITH, ANNMARIE (OCC); FALK, SCOTT K (OCC)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Yep. Want to call me at my desk?

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

-----Original Message-----
From: HIGHSMITH, ANNMARIE (OCC)
Sent: Friday, April 7, 2017 8:05 AM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C) FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Good morning,

(b) (5)

Happy Friday!

--AM

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 1:02:27 PM
To: FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: Maher, Joseph
Sent: Thursday, April 6, 2017 10:24 PM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC) (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

(b) (5)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 7:58 PM
To: Maher, Joseph (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

I'm available via cell (b) (6), (b) (7)(C) if a discussion would be helpful. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: Maher, Joseph
Sent: Thursday, April 06, 2017 7:35 PM
To: COUREY, MARC BENNETT (OCC)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Thanks very much, Bennett. (b) (7)(E)

(b) (5)

Thanks again,

Joe

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 7:16 PM
To: Maher, Joseph <(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: Twitter NDCA Suit
Importance: High

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

(b) (5)

Please let us know if you have any questions or would like to discuss. (b) (6)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 06, 2017 7:42 PM
To: COUREY, MARC BENNETT (OCC); Maher, Joseph
Cc: Palmer, David; FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC); (b) (6), (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5), (b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 7:57:44 PM
To: Maher, Joseph
Cc: (b) (6), (b) (7)(C) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC); (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

I'm available via cell (b) (6), (b) (7)(C) if a discussion would be helpful. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: Maher, Joseph
Sent: Thursday, April 06, 2017 7:35 PM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C) FALK, SCOTT K (OCC) (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Thanks very much, Bennett. (b) (5)

Thanks again,

Joe

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 7:16 PM
To: Maher, Joseph <(b) (6) [redacted] FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC) (b) (6), (b) (7)(C) [redacted]
Subject: Twitter NDCA Suit
Importance: High

Joe – We wanted to ensure that you have awareness of litigation filed today that is receiving media attention.

(b) (5)

(b) (5)

Please let us know if you have any questions or would like to discuss. (b) (6)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 4:40 PM
To:
Cc: (b) (6), (b) (7)(C)

Subject: FW: Twitter NDCA Suit
Attachments: AltTwitterSty040617.pdf

(b) (6), (b) (7)(C)
FYI as I should have copied you also. Let me know if you'd like to discuss. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:18:06 PM
To:
Cc: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (6), (b) (7)(C) Forwarding as discussed and for engagement with the NDCA USAO. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 5:17 PM
To:
Cc: (b) (6), (b) (7)(C)
FALK, SCOTT K (OCC) (b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC)
(b) (6), (b) (7)(C)
Subject: Twitter NDCA Suit

(b) (6), (b) (7)(C) Forwarding for awareness as discussed. We'll engage with DOJ as contemplated.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Friday, April 07, 2017 11:21 AM
To: MCALEENAN, KEVIN K
Subject: FW: Twitter NDCA Suit
Attachments: CBP Summons to Twitter 3-14-17.pdf

(b) (5)

V/R
Patrick

Patrick Flanagan
(b) (6), (b)

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From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 12:14 PM
To: FLANAGAN, PATRICK S (b) (6)
Cc: KARISCH, RODOLFO (b) (6), (b) (7)(C) FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 12:13 PM
To: (b) (6)
Cc: (b) (6), (b) (7)(C) Maher, Joseph (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) FALK, SCOTT K (OCC) (b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC) <(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (6) copying others for visibility) – Draft transmittal below. Thoughts?

(b) (5)

(b) (5)

If you have any questions, please do not hesitate to contact (b) (6), or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 12:00 PM
To: (b) (6)
Cc: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Understood. Thanks. I will call you momentarily to read the draft to you for comments.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C) / (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: (b) (6)
Sent: Friday, April 7, 2017 11:55 AM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

From: COUREY, MARC BENNETT (OCC) [(b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 11:50 AM
To: (b) (6)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C) / (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: (b) (6)
Sent: Friday, April 7, 2017 11:41 AM

To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

(b) (6)

(b) (6), (b) (7)(C)

From: MCALEENAN, KEVIN K
Sent: Thursday, April 06, 2017 7:40 PM
To: Maher, Joseph
Subject: RE: Twitter sues DHS over exposing anti-Trump "alt" accounts

(b) (5) [redacted]

From: Maher, Joseph
Sent: Thursday, April 06, 2017 8:38:10 PM
To: MCALEENAN, KEVIN K
Subject: FW: Twitter sues DHS over exposing anti-Trump "alt" accounts

Kevin --(b) (5) [redacted]

From: Maher, Joseph
Sent: Thursday, April 06, 2017 8:35:51 PM
To: Nielsen, Kirstjen; MCALEENAN, KEVIN K; Hoffman, Jonathan; Hamilton, Gene
Subject: RE: Twitter sues DHS over exposing anti-Trump "alt" accounts

(b) (5) [redacted]

From: Nielsen, Kirstjen
Sent: Thursday, April 06, 2017 8:30:08 PM
To: MCALEENAN, KEVIN K; Maher, Joseph; Hoffman, Jonathan; Hamilton, Gene
Subject: RE: Twitter sues DHS over exposing anti-Trump "alt" accounts

Joe
(b) (5) [redacted]
Thx

From: MCALEENAN, KEVIN K
Sent: Thursday, April 06, 2017 7:49:07 PM
To: Nielsen, Kirstjen; Maher, Joseph; Hoffman, Jonathan; Hamilton, Gene
Subject: FW: Twitter sues DHS over exposing anti-Trump "alt" accounts

(b) (5) [redacted]

From: FLANAGAN, PATRICK S
Sent: Thursday, April 06, 2017 7:45:38 PM

To: MCALEENAN, KEVIN K
Subject: FW: Twitter sues DHS over exposing anti-Trump "alt" accounts

(b) (5) [redacted]

V/R
Patrick

Patrick Flanagan
(b) (6), (b) [redacted]

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From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 7:22 PM
To: FLANAGAN, PATRICK S <(b) (6), (b) (7)(C) [redacted]
(b) (6), (b) (7)(C) FALK, SCOTT K (OCC) (b) (6), (b) (7)(C) [redacted] HIGHSMITH, ANNMARIE (OCC)
(b) (6), (b) (7)(C) [redacted]
Cc: (b) (6), (b) (7)(C) [redacted]
FUNN, ERICK K (OPR) (b) (6), (b) (7)(C) [redacted]
Subject: RE: Twitter sues DHS over exposing anti-Trump "alt" accounts

Certainly, Patrick. Friday would likely work better, if that's an option, as (b) (6), (b) (7)(C) and I will be out next week. I can even raise it at Intel tomorrow if that would be helpful. In the meantime, the following summary may be of benefit for the group:

(b) (5) [redacted]

(b) (5)

Please let us know if you have any questions or would like to discuss. Thanks as always.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: FLANAGAN, PATRICK S
Sent: Thursday, April 06, 2017 6:47 PM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)

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

Subject: RE: Twitter sues DHS over exposing anti-Trump "alt" accounts

Team,

Would appreciate (b) (5)

(b) (6), (b) (7)(C) will work to schedule. Friday or Monday.

V/R
Patrick

Patrick Flanagan
(b) (6), (b)

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From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:29 PM
To: (b) (6), (b) (7)(C) FLANAGAN, PATRICK S <(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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

Subject: RE: Twitter sues DHS over exposing anti-Trump "alt" accounts

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 6, 2017 4:10 PM
To: FLANAGAN, PATRICK S <(b) (6), (b) (7)(C) COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Twitter sues DHS over exposing anti-Trump "alt" accounts

Patrick,
This just in. We are responding that 'CBP cannot comment on pending litigation.'
V/r,

TWITTER, INC.,
Plaintiff,
v.
U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. CUSTOMS AND BORDER PROTECTION; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; KEVIN K. MCALEENAN, in his official capacity as Acting Commissioner, U.S. Customs and Border Protection; STEPHEN P. CARUSO, in his official capacity as Special Agent In Charge, U.S. Customs and Border Protection; and ADAM HOFFMAN, in his official capacity as Special Agent, U.S. Customs and Border Protection,
Defendants.

This is an action to prevent the U.S. Department of Homeland Security ("DHS"), U.S. Customs and Border Protection ("CBP"), and the individual Defendants from unlawfully abusing a limited-purpose investigatory tool to try to unmask the real identity of one or more persons who have been using Twitter's social media platform, and specifically a Twitter account named @ALT_USCIS, to express public criticism of the Department and the current Administration.

From: (b) (6)
Sent: Thursday, April 06, 2017 3:57 PM
To: CBP Media Relations (b) (6), (b) (7)(C)
Subject: Twitter sues DHS over exposing anti-Trump "alt" accounts

Hi all

Can you offer a comment on the attached?

Thanks

(b) (6)
Reporter
POLITICO
(b) (6) (w)
(c)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 06, 2017 8:52 PM
To: COUREY, MARC BENNETT (OCC)
Cc: CUPP, MARY E (OCC); (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:37:33 PM
To: (b) (6), (b) (7)(C)
Cc: CUPP, MARY E (OCC); (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5), (b) (6), (b) (7)(C)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C) / (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 6:15:01 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C) / (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 06, 2017 6:05:06 PM
To: COUREY, MARC BENNETT (OCC)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Bennett:

(b) (5)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Office of the Chief Counsel | U.S. Customs and Border Protection
Department of Homeland Security | San Francisco
(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 2:18 PM
To: (b) (6), (b) (7)(C)
Cc: CUPP, MARY E (OCC) (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 5:17 PM
To: (b) (6)
Cc: (b) (6), (b) (7)(C); FALK, SCOTT K (OCC) (b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC) (b) (6), (b) (7)(C)
Subject: Twitter NDCA Suit

(b) (6), (b) (7)(C) – Forwarding for awareness as discussed. We'll engage with DOJ as contemplated.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 11:50 AM
To: FLANAGAN, PATRICK S
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Thanks, will do. Waiting to hear back from DOJ for clearance or edits.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: FLANAGAN, PATRICK S
Sent: Friday, April 7, 2017 12:38 PM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
Cc: KARISCH, RODOLFO (b) (6), (b) (7)(C) FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

C1 authorized transmittal of the below.

Please let me know when it is sent and the response back from Twitter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b)

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From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 12:14 PM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Cc: KARISCH, RODOLFO (b) (6), (b) (7)(C) FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

Patrick – FYI regarding my dialogue with DOJ and the current plan – which would be for me to send the withdrawal. Please advise of any concerns or we will proceed as previously discussed. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 12:13 PM
To: [redacted] (b) (6), (b) (7)(C)
Cc: [redacted] Maher, Joseph [redacted] FALK, SCOTT K (OCC)
[redacted] HIGHSMITH, ANNMARIE (OCC) < [redacted]
Subject: RE: Twitter NDCA Suit

(b) (6) copying others for visibility) – Draft transmittal below. Thoughts?

(b) (6) – (b) (7)(E) [redacted]

If you have any questions, please do not hesitate to contact (b) (6) or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
[redacted] (b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 12:00 PM
To: [redacted] (b) (6)
Cc: [redacted] (b) (6), (b) (7)(C) [redacted]
Subject: RE: Twitter NDCA Suit

Understood. Thanks. I will call you momentarily to read the draft to you for comments.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
[redacted] (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: [redacted] (b) (6)
Sent: Friday, April 7, 2017 11:55 AM
To: COUREY, MARC BENNETT (OCC) [redacted] (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

[redacted] (b) (5)

From: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C) [redacted]
Sent: Friday, April 07, 2017 11:50 AM
To: [redacted] (b) (6), (b) (7)(C)
Cc: [redacted]
Subject: RE: Twitter NDCA Suit

[redacted] (b) (5) [redacted]

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
[redacted] (b) (6), (b) (7)(C) [redacted]
** Attorney Work Product / Attorney-Client Privileged **

From: [redacted] (b) (6) [redacted]
Sent: Friday, April 7, 2017 11:41 AM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C) [redacted]
[redacted] (b) (6), (b) (7)(C) [redacted]
Subject: RE: Twitter NDCA Suit

[redacted] (b) (5) [redacted]

We will get back to you as soon as we hear back from [redacted] (b) (6) [redacted]

[redacted] (b) (6) [redacted]

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Friday, April 07, 2017 11:25 AM
To: COUREY, MARC BENNETT (OCC)
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Let me check with the Boss.

V/R
Patrick

Patrick Flanagan
(b) (6), (b)

Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 12:14 PM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Cc: KARISCH, RODOLFO (b) (6), (b) (7)(C) FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

Patrick (b) (5)
Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 12:13 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) Maher, Joseph (b) (6), (b) (7)(C)
FALK, SCOTT K (OCC)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (6) copying others for visibility) – Draft transmittal below. Thoughts?

(b) (5)

(b) (5)

If you have any questions, please do not hesitate to contact (b) (6) or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 12:00 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Understood. Thanks. I will call you momentarily to read the draft to you for comments.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: (b) (6)
Sent: Friday, April 7, 2017 11:55 AM
To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5)

From: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 11:50 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Twitter NDCA Suit

(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: (b) (6)
Sent: Friday, April 7, 2017 11:41 AM

To: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: RE: Twitter NDCA Suit

(b) (5)

(b) (6)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 10:26 AM
To: COUREY, MARC BENNETT (OCC)
Subject: RE: Twitter NDCA Suit

We should copy Miami as well….

(b) (6), (b) (7)(C)
Deputy Associate Chief Counsel
(Enforcement & Operations)
Office of Chief Counsel
U.S. Customs and Border Protection
(b) (6), (b) (7)(C)

This document, and any attachment(s), may contain information which is law enforcement sensitive, attorney-client privileged, attorney work-product, or U.S. Government information. It is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please consult with the CBP Office of Chief Counsel before disclosing any information contained in this message or any attachment(s).

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 11:25 AM
To: BOURAS, HELEN (OCC) <HELEN.BOURAS@CBP.DHS.GOV>
Cc: CUPP, MARY E (OCC) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (6), (b) (7)(C) Just FYI. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 11:04:26 AM
To: Maher, Joseph
Cc: Palmer, David; (b) (6) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC); (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

(b) (5) Please let us know if you'd like to discuss. Thanks again.

Bennett Courey

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 6, 2017 7:16 PM
To: Maher, Joseph (b) (6), (b) (7)(C) FALK, SCOTT K (OCC) (b) (6), (b) (7)(C) HIGHSMITH, ANNMARIE (OCC) (b) (6), (b) (7)(C)
Subject: Twitter NDCA Suit
Importance: High

Joe – We wanted to ensure that you have awareness of litigation filed today that is receiving media attention.

(b) (5)

(b) (5)

Please let us know if you have any questions or would like to discuss. (b) (6), (b) (7)(C)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Friday, April 07, 2017 9:45 AM
To: COUREY, MARC BENNETT (OCC)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Twitter NDCA Suit

Bennet, my telephone is (b) (6)

From: COUREY, MARC BENNETT (OCC) (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 9:55 AM
To: (b) (6)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

(b) (6) As discussed. (b) (5)

From: (b) (6)
Sent: Tuesday, April 04, 2017 11:10:29 PM
To: (b) (6), (b) (7)(C)
Subject: FW: The Summons for Twitter account

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

We are now representing Twitter in connection with the Section 1509 summons concerning the @alt_uscis account. Please direct any further communications on this matter to my attention.

(b) (6) has indicated, Twitter has significant concerns regarding the summons, and Twitter intends to file a challenge to the summons in court unless it is withdrawn within 48 hours of (b) (6) email to you earlier today.

The language of 19 U.S.C. § 1509 indicates that a summons such as this may be used to compel the production of records only when the agency is engaged in an investigation relating to compliance with laws concerning imported merchandise. In addition, the types of records whose production may be compelled by such a summons are narrowly defined in §§ 1508 and 1509—again, as limited to records relating to imported merchandise. You have not provided Twitter with any basis to conclude that either the purpose of the summons, or the type of the records it demands Twitter to produce, fall within these statutory parameters.

In addition, Twitter is concerned that the summons infringes the First Amendment rights of its users to speak pseudonymously on the Twitter platform and Twitter's own First Amendment rights to host such speech. Because enforcement of the summons would impact one or more Twitter users who have been using Twitter's service to engage in criticism of the government without disclosing their real identities, the First Amendment interests at stake here are heightened. Twitter believes that, under the First Amendment, there should be no enforcement of the summons absent an evidentiary showing by CBP that that some criminal or civil offense has been committed, that unmasking the users' identity is the least restrictive means for investigating that offense, that the agency's demand for this information is not motivated by a desire to suppress free speech, and that the interests of pursuing that investigation outweigh the important free speech rights of Twitter and its users. Your communications to Twitter have not indicated that such a showing can be made in these circumstances.

Regards,

(b) (6)
Washington, DC 20006 USA

(b) (6)

---------- Forwarded message ----------
From: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Date: Tue, Apr 4, 2017 at 11:45 AM
Subject: RE: The Summons for Twitter account
To: (b) (6)

(b) (6)

Per our phone conversation, CBP had no intention of acquiring a non-disclosure and that we did not have an issue if twitter notified the account holder. I also understand that your question of legal attority was cleared up and that you understood that it was within the scope.

That is because if a person or group is using Twitter to release controlled information or message ways around laws that CBP is responsible to enforce it would fall under that summons.

Are you now saying that you do not feel that the summons is not valid?

(b)

From: (b) (6)
Sent: Tuesday, April 04, 2017 7:12:31 PM
To: (b) (6), (b) (7)(C)
Subject: Re: The Summons for Twitter account

Agent Hoffman,

Please be advised that consistent with my last email, we provided notice to the user of the @alt_uscis account of your request for account information. Due to unresolved concerns regarding the legality of the summons, we have also notified the user that it is our intent to file a challenge in the next 48 hours unless the summons is withdrawn. Please notify Twitter as soon as possible in writing if you would like to withdraw the summons.

Best regards,
(b) (6)

On Sun, Apr 2, 2017 at 11:14 AM, (b) (6)
(b) (6) wrote:
(b) (6), (b) (7)

Thanks for your email. Just to clarify, as I explained to you on the phone, Twitter has a policy of providing notice to our users of requests for their account information. We do not provide notice if we receive a valid non-disclosure order issued under 18 U.S.C. 2705(b). As I understand your message, you are confirming for me that CPB does not plan to obtain such an order. As such, we will proceed with notice on Monday. We do not view user notice as having any bearing any objections to the summons that the user or Twitter may have.

Best regards,
(b) (6)

(b) (6)

(b) (6)

(b) (6)

On Fri, Mar 31, 2017 at 8:45 AM, (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Per our phone conversation, I wanted to advice you that as long as CBP gets the requested information from twitter, I'm ok with twitter notifying the account holder. If you would like you can email the requested information to me as well.

Thank you again for all the help,

(b) (6), (b) (7)(C)

Special Agent | OFFICE OF PROFESSIONAL RESPONSIBILITY | DEPARTMENT OF HOMELAND SECURITY | U.S. CUSTOMS AND BORDER PROTECTION
Office (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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--

(b) (6)

Associate General Counsel - Global Law Enforcement

(b) (6)

(b) (6)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 8:55 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: Twitter NDCA Suit

(b) (6), (b) (7)(C) Thanks for the discussion. (b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:21 PM
To: FALK, SCOTT K (OCC)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit
Attachments: AltTwitterSty040617.pdf

Importance: High

Scott -- (b) (5) Happy to discuss. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: Palmer, David
Sent: Thursday, April 06, 2017 6:17:12 PM
To: COUREY, MARC BENNETT (OCC)
Subject: FW: Twitter NDCA Suit

Bennett

(b) (5)

Thanks,

David

David J. Palmer
Chief of Staff
Office of the General Counsel
Department of Homeland Security

Desk:
Mobil (b) (6)

From: (b) (6)
Sent: Thursday, April 06, 2017 5:59 PM
To: Maher, Joseph
Cc: Palmer, David; FALK, SCOTT K (OCC); (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:16:57 PM
To: (b) (6), (b) (7)(C)
Cc: Palmer, David; (b) (6), (b) (7)(C) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Subject: Twitter NDCA Suit

(b) (6) (b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:07 PM
To: (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit
Attachments: AltTwitterSty040617.pdf

Let me know if you have this or if you need me to do anything to help when I get home around 6:30. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: FALK, SCOTT K (OCC)
Sent: Thursday, April 06, 2017 5:55:07 PM
To: Maher, Joseph
Cc: COUREY, MARC BENNETT (OCC)
Subject: FW: Twitter NDCA Suit

Joe,
Here it is.

Bennett and (b) (6), (b) - (b) (5) Thanks,

--Scott

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 10:16:57 PM
To: (b) (6)
Cc: Palmer, David; KESSLER, LESLEYANNE (OCC); FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Subject: Twitter NDCA Suit

(b) (6) (b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Thursday, April 06, 2017 4:59 PM
To: Maher, Joseph
Cc: Palmer, David; FALK, SCOTT K (OCC); (b) (6), (b) (7)(C)
Subject: FW: Twitter NDCA Suit
Attachments: AltTwitterSty040617.pdf

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 5:16:57 PM
To: (b) (6)
Cc: Palmer, David; (b) (6), (b) (7)(C) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Subject: Twitter NDCA Suit

(b) (6)(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: FALK, SCOTT K (OCC)
Sent: Thursday, April 06, 2017 4:58 PM
To: (b) (6), (b) (7)(C)
Cc: COUREY, MARC BENNETT (OCC)
Subject: FW: Twitter NDCA Suit
Attachments: AltTwitterSty040617.pdf

(b) (6), (b) (7)(C) - meant to include you on the distro.
--Scott

(b) (6), (b) (7)(C)

From: FALK, SCOTT K (OCC)
Sent: Thursday, April 06, 2017 10:55:07 PM
To: Maher, Joseph
Cc: COUREY, MARC BENNETT (OCC)
Subject: FW: Twitter NDCA Suit

Joe,
Here it is.

Bennett and (b) (6), (b) (7)(C) - (b) (5) Thanks,

--Scott

From: COUREY, MARC BENNETT (OCC)
Sent: Thursday, April 06, 2017 10:16:57 PM
To: (b) (6)
Cc: Palmer, David; (b) (6), (b) (7)(C) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC)
Subject: Twitter NDCA Suit

(b) (6), (b) (7)(C)
(b) (5)

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

SETH P. WAXMAN (*pro hac vice* pending)
seth.waxman@wilmerhale.com
PATRICK J. CAROME (*pro hac vice* pending)
patrick.carome@wilmerhale.com
ARI HOLTZBLATT (*pro hac vice* pending)
ari.holtzblatt@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
Telephone: (202) 663-6000
Facsimile: (202) 663-6363

MARK D. FLANAGAN (CA SBN 130303)
mark.flanagan@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
950 Page Mill Road
Palo Alto, California 94304
Telephone: (650) 858-6000
Facsimile: (650) 858-6100

Attorneys for Plaintiff
TWITTER, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TWITTER, INC., Plaintiff, v. U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. CUSTOMS AND BORDER PROTECTION; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; KEVIN K. MCALEENAN, in his official capacity as Acting Commissioner, U.S. Customs and Border Protection; STEPHEN P. CARUSO, in his official capacity as Special Agent In Charge, U.S. Customs and Border Protection; and ADAM HOFFMAN, in his official capacity as Special Agent, U.S. Customs and Border Protection, Defendants.	Case No. _____

COMPLAINT

Plaintiff Twitter, Inc. ("Twitter"), by and through its attorneys, hereby alleges:

INTRODUCTION

1. This is an action to prevent the U.S. Department of Homeland Security ("DHS"), U.S. Customs and Border Protection ("CBP"), and the individual Defendants from unlawfully abusing a limited-purpose investigatory tool to try to unmask the real identity of one or more persons who have been using Twitter's social media platform, and specifically a Twitter account

CBP Production

named @ALT_USCIS, to express public criticism of the Department and the current Administration. The rights of free speech afforded Twitter's users and Twitter itself under the First Amendment of the U.S. Constitution include a right to disseminate such anonymous or pseudonymous political speech. In these circumstances, Defendants may not compel Twitter to disclose information regarding the real identities of these users without first demonstrating that some criminal or civil offense has been committed, that unmasking the users' identity is the least restrictive means for investigating that offense, that the demand for this information is not motivated by a desire to suppress free speech, and that the interests of pursuing that investigation outweigh the important First Amendment rights of Twitter and its users. But Defendants have not come close to making any of those showings. And even if Defendants could otherwise demonstrate an appropriate basis for impairing the First Amendment interests of Twitter and its users, they certainly may not do so using the particular investigatory tool employed here—which Congress authorized solely to ensure compliance with federal laws concerning imported merchandise—because it is apparent that whatever investigation Defendants are conducting here does not pertain to imported merchandise.

2. In the days and weeks following the inauguration of President Donald J. Trump, a new and innovative class of American speakers emerged on Twitter's ubiquitous online platform: speakers who purport to be current or former employees of federal agencies, or others with special insights about the agencies, who provide views and commentary that is often vigorously opposed, resistant, or "alternative" to the official actions and policies of the new Administration. Typically, these so-called "alternative agency" accounts are named and self-described by their users in a manner that both (a) identifies the particular federal agency that the user seeks primarily to criticize and with which the user purports to have significant knowledge, and (b) proclaims that the user is not an official voice or spokesperson for the agency. Examples of these accounts include @alt_labor, which purports to provide informed but unofficial commentary on the U.S. Department Labor, and @blm_alt, which does the same for the federal Bureau of Land Management. Dozens of such accounts have sprung up, and many of them are actively used to disseminate criticism of the Administration and its policies. Many of these

CBF Form 4590

accounts have attracted large audiences of other Twitter users ("followers"), often numbering in the tens of thousands or more.

3. Like many Twitter users, those who speak through these "alternative agency" accounts do so pseudonymously, often going to considerable lengths to avoid disclosing their real identities. The motivations these users have for preserving their anonymity presumably include a desire to speak freely and without the fear of negative consequences that may flow from being identified as the source of controversial views and commentary concerning the Administration and its agencies. Such fears are likely to be especially great for users of "alternative agency" accounts who are currently employed by the very agency that is a principal target of the commentary, in light of the retaliation, harassment, or even loss of livelihood that might occur if their real identities became known to their superiors.

4. One such "alternative agency" account is @ALT_USCIS. Like other accounts of this sort, @ALT_USCIS claims to be run by one or more current government employees—in this case, employees of the United States Citizenship and Immigration Services ("USCIS"), a unit within the Defendant DHS. And as with other such accounts, the person or persons who established and speak through @ALT_USCIS have identified themselves only by means of this pseudonymous account name. To the best of Twitter's knowledge, they have not disclosed their real identities in any of their public communications through this account.

5. In the just over two months since it was created, @ALT_USCIS has frequently criticized the immigration policies of the new Administration, highlighted what the user views as a history of waste and mismanagement within USCIS and DHS, and publicized facts that the account's users portray as casting doubt on Administration policies.

6. The Defendants are now threatening the anonymity of the person(s) speaking through the @ALT_USCIS account. Specifically, on March 14, 2017, they issued and delivered to Twitter an administrative summons (the "CBP Summons") demanding that Twitter provide them records that would unmask, or likely lead to unmasking, the identity of the person(s) responsible for the @ALT_USCIS account. The summons was issued by a Special Agent in

CBP Forms 59

Charge within U.S. Customs and Border Protection, another unit of DHS. The CBP Summons is unlawful and must be enjoined for two reasons.

7. *First*, the sole statutory authority CBP invoked in issuing the summons—19 U.S.C. § 1509—authorizes the agency to compel production of only a narrow class of records relating to the importation of merchandise. But CBP's investigation of the @ALT_USCIS account plainly has nothing whatsoever to do with the importation of merchandise into the United States. Section 1509 thus provides CBP no power to compel Twitter to reveal information pertaining to the identity of the individual(s) behind the @ALT_USCIS account.

8. *Second*, permitting CBP to pierce the pseudonym of the @ALT_USCIS account would have a grave chilling effect on the speech of that account in particular and on the many other "alternative agency" accounts that have been created to voice dissent to government policies. The Supreme Court has long recognized the extraordinary value of the kind of speech emanating from these accounts—pure political speech criticizing government policies and highlighting government waste and mismanagement. And the Court has likewise recognized that anonymity is often essential to fostering such political speech where, as here, the speaker could face retaliation or retribution if his or her real identity were linked to the speech. In this context, the CBP Summons must be declared unlawful and enjoined absent an evidentiary showing by Defendants that some criminal or civil offense has been committed, that unmasking the users' identity is the least restrictive means for investigating that offense, that the demand for this information is not motivated by a desire to suppress free speech, and that the interests of pursuing that investigation outweigh the important free speech rights of Twitter and its users. Defendants have not even attempted to meet that burden.

9. For these and other reasons discussed below, Twitter respectfully requests that this Court declare the summons unlawful and enjoin its enforcement.

JURISDICTION AND VENUE

10. This Court has jurisdiction under 28 U.S.C. § 1331 because this action arises under the First Amendment to the U.S. Constitution, the Administrative Procedure Act ("APA"), the Tariff Act of 1930, as amended, and other Federal statutes.

11. This Court is authorized to award the requested declaratory and injunctive relief under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202 and the APA, 5 U.S.C. § 706.

12. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) and (e)(1). A substantial part of the events giving rise to this claim occurred in this District, and each Defendant is an officer or agency of the United States sued in his or its official capacity.

PARTIES

13. Twitter is a Delaware corporation with its principal place of business at 1355 Market Street, San Francisco, CA 94103. Twitter operates a global platform for self-expression and communication, with the mission of giving everyone the power to create and share ideas and information instantly. Twitter's more than 300 million active monthly users use the platform to connect with others, express ideas, and discover new information. Hundreds of millions of short messages (known as "Tweets") are posted on Twitter every day. Twitter provides these services at no charge to its users.

14. The U.S. Department of Homeland Security is a cabinet department of the United States federal government. Its stated missions include antiterrorism, border security, immigrations and customs, and disaster prevention and management.

15. The U.S. Customs and Border Protection is an agency within DHS. It is responsible for managing and controlling the border of the United States, including with respect to import customs, immigration, border security, and agricultural protection.

16. John F. Kelly is the Secretary of DHS. He is sued in his official capacity.

17. Kevin K. McAleenan is the Acting Commissioner of CBP. He is sued in his official capacity.

18. Stephen P. Caruso is a special agent in charge within CBP. He is sued in his official capacity.

19. Adam Hoffman is a special agent within the Office of Professional Responsibility of CBP. He is sued in his official capacity.

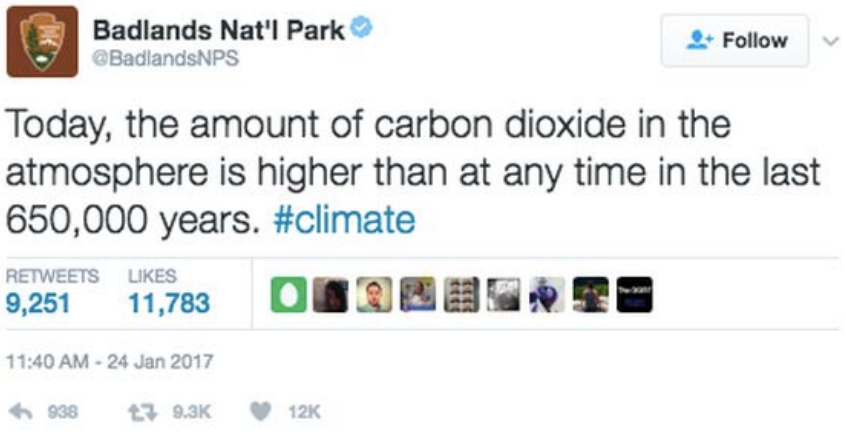
FACTUAL BACKGROUND

The Emergence And Popularity Of "Alternative Agency" Accounts On The Twitter Platform

20. President Donald J. Trump was inaugurated on January 20, 2017. That day the official Twitter account of the National Park Service retweeted an image comparing the crowd size at President Trump's inauguration to the apparently larger crowd size at President Obama's 2009 inauguration.

21. As the public began to remark on the agency's retweet, the National Park Service abruptly shut down its own account and sent an internal email to agency employees explaining that "[a]ll bureaus and the department have been directed by [the] incoming administration to shut down Twitter platforms immediately until further notice." And President Trump called the acting director of the National Park Service to complain about the agency retweeting an unflattering comparison of his inaugural crowd size. The day after the inauguration, the Park Service reactivated its official account and Tweeted an apology for "the mistaken [retweets] from our account yesterday."[1]

22. Four days after the inauguration, on January 24, 2017, the official Twitter account for Badlands National Park began to Tweet a series of statements about climate change from the @BadlandsNPS account.



[1] Lisa Rein, *Interior Department Reactivates Twitter Accounts After Shutdown Following Inauguration*, WASH. POST (Jan. 21, 2017), https://www.washingtonpost.com/news/powerpost/wp/2017/01/20/interior-department-banned-from-twitter-after-retweet-of-smaller-than-usual-trump-inauguration-crowd/?utm_term=.4e6d99996772.

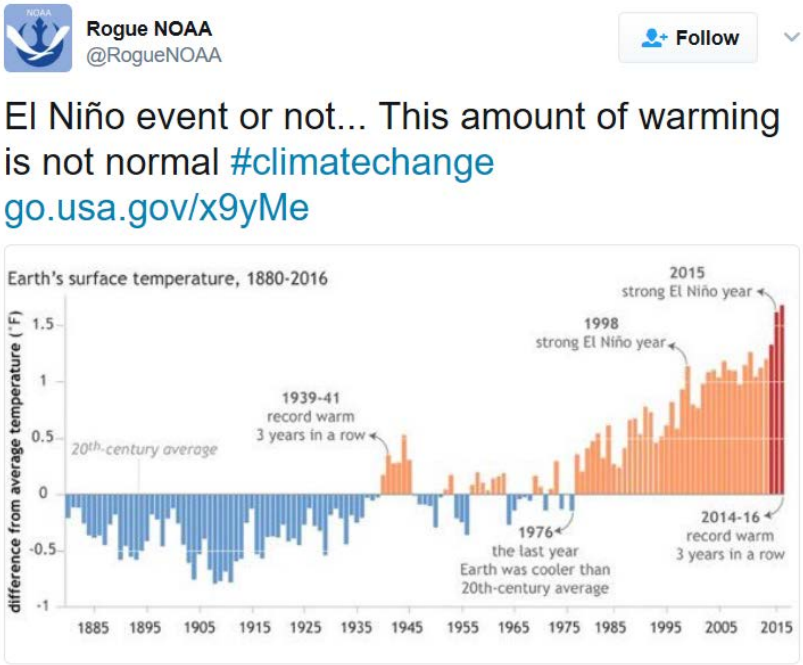
23. Press reports described the @BadlandsNPS account as having gone "rogue," and the National Park Service explained that a former employee who still had access to the @BadlandsNPS account had been responsible for the Tweets. The Park Service quickly removed the unauthorized Tweets and blocked the former employee's access.

24. Shortly thereafter, a new wave of Twitter accounts began to appear on the Twitter platform: self-identified as expressing "alternative" ideas, views, and information about a particular federal agency. Although seemingly inspired by the National Park Service's inauguration day Tweet or by the short-lived takeover of the @BadlandsNPS account, these new alternative agency accounts were not "official" accounts of any government agency. Instead, they operated under names such as @blm_alt, @alt_labor, and @RogueEPAstaff. Within weeks, dozens of such accounts had been created, many attracting tens of thousands of followers or more. In some cases, multiple alternative agency accounts appeared for a single agency.

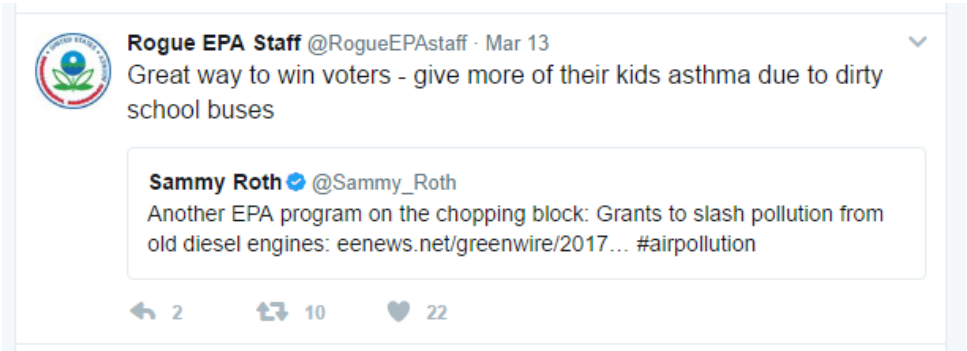
25. While some of these alternative agency accounts appear to be run by former federal employees or activists with no connection to the government, many of the accounts claim, through their user-created account descriptions or the content of their Tweets, to be administered by individuals who are currently employed by the federal agency after which the account is named.

26. These self-designated alternative agency accounts have tended to challenge views of the Administration and its policies, often (but not always) focusing on the policies of the particular agency for which the account was named. The styles of expression emanating from these accounts vary greatly.

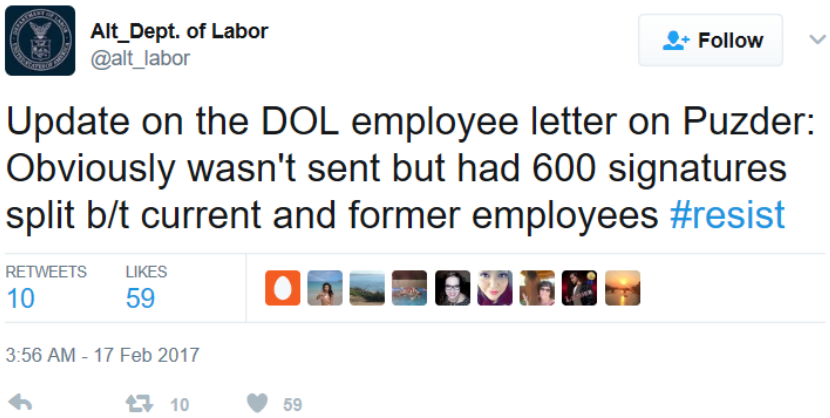
27. Some accounts appear to equate the simple act of broadcasting facts as an expression of dissent.



28. The accounts often have expressed disagreement with specific policies of the official agency.



29. One of the many Tweets from the @alt_labor account publicized a letter signed by 600 current and former Labor Department employees opposing the confirmation of the President's nominee for Labor Secretary, Andrew Puzder.



30. Like many online platforms, Twitter's platform offers users the choice between speaking in a self-identifying manner (for example, by selecting a user name that matches or is similar to the user's real name) or pseudonymously (through an account that has a user name and user description that do not disclose the speaker's real identity).

31. Pseudonymity of the speaker(s) is a defining feature of the alternative agency accounts that have recently emerged on the Twitter platform. While the persons who establish and use these accounts sometimes provide highly general descriptions of themselves (for example, by stating in the account's biography that the user or users work or previously worked for a particular agency), they typically refrain from revealing their real names. The users appear to view and depend on preservation of their anonymity as crucial to their ability to express information and ideas that are contrary to the policies and objectives of the Administration and its agencies. Preserving anonymity appears to be especially important for users of these alternative agency accounts who are current federal employees, given the risk that such users could face retaliation, sanctions, or other negative repercussions from their federal employer if they were identified as the source of criticism of their agency.[2]

[2] Alleen Brown, *Rogue Twitter Accounts Fight To Preserve The Voice Of Government Science*, THE INTERCEPT (Mar. 11, 2017), https://theintercept.com/2017/03/11/rogue-twitter-accounts-fight-to-preserve-the-voice-of-government-science (reporting that several "alternative agency" accounts are administered by current agency employees and that those employees wish to

The @ALT_USCIS Twitter Account

32. This case concerns one particular alternative agency account that, like many others, was created in late January 2017: @ALT_USCIS.

33. As of the time Twitter received the CBP Summons, the public, user-provided description of the @ALT_USCIS account described its user or users as "[o]fficial inside resistance." As of then and now, the account description prominently declares that the account is "[n]ot [expressing] the views of DHS or USCIS." The account's profile image plays off USCIS's official logo (displayed side-by-side below), further indicating a correspondence or relationship to the agency, albeit one that is unofficial, ideologically or politically averse, and/or "rogue."[3] Tweets from this account use hashtags such as "#altgov," expressly self-identifying as part of the broader alternative agency movement.

34. On several occasions, Tweets from the @ALT_USCIS account have claimed that the person speaking through the account is a current federal employee of the United States Citizenship and Immigration Services (USCIS), an entity that reportedly has 19,000 employees and contractors. But beyond purporting to identify his or her employer, the person(s) using the account have chosen to remain pseudonymous.

35. In two months of existence, the @ALT_USCIS account has attracted over 32,000 followers and has issued thousands of Tweets.

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preserve their anonymity "out of fear of workplace retaliation and pressure to shut down their accounts").

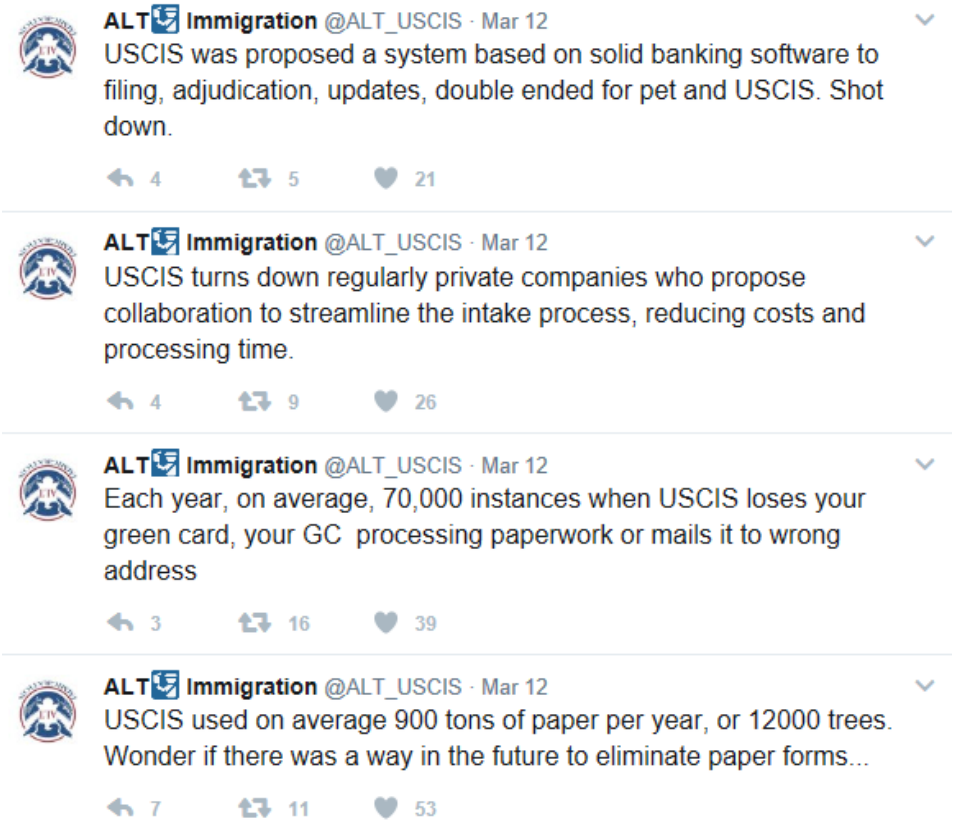
[3] The accountholder reworked the account's description and profile image at some point after Twitter received the CBP Summons. The profile image displayed above is as it was when the summons was received.

36. The @ALT_USCIS account has expressed dissent in a range of different ways. One of the account's first Tweets asserted a fact about illegal immigration in the United States that the author apparently believed cast doubt on the Administration's immigration policy.

37. The @ALT_USCIS account has often criticized immigration policies with which the speaker apparently disagrees. The account was created on nearly the same day that the President issued his original immigration Executive Order. Tweets from the account have repeatedly criticized the Order—often referring to it as the "#MuslimBan." Other Tweets have taken aim at the President's proposal to build a wall along the U.S.-Mexico border. For example, on March 11, 2017, the account used news that a fence-jumper had trespassed onto the White House grounds to argue that the Administration's proposed border fence will be ineffective.

38. Tweets from the @ALT_USCIS account have also purported to shine a light on historical and recent mismanagement at USCIS. For example, on March 12—two days before issuance of the CBP Summons challenged in this suit—a series of Tweets from the account

decried what the author described as waste, inefficiency, and poor management in the agency's attempts to set up a new automated system for processing immigration applications.



39. The account has regularly leveled criticism at U.S. Customs and Border Protection—the agency that issued the summons challenged by this lawsuit.

40. The account has also frequently tweeted disagreement with the current Administration's policies on subjects other than immigration—expressing opposition to efforts in

Congress to repeal the Affordable Care Act and urging Democrats to resist confirmation of Supreme Court nominee Neil Gorsuch, among many other issues.

41. Occasionally, the account has highlighted USCIS or DHS policies that the speaker appears to support. For example, the day DHS Secretary Kelly announced that the Department would continue to exempt from removal individuals covered by the prior Administration's Deferred Action for Childhood Arrivals policy (DACA), the account issued the following Tweet.

U.S. Customs And Border Protection Orders Twitter To Produce
Records That Would Strip The @ALT_USCIS Account Of Anonymity

42. On March 14, 2017, Defendant Adam Hoffman, an agent within U.S. Customs and Border Protection, transmitted to Twitter by fax a summons, ordering Twitter to produce certain records pertaining to the @ALT_USCIS account. The CBP Summons invoked as authority 19 U.S.C. § 1509. It was signed by Defendant Stephen P. Caruso, a CBP Special Agent in Charge based in Miramar, Florida. A true and accurate copy of the CBP Summons, in the form it was received by Twitter, is attached as Exhibit A.

43. The CBP Summons states that Twitter is "required" to "produce[] for inspection" "[a]ll records regarding the [T]witter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P. addresses." The purpose of this request appears to be, and the effect of Twitter's complying with it likely would be, to enable or help to enable Defendants to pierce the anonymity of the person or persons who established and use the @ALT_USCIS account.

44. The CBP Summons warned Twitter that "[f]ailure to comply with this summons will render you liable to proceedings in a U.S. District Court to enforce compliance with this summons as well as other sanctions."

45. The CBP Summons ordered Twitter to produce the records to a CBP office in Washington D.C. by 11:45 A.M. on March 13, 2017—the day *before* the CBP Summons was faxed to Twitter.

46. The CBP Summons states generically that "production of the indicated records is required in connection with an investigation or inquiry to ascertain the correctness of entries, to determine the liability for duties, taxes, fines, penalties, or forfeitures, and/or to ensure compliance with the laws or regulations administered by CBP and ICE." Beyond that boilerplate language, the CBP Summons provides no justification for issuance of a summons targeting the @ALT_USCIS account.

47. The CBP Summons further "requested"—but did not order or otherwise compel—Twitter "not to disclose the existence of this summons for an indefinite period of time."

48. Notwithstanding the request on the face of the CBP Summons that Twitter not disclose the existence of the CBP Summons to anyone, a "Summons Notice" included in the CBP Summons describes a procedure whereby the subject of the summons (i.e., the person whose "business transactions or affairs" are purportedly being investigated) supposedly could "object to the examination" of the requested records by "advis[ing] the person summoned [i.e. Twitter], in writing, not to comply with the summons" and "send[ing] a copy of that notice by registered or certified mail to the CBP Officer … who issued the summons." To be effective, any such objection would have to be sent "not later than the" deadline set by the CBP Summons for compliance—which, again, had already passed by the time the CBP Summons was served on Twitter. Neither the CBP Summons itself, nor the statute that supposedly authorizes issuance of the summons (*i.e.*, 19 U.S.C. § 1509), nor the regulations implementing that statute describe any procedure for Twitter to object to compliance with the summons.

49. On March 28, 2017, counsel for Twitter contacted Defendant Hoffman to raise concerns regarding the request not to provide notice to the user and the legal basis for seeking

information about the identified account using a summons issued under 19 U.S.C. § 1509. Defendant Hoffman advised counsel for Twitter that CBP did not want the user notified and that he would discuss notice with his supervisors. With regard to the legal basis for the summons, Defendant Hoffman stated vaguely that he is conducting an investigation. But he did not identify any law or laws that he believed had been broken or point to any evidence substantiating any such belief—such as particular Tweets that he believes were unlawful. Defendant Hoffman took the position that the summons was an appropriate investigative tool, but he did not provide any specifics as to how a summons issued under 19 U.S.C. § 1509 could be an appropriate means for CBP's Office of Professional Responsibility to be conducting this particular investigation. In fact, to the limited extent he did explain the nature of the investigation, it seemed to confirm that the investigation had nothing to do with obtaining records to assess whether appropriate duties and taxes had been paid on imported merchandise.

50. Twitter advised Defendant Hoffman that, unless he or his agency obtained a court order under the federal Stored Communications Act, 18 U.S.C. § 2705, directing Twitter not to disclose the CBP Summons to the @ALT_USCIS accountholder(s), Twitter would, in accordance with its standard practices, notify the accountholder(s) of the existence and content of the CBP Summons. On March 31, 2017, Defendant Hoffman sent Twitter an email confirming that no such court order would be obtained. On April 2, 2017, Twitter stated in a response to Defendant Hoffman that it intended to notify the accountholder(s) the next day about the CBP Summons.

51. On April 4, 2017, Twitter notified the @ALT_USCIS accountholder(s) about the existence and contents of the CBP Summons. At approximately the same time, Twitter also informed Defendant Hoffman of its intention to challenge the CBP Summons in court if it was not withdrawn within 48 hours. Later that day, counsel for Twitter sent Defendant Hoffman an email elaborating the bases for Twitter's legal objections to the CBP Summons—namely that the summons falls outside the statutory parameters of 19 U.S.C. § 1509 and infringes on the First Amendment rights of Twitter's users and Twitter itself—and reiterating Twitter's intention to sue absent withdrawal of the summons.

52. As of today's date, Defendants have not notified Twitter of any intent to withdraw the CBP Summons.

COUNT I
(19 U.S.C. § 1509; Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202; APA, 5 U.S.C. § 706)

THE SUMMONS EXCEEDS THE SCOPE OF CBP'S AUTHORITY UNDER 19 U.S.C. § 1509

53. Plaintiff hereby incorporates by reference paragraphs 1-52 as if set forth fully herein.

54. The summons is unlawful because it demands production of records that CBP is not authorized to obtain under 19 U.S.C. § 1509.

55. The summons exceeds the scope of CBP's authority under 19 U.S.C. § 1509 for two reasons. *First*, 19 U.S.C. § 1509 authorizes CBP to obtain documents only for investigations and inquiries relating to the importation of merchandise. *Second*, even if CBP issued the summons for a proper purpose, the summons seeks production of records that are not of the narrowly limited type that CBP is authorized to obtain under 19 U.S.C. § 1509. These two reasons are explained more fully below.

56. *First*, 19 U.S.C. § 1509 confers authority on the Secretary (or a delegate at or above the rank of district director or special agent in charge) to compel disclosure of records only in connection with "any investigation or inquiry conducted for the purpose of ascertaining the correctness of any entry, for determining the liability of any person for duty, fees and taxes due or duties, fees and taxes which may be due the United States, for determining liability for fines and penalties, or for insuring compliance with the laws of the United States administered by the United States Customs Service." 19 U.S.C. § 1509(a). The first three items on the list clearly relate narrowly to imports, and the meaning of the fourth term is "cabin[ed]" by the first three. *See Yates v. United States*, 135 S. Ct. 1074, 1085 (2015) (applying "the principle of *noscitur a sociis*—a word is known by the company it keeps—to 'avoid ascribing to one word a meaning so broad that it is inconsistent with its accompanying words, thus giving unintended breadth to the Acts of Congress.'" (quoting *Gustafson v. Alloyd Co.*, 513 U.S. 561, 575 (1995))).

57. Defendants could not plausibly establish that they issued the CBP Summons—which demands "[a]ll records regarding the [T]witter account @ALT_USCIS to include User names, account login, phone numbers, mailing addresses, and I.P. addresses"—in any investigation or inquiry relating to the import of merchandise.

58. *Second*, § 1509 does not authorize the Defendants to compel production of the account-related records that the summons demands. The Secretary or his delegate can compel the production of only records that fall within a narrow category defined in 15 U.S.C. § 1509(d)(1)(A). *See* 15 U.S.C. § 1509(a)(2)(D) ("[T]he Secretary ... may … summon … any … person he may deem proper … to produce records, *as defined in subsection (d)(1)(A)*.").

59. Subsection 1509(d)(1)(A) limits the "records" whose production may be permissibly compelled through a summons to those (1) that are "required to be kept under section 1508 of this title" and (2) "regarding which there is probable cause to believe that they pertain to merchandise the importation of which into the United States is prohibited." The records that the CBP Summons demands Twitter to disclose meet neither of these criteria.

60. Section 1508 requires importers to maintain certain records relating to their activity of importing merchandise. *See United States v. Frowein*, 727 F.2d 227, 233 (2d Cir. 1984) ("Section 1508 … imposes recordkeeping requirements on those who import or cause goods to be imported."). Specifically, the entities that must maintain records under section 1508 are limited to the following: any "owner, importer, consignee, importer of record, entry filer, or other party who—(A) imports merchandise into the customs territory of the United States, files a drawback claim, or transports or stores merchandise carried or held under bond, or (B) knowingly causes the importation or transportation or storage of merchandise carried or held under bond into or from the customs territory of the United States," 19 U.S.C. § 1508(a)(1); *or* any "agent of any party described in paragraph (1)," *id.* § 1508(a)(2); *or* any "person whose activities require the filing of a declaration of entry, or both," *id.* § 1508(a)(3). The records Section 1508 requires these entities to maintain are limited to records that both "pertain to any such activity, or to the information contained in the records required by this chapter in

connection with any such activity" and "are normally kept in the ordinary course of business." 19 U.S.C. § 1508(a)(3).

61. Subsection 1509(d)(1)(A)(ii) likewise limits the scope of records whose production CBP may compel pursuant to a summons to records relating to the importation of merchandise—specifically, records "pertain[ing] to *merchandise the importation of which into the United States is prohibited*."

62. The CBP Summons plainly does not request records relating to the importation of merchandise. It requests that Twitter produce information that pertains to the identity of the person(s) who established and use the @ALT_USCIS account. And it is utterly implausible that Defendants' interest in the person(s) who established and use the @ALT_USCIS account stems from their importation of merchandise into the United States.

63. The CBP Summons also violates the Stored Communications Act ("SCA"), 18 U.S.C. § 2701 *et seq.*, which "protects individuals' privacy and proprietary interests," "reflect[ing] Congress's judgment that users have a legitimate interest in the confidentiality of communications in electronic storage at a communications facility." *Theofel v. Farey-Jones*, 359 F.3d 1066, 1072 (9th Cir. 2003). The SCA establishes legal processes that government agencies must follow in order to obtain certain types of information from a service provider such as Twitter, which have not been followed here. The basic subscriber information the CBP Summons seeks—such as the user's name and address—can be obtained "us[ing] an administrative subpoena authorized by a Federal or State statute." 18 U.S.C. § 2703(c)(2). But the CBP Summons is not a valid administrative subpoena because, among other defects, it exceeds the scope of CBP's authority under 19 U.S.C. § 1509.

64. For the foregoing reasons, the Court should enjoin Defendants from taking any further action to enforce the CBP Summons and declare it to be an unlawful exercise of Defendants' authority, in contravention of 15 U.S.C. § 1509 and the SCA. Such relief is warranted under, among other laws, the APA because issuance, service, and enforcement of the subpoena is "not in accordance with law" and "in excess of statutory jurisdiction, authority, or limitations." 5 U.S.C. § 706(2)(A), (C).

COUNT II
(U.S. Const. amend. I; Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202; APA, 5 U.S.C. § 706)

THE FIRST AMENDMENT BARS THE CBP SUMMONS ABSENT SATISFACTION OF THE STRINGENT STANDARD FOR UNMASKING ANONYMOUS SPEAKERS

65. Plaintiff herein incorporates by reference paragraphs 1-64 as if set forth fully herein.

66. Twitter provides a platform for speech for hundreds of millions of users. Its users Tweet about a broad range of topics, from a favorite sports team to the birth of a child to the latest executive order. Many of Twitter's users choose to express themselves on the platform pseudonymously.

67. The CBP Summons seeks to force Twitter to disclose information that would identify, or likely lead to the identification of, a person (or group of persons) who has chosen to criticize the government pseudonymously and whose speech is potentially valuable since the person—as a self-described public employee—may be in the best position to "know what ails the agenc[y] for which [he or she] work[s]." *Dahlia v. Rodriguez*, 735 F.3d 1060, 1066-1067 (9th Cir. 2013) (quoting *Waters v. Churchill*, 511 U.S. 661, 674 (1994)).

68. Compelled disclosure of the identities of Twitter users who have engaged in pseudonymous speech would chill their exercise of the constitutionally protected right to speak anonymously. Moreover, independent of its users' rights, Twitter's actions in providing a platform for the dissemination of its users' speech—including its decision to permit the publication of pseudonymous speech—is fully protected by the First Amendment. *See, e.g.*, *Marcus v. Search Warrants*, 367 U.S. 717, 731-732 (1961); *cf., e.g.*, *Arkansas Educ. Television Comm'n v. Forbes*, 523 U.S. 666, 674 (1998). When rights of free speech—especially anonymous free speech—are at stake, courts generally permit an organization or business to assert those rights on behalf of its members or customers. *See, e.g.*, *Virginia v. American Booksellers Ass'n, Inc.*, 484 U.S. 383, 392-393 (1988) (permitting booksellers to assert First Amendment rights of buyers of adult-oriented books); *Publius v. Boyer-Vine*, 2017 WL 772146,

at *5 n.5 (E.D. Cal. Feb. 27, 2017) (collecting cases holding that entities such as websites can assert the First Amendment rights of their anonymous users).

69. The decision to speak anonymously or pseudonymously is protected by the First Amendment. As the Supreme Court has explained, "an author's decision to remain anonymous, like other decisions concerning omissions or additions to the content of a publication, is an aspect of the freedom of speech protected by the First Amendment." *McIntyre v. Ohio Elections Comm'n*, 514 U.S. 334, 342 (1995). "Anonymity is a shield from the tyranny of the majority. It thus exemplifies the purpose behind the Bill of Rights, and of the First Amendment in particular: to protect unpopular individuals from retaliation—and their ideas from suppression—at the hand of an intolerant society." *Id.* at 357.

70. A time-honored tradition of pseudonymous free speech on matters of public moment runs deep in the political life of America. "Undoubtedly the most famous pieces of American political advocacy are *The Federalist Papers*, penned by James Madison, Alexander Hamilton, and John Jay, but published under the pseudonym 'Publius.'" *In re Anonymous Online Speakers*, 661 F.3d 1168, 1172-73 (9th Cir. 2011) (citing *McIntyre*, 514 U.S. at 344 n.6).

71. The decision to maintain anonymity "may be motivated by fear of economic or official retaliation, by concern about social ostracism, or merely by a desire to preserve as much of one's privacy as possible." *Watchtower Bible and Tract Soc'y of New York, Inc. v. Village of Stratton*, 122 S. Ct. 2080, 2089-90 (2002) (internal citation omitted). In the present case, there is reason for concern that the CBP Summons itself may reflect the very sort of official retaliation that can result from speech that criticizes government officials and agencies. Because of the potential for retaliation and ostracism, "[t]here can be no doubt that [requiring identification of pseudonymous authors] would tend to restrict freedom to distribute information and thereby freedom of expression." *Talley v. California*, 362 U.S. 60, 64-65 (1960); *see also (WIN) Washington Initiatives Now v. Rippie*, 213 F.3d 1132, 1139 (9th Cir. 2000) ("Depriving individuals of … anonymity is … 'a broad intrusion, discouraging truthful, accurate speech by those unwilling to [disclose their identities] and applying regardless of the character or strength of an individual's interest in anonymity.'") (quoting *American Constitutional Law Found., Inc. v.*

Meyer, 120 F.3d 1092, 1103 (10th Cir. 1997))); *see also Am. Civil Liberties Union of Nevada v. Heller*, 378 F.3d 979, 988 (9th Cir. 2004).

72. These First Amendment interests are at their zenith when, as here, the speech at issue touches on matters of public political life. Political expression "occupies the core of the protection afforded by the First Amendment" and must be afforded the highest level of First Amendment protection. *McIntyre*, 514 U.S. at 346; *see also Mills v. Alabama*, 384 U.S. 214, 218 (1966) ("[T]here is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs."); *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964) (a case should be considered "against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.").

73. These protections for anonymous and pseudonymous political speech are as robust on the Internet as any other mode of speech. The Supreme Court has unequivocally held that speech on the Internet is entitled to the highest form of First Amendment protection. *See Reno v. ACLU*, 521 U.S. 844, 870 (1997). As the Supreme Court aptly recognized, through the Internet and interactive services such as Twitter, "any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox. Through the use of Web pages, mail exploders, and newsgroups, the same individual can become a pamphleteer." *Id.*; *see also In re Anonymous Online Speakers*, 661 F.3d at 1173 ("Although the Internet is the latest platform for anonymous speech, online speech stands on the same footing as other speech."). "As with other forms of expression, the ability to speak anonymously on the Internet promotes the robust exchange of ideas and allows individuals to express themselves freely without 'fear of economic or official retaliation ... [or] concern about social ostracism.'" *In re Anonymous Online Speakers*, 661 F.3d at 1173 (quoting *McIntyre*, 514 U.S. at 341-342).

74. Compelling Twitter to disclose information that would identify or lead to the identification of the person(s) who established and use the @ALT_USCIS account would chill the expression of particularly valuable political speech—namely speech by current or former

public employees, or others with special insight into operations of our government. The Constitution does not permit a government agency to suppress dissent voiced by current or former employees in their private capacity—especially when such efforts exceed the agency's statutory authority. "[C]itizens do not surrender their First Amendment rights by accepting public employment." *Lane v. Franks*, 134 S. Ct. 2369, 2374 (2014). Indeed, "[t]here is a significant First Amendment interest in encouraging public employees, who have special access to facts relevant to debates on issues of public concern, to speak freely and make that information available." *Johnson v. Multnomah Cty., Or.*, 48 F.3d 420, 424 (9th Cir. 1995). "[S]peech by public employees on subject matter related to their employment holds special value precisely because those employees gain knowledge of matters of public concern through their employment." *Franks*, 134 S. Ct. at 2378-2381. "It may often be the case that, unless public employees are willing to blow the whistle, government corruption and abuse would persist undetected and undeterred." *Dahlia*, 735 F.3d at 1066-1067. "The interest at stake is as much the public's interest in receiving informed opinion as it is the employee's own right to disseminate it." *San Diego v. Roe*, 543 U.S. 77, 82 (2004).

75. In light of the compelling First Amendment interests at stake, Defendants must satisfy "stringent standards" before using a subpoena or other compulsory legal process to attempt to unmask the identity of the person(s) who established and use the @ALT_USCIS account. *Mason Awtry v. Glassdoor, Inc.*, 2016 WL 1275566, at *1 (N.D. Cal. Apr. 1, 2016); *see In re Anonymous Online Speakers*, 661 F.3d at 1778 ("[T]he nature of the speech should be a driving force in choosing a standard by which to balance the rights of anonymous speakers" against the interests of those seeking disclosure, with political speech warranting "imposition of a heightened standard"). In particular, Defendants must demonstrate that (1) "there is a real evidentiary basis for believing" that some criminal or civil offense has been committed, *Highfields Capital Mgmt., L.P. v. Doe*, 385 F. Supp. 2d 969, 975-976 (N.D. Cal. 2005); (2) revealing the identity of the speaker(s) is "necessary"—that is, that it is the least restrictive means for investigating that offense, *Glassdoor, Inc*, 2016 WL 1275566, at *16; *Art of Living Foundation v. Does 1-10*, 2011 WL 5444622, *10 (N.D. Cal. Nov. 9, 2011); (3) Defendants'

demand for this information is not motivated by a desire to suppress free speech; and (4) the interests of pursuing that investigation outweigh the important First Amendment rights of Twitter and its users, *Highfields*, 385 F. Supp. 2d at 975-976. *See also Doe No. 1 v. Cahill*, 884 A.2d 451 (Del. 2005) (preventing disclosure of identity of anonymous online speaker); *Dendrite Intern., Inc. v. Doe No. 3*, 775 A.2d 756 (N.J. Super. 2001) (same). The heightened showing required for such compulsory legal process is not only supported by substantial judicial precedent, but also is consistent with the special procedures erected in other contexts to protect First Amendment rights. *E.g.*, *Makaeff v. Trump Univ., LLC*, 736 F.3d 1180, 1182-1183 (9th Cir. 2013) (California's anti-SLAPP statute "establish[es] a summary-judgment-like procedure available at an early stage of [a] litigation that poses a potential chilling effect on speech-related activities" (internal quotation omitted)); 28 C.F.R. § 50.10(c)(1) (requiring subordinates in the Department of Justice to obtain the authorization of the Attorney General to issue a subpoena to a member of the news media, or to use a subpoena to obtain from a third party communications records or business records of a member of the news media).

76. Defendants have satisfied none of these requirements. To meet the first requirement, Defendants must "adduce *competent evidence*" that "address[es] *all* of the inferences of fact that [Defendants] would need to prove in order to [substantiate] at least one of the" offenses that Defendants believe has been committed. *Highfields Capital Mgmt., L.P.*, 385 F. Supp. at 975. Defendants have fallen far short of this standard, given that they have neither specified any offense they are purportedly investigating nor presented *any* evidence in support of any element of any such offense.

77. Defendants have likewise failed to demonstrate that unmasking the identity of the @ALT_USCIS accountholder(s) is the least restrictive way to investigate any offense or offenses that they believe were committed. To establish that the CBP Summons is "necessary," Defendants must explain why other investigatory tools they have deployed have fallen short, leaving Defendants with no choice but to pierce @ALT_USCIS's pseudonymity. *E.g.*, *Glassdoor, Inc*, 2016 WL 1275566, at *16; *Art of Living Foundation*, 2011 WL 5444622, at *10. Defendants have not come close to making that showing.

78. Defendants' failure to establish that some offense within the law enforcement purview of CBP was actually committed and that the CBP Summons is necessary to investigate that offense likewise confirms that Defendants have failed to demonstrate that the summons is not motivated by a desire to suppress free speech, or that Defendants' need to unmask the identity of the @ALT_USCIS accountholder(s) outweighs the harm that doing so would cause to the First Amendment rights of Twitter and its users.

79. For the foregoing reasons, the Court should enjoin Defendants from taking any further action to enforce the CBP Summons and—absent the requisite showing—declare it to be a violation of the rights of Twitter and its users under the First Amendment. Such relief is warranted under, among other laws, the APA, because issuance, service, and enforcement of the CBP Summons is "contrary to constitutional right." 5 U.S.C. § 706(2)(B).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

a. Declare that the CBP Summons is unlawful and unenforceable because Defendants issued it for reasons not authorized by 19 U.S.C. § 1509 and because it demands production of documents that Defendants are not authorized to demand or obtain under 19 U.S.C. § 1509, and further declare that the CBP Summons violates the Administrative Procedure Act as not in accordance with law, 5 U.S.C. § 706(2)(A), and "in excess of statutory jurisdiction, authority, or limitations," *id.* § 706(2)(C).

b. Declare that the CBP Summons is unlawful and unenforceable because it violates the First Amendment rights of both Twitter and its users by seeking to unmask the identity of one or more anonymous Twitter users voicing criticism of the government on matters of public concern without Defendants having satisfied the stringent standards for piercing a speaker's anonymity, and further declare that the CBP Summons violates the Administrative Procedure Act as "contrary to constitutional right," 5 U.S.C. § 706(2)(B);

c. Issue an order vacating and nullifying the CBP Summons, enjoining Defendants or their agents from enforcing the CBP Summons, and declaring that Twitter has no obligation to comply with the CBP Summons;

d. Award Plaintiff its costs and reasonable attorney's fees as appropriate; and

e. Grant such other relief as this Court may deem just and proper.

Dated: April 6, 2017

Respectfully submitted,

/s/ Mark D. Flanagan

SETH P. WAXMAN (*pro hac vice* pending)
seth.waxman@wilmerhale.com
PATRICK J. CAROME (*pro hac vice* pending)
patrick.carome@wilmerhale.com
ARI HOLTZBLATT (*pro hac vice* pending)
ari.holtzblatt@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
Telephone: (202) 663-6000
Facsimile: (202) 663-6363

MARK D. FLANAGAN (CA SBN 130303)
mark.flanagan@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
950 Page Mill Road
Palo Alto, California 94304
Telephone: (650) 858-6000
Facsimile: (650) 858-6100

Counsel for Plaintiff Twitter, Inc.

Exhibit A

U.S. DEPARTMENT OF HOMELAND SECURITY
Bureau of Customs and Border Protection

FACSIMILE TRANSMITTAL

CD 2110-035

Date:

Control Number:

TO	Name:	Trust + Safety - Legal Policy
	Organization:	Twitter Inc
	Fax Number:	[redacted]
	Number of Pages (including cover):	4

FROM	Sender:	SA Adam Hoffman
	Originating Location:	DHS Customs and Border Protection
	Return FAX Number:	1-202-344-1258
	Voice Number:	1-202-344-3194

REMARKS	Please complete the Acknowledgment of Recipt and return to Fax # 1-202-344-1258

Important: This document may contain confidential and sensitive U.S. Government information. Please deliver it immediately only to the intended recipient(s) listed above. The Bureau of Customs and Border Protection has not approved the documents review, retransmission, dissemination or use by anyone other than the intended recipient(s).

To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS NOTICE** **to Appear and/or Produce Records** 19 U.S.C. § 1509

Attached is a copy of a summons served by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), both agencies within the Department of Homeland Security (DHS), to examine records or to request testimony relating to records of your business transactions or affairs which have been made or kept by the person named in Block 1 of the summons.

If you object to the examination of these records, you may stay (prevent) examination of the records until a summons enforcement proceeding is commenced in court. Compliance with the summons will be stayed if, not later than the day before the date indicated in Block 2 of the summons, you advise the person summoned (the person named in Block 1), in writing, not to comply with the summons, and you send a copy of that notice by registered or certified mail to the CBP Officer or ICE Special Agent who issued the summons at the address shown in Block 6 of the summons.

CBP or ICE may begin an action to enforce the summons in the appropriate United States District Court. In such cases, you will be notified and you will have the right to intervene and present your objections before the court. The court will decide whether the person summoned should be required to comply with the summons.

If the court issues an order to comply with the summons and the person summoned fails to comply, the court may punish such failure as a contempt of court. Other sanctions may be provided by law.

If you have any questions regarding this matter, please contact the CBP Officer or ICE Special Agent before whom the summoned person is required to appear. The CBP Officer's or ICE Special Agent's name and telephone number are given in Block 2 of the summons.

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS** **to Appear and/or Produce Records** 19 U.S.C. § 1509
Summons Number 2017012	Case Number: 201704511

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **APPEAR** before the U.S. Customs and Border Protection (CBP) Officer or U.S. Immigration and Customs Enforcement (ICE) Special Agent named in Block 2 at the place, date, and time indicated to testify and give information.

(B) ☒ **PRODUCE** the records (including statements, declarations, and other documents) indicated in Block 3 before the CBP Officer or ICE Special Agent named in Block 2 at the place, date, and time indicated.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry to ascertain the correctness of entries, to determine the liability for duties, taxes, fines, penalties, or forfeitures, and/or to ensure compliance with the laws or regulations administered by CBP and ICE.

Failure to comply with this summons will render you liable to proceedings in a U.S. District Court to enforce compliance with this summons as well as other sanctions.

2. (A) CBP Officer or ICE Special Agent before whom you are required to appear	(B) Date 03/13/2017
Name Adam Hoffman Title Special Agent Address 1300 Pennsylvania Ave. N.W. Room 8.3 Washington D.C. 20229 Telephone Number 1-202-344-3194	(C) Time 11:45 ☒ a.m. ☐ p.m.

3. Records required to be produced for inspection

All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses.

You are requested not to disclose the existence of this summons for an indefinite period of time. Any such disclosure will impede this investigation and thereby interfere with the enforcement of federal law.

Issued under authority of section 509, Tariff Act of 1930, as amended by Public law 95-410 (19 U.S.C. § 1509); 44 F.R. 2217; Homeland Security Act of 2002

4. Name of person authorized to serve this summons or any other CBP Officer or ICE Special Agent	5. Date of issue 03/14/2017
Special Agent Adam Hoffman	By Stephen P. Caruso (Signature)
	6. Name, title, address, and telephone number of person issuing this summons Name Stephen P. Caruso Title Special Agent in Charge Address 11606 City Hall Promenade Suite 400, Miramar, FL 33025 Telephone Number (954) 843-5068

If you have any questions regarding this summons, contact the CBP Officer or ICE Special Agent identified in Block 2.

DHS Form 3115 (6/09)

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT

A. CERTIFICATE OF SERVICE OF SUMMONS

I certify that I served the summons on the front of this form as follows:

☐ I delivered a copy of the summons to the person to whom it was directed, as follows:	Address or Location	Date Time ☐ a.m. ☐ p.m.
☒ *(For corporations, partnerships, and unincorporated associations which may be sued under a common name)* I delivered a copy of the summons to an officer, managing or general agent, or agent authorized to accept service of process as follows:	Address or Location Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	Date 03/13/2017 Time 11:45 ☒ a.m. ☐ p.m.
	Name of person to whom the summons was delivered Faxing to [redacted] (attn: Trust & Safety - Legal Policy)	
Signature		
Title Special Agent		Date 03/13/2017

B. ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a copy of the summons on the front of this form.

Signature		
Title	Date	Time ☐ a.m. ☐ p.m.

DHS Form 3115 (6/09)

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

TWITTER, INC.

(b) County of Residence of First Listed Plaintiff: San Francisco, CA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

(see attachment)

DEFENDANTS

U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. CUSTOMS AND BORDER PROTECTION; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; KEVIN K. MCALEENAN, in his official capacity as Acting Commissioner, U.S. Customs and Border Protection; STEPHEN P. CARUSO, in his official capacity as Special Agent In Charge, U.S. Customs and Border Protection; and ADAM HOFFMAN, in his official capacity as Special Agent, U.S. Customs and Border Protection

County of Residence of First Listed Defendant: Washington, D.C.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

1 U.S. Government Plaintiff

3 Federal Question *(U.S. Government Not a Party)*

2 U.S. Government Defendant

4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only)*

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated *or* Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated *and* Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
110 Insurance
120 Marine
130 Miller Act
140 Negotiable Instrument
150 Recovery of Overpayment Of Veteran's Benefits
151 Medicare Act
152 Recovery of Defaulted Student Loans (Excludes Veterans)
153 Recovery of Overpayment of Veteran's Benefits
160 Stockholders' Suits
190 Other Contract
195 Contract Product Liability
196 Franchise

REAL PROPERTY
210 Land Condemnation
220 Foreclosure
230 Rent Lease & Ejectment
240 Torts to Land
245 Tort Product Liability
290 All Other Real Property

TORTS

PERSONAL INJURY
310 Airplane
315 Airplane Product Liability
320 Assault, Libel & Slander
330 Federal Employers' Liability
340 Marine
345 Marine Product Liability
350 Motor Vehicle
355 Motor Vehicle Product Liability
360 Other Personal Injury
362 Personal Injury - Medical Malpractice

PERSONAL INJURY
365 Personal Injury – Product Liability
367 Health Care/ Pharmaceutical Personal Injury Product Liability
368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
370 Other Fraud
371 Truth in Lending
380 Other Personal Property Damage
385 Property Damage Product Liability

CIVIL RIGHTS
440 Other Civil Rights
441 Voting
442 Employment
443 Housing/ Accommodations
445 Amer. w/Disabilities–Employment
446 Amer. w/Disabilities–Other
448 Education

PRISONER PETITIONS
Habeas Corpus:
463 Alien Detainee
510 Motions to Vacate Sentence
530 General
535 Death Penalty
Other:
540 Mandamus & Other
550 Civil Rights
555 Prison Condition
560 Civil Detainee–Conditions of Confinement

FORFEITURE/PENALTY
625 Drug Related Seizure of Property 21 USC § 881
690 Other

LABOR
710 Fair Labor Standards Act
720 Labor/Management Relations
740 Railway Labor Act
751 Family and Medical Leave Act
790 Other Labor Litigation
791 Employee Retirement Income Security Act

IMMIGRATION
462 Naturalization Application
465 Other Immigration Actions

BANKRUPTCY
422 Appeal 28 USC § 158
423 Withdrawal 28 USC § 157

PROPERTY RIGHTS
820 Copyrights
830 Patent
840 Trademark

SOCIAL SECURITY
861 HIA (1395ff)
862 Black Lung (923)
863 DIWC/DIWW (405(g))
864 SSID Title XVI
865 RSI (405(g))

FEDERAL TAX SUITS
870 Taxes (U.S. Plaintiff or Defendant)
871 IRS–Third Party 26 USC § 7609

OTHER STATUTES
375 False Claims Act
376 Qui Tam (31 USC § 3729(a))
400 State Reapportionment
410 Antitrust
430 Banks and Banking
450 Commerce
460 Deportation
470 Racketeer Influenced and Corrupt Organizations
480 Consumer Credit
490 Cable/Sat TV
850 Securities/Commodities/ Exchange
890 Other Statutory Actions
891 Agricultural Acts
893 Environmental Matters
895 Freedom of Information Act
896 Arbitration
899 Administrative Procedure Act/Review or Appeal of Agency Decision
950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District *(specify)*
6 Multidistrict Litigation–Transfer
8 Multidistrict Litigation–Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 U.S.C. §§ 2201-2202; 5 U.S.C. § 706

Brief description of cause:
Summons exceeds scope of authority under 19 U.S.C. § 1509 and violates the First Amendment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, Fed. R. Civ. P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY *(See instructions):*

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

☒ **SAN FRANCISCO/OAKLAND** ☐ **SAN JOSE** ☐ **EUREKA-MCKINLEYVILLE**

DATE: 04/06/2017

SIGNATURE OF ATTORNEY OF RECORD: /s/ Mark D. Flanagan

Print Save As... Reset

CIVIL COVER SHEET

Attachment

Part I (c) Attorneys for Plaintiffs (Firm Name, Address, and Telephone Number)

Mark D. Flanagan (CA SBN 130303)
WILMER CUTLER PICKERING
HALE AND DORR LLP
950 Page Mill Road
Palo Alto, California 94304
mark.flanagan@wilmerhale.com
Telephone: (650) 858-6047

Seth P. Waxman (*pro hac vice* pending)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
seth.waxman@wilmerhale.com
Telephone: (202) 663-6800

Patrick J. Carome (*pro hac vice* pending)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
patrick.carome@wilmerhale.com
Telephone: (202) 663-6610

Ari Holtzblatt (*pro hac vice* pending)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
ari.holtzblatt@wilmerhale.com
Telephone: (202) 663-6964

Exhibit A

U.S. DEPARTMENT OF HOMELAND SECURITY
Bureau of Customs and Border Protection

FACSIMILE TRANSMITTAL

CD 2110-035

Date:

Control Number:

TO	Name:	Trust + Safety - Legal Policy
	Organization:	Twitter Inc
	Fax Number:	[redacted]
	Number of Pages (including cover):	4

FROM	Sender:	SA Adam Hoffman
	Originating Location:	DHS Customs and Border Protection
	Return FAX Number:	1-202-344-1258
	Voice Number:	1-202-344-3194

REMARKS	Please complete the Acknowledgment of Recipt and return to Fax # 1-202-344-1258

Important: This document may contain confidential and sensitive U.S. Government information. Please deliver it immediately only to the intended recipient(s) listed above. The Bureau of Customs and Border Protection has not approved the documents review, retransmission, dissemination or use by anyone other than the intended recipient(s).

To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS NOTICE** **to Appear and/or Produce Records** 19 U.S.C. § 1509

Attached is a copy of a summons served by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), both agencies within the Department of Homeland Security (DHS), to examine records or to request testimony relating to records of your business transactions or affairs which have been made or kept by the person named in Block 1 of the summons.

If you object to the examination of these records, you may stay (prevent) examination of the records until a summons enforcement proceeding is commenced in court. Compliance with the summons will be stayed if, not later than the day before the date indicated in Block 2 of the summons, you advise the person summoned (the person named in Block 1), in writing, not to comply with the summons, and you send a copy of that notice by registered or certified mail to the CBP Officer or ICE Special Agent who issued the summons at the address shown in Block 6 of the summons.

CBP or ICE may begin an action to enforce the summons in the appropriate United States District Court. In such cases, you will be notified and you will have the right to intervene and present your objections before the court. The court will decide whether the person summoned should be required to comply with the summons.

If the court issues an order to comply with the summons and the person summoned fails to comply, the court may punish such failure as a contempt of court. Other sanctions may be provided by law.

If you have any questions regarding this matter, please contact the CBP Officer or ICE Special Agent before whom the summoned person is required to appear. The CBP Officer's or ICE Special Agent's name and telephone number are given in Block 2 of the summons.

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS** **to Appear and/or Produce Records** 19 U.S.C. § 1509
Summons Number 2017012	Case Number: 201704511

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **APPEAR** before the U.S. Customs and Border Protection (CBP) Officer or U.S. Immigration and Customs Enforcement (ICE) Special Agent named in Block 2 at the place, date, and time indicated to testify and give information.

(B) ☒ **PRODUCE** the records (including statements, declarations, and other documents) indicated in Block 3 before the CBP Officer or ICE Special Agent named in Block 2 at the place, date, and time indicated.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry to ascertain the correctness of entries, to determine the liability for duties, taxes, fines, penalties, or forfeitures, and/or to ensure compliance with the laws or regulations administered by CBP and ICE.

Failure to comply with this summons will render you liable to proceedings in a U.S. District Court to enforce compliance with this summons as well as other sanctions.

2. (A) CBP Officer or ICE Special Agent before whom you are required to appear	(B) Date 03/13/2017
Name Adam Hoffman Title Special Agent Address 1300 Pennsylvania Ave. N.W. Room 8.3 Washington D.C. 20229 Telephone Number 1-202-344-3194	(C) Time 11:45 ☒ a.m. ☐ p.m.

3. Records required to be produced for inspection

All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses.

You are requested not to disclose the existence of this summons for an indefinite period of time. Any such disclosure will impede this investigation and thereby interfere with the enforcement of federal law.

Issued under authority of section 509, Tariff Act of 1930, as amended by Public law 95-410 (19 U.S.C. § 1509); 44 F.R. 2217; Homeland Security Act of 2002

4. Name of person authorized to serve this summons or any other CBP Officer or ICE Special Agent	5. Date of issue 03/14/2017
Special Agent Adam Hoffman	By Stephen P. Caruso (Signature)
	6. Name, title, address, and telephone number of person issuing this summons Name Stephen P. Caruso Title Special Agent in Charge Address 11606 City Hall Promenade Suite 400, Miramar, FL 33025 Telephone Number (954) 843-5068

If you have any questions regarding this summons, contact the CBP Officer or ICE Special Agent identified in Block 2.

DHS Form 3115 (6/09)

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT

A. CERTIFICATE OF SERVICE OF SUMMONS

I certify that I served the summons on the front of this form as follows:

☐ I delivered a copy of the summons to the person to whom it was directed, as follows:	Address or Location	Date Time ☐ a.m. ☐ p.m.
☒ *(For corporations, partnerships, and unincorporated associations which may be sued under a common name)* I delivered a copy of the summons to an officer, managing or general agent, or agent authorized to accept service of process as follows:	Address or Location Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	Date 03/13/2017 Time 11:45 ☒ a.m. ☐ p.m.
	Name of person to whom the summons was delivered Faxing to [redacted] (attn: Trust & Safety - Legal Policy)	
Signature		
Title Special Agent		Date 03/13/2017

B. ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a copy of the summons on the front of this form.

Signature		
Title	Date	Time ☐ a.m. ☐ p.m.

DHS Form 3115 (6/09)

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

TWITTER, INC.

(b) County of Residence of First Listed Plaintiff: San Francisco, CA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

(see attachment)

DEFENDANTS

U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. CUSTOMS AND BORDER PROTECTION; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; KEVIN K. MCALEENAN, in his official capacity as Acting Commissioner, U.S. Customs and Border Protection; STEPHEN P. CARUSO, in his official capacity as Special Agent In Charge, U.S. Customs and Border Protection; and ADAM HOFFMAN, in his official capacity as Special Agent, U.S. Customs and Border Protection

County of Residence of First Listed Defendant: Washington, D.C.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

1 U.S. Government Plaintiff

3 Federal Question *(U.S. Government Not a Party)*

2 U.S. Government Defendant

4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
110 Insurance
120 Marine
130 Miller Act
140 Negotiable Instrument
150 Recovery of Overpayment Of Veteran's Benefits
151 Medicare Act
152 Recovery of Defaulted Student Loans (Excludes Veterans)
153 Recovery of Overpayment of Veteran's Benefits
160 Stockholders' Suits
190 Other Contract
195 Contract Product Liability
196 Franchise

REAL PROPERTY
210 Land Condemnation
220 Foreclosure
230 Rent Lease & Ejectment
240 Torts to Land
245 Tort Product Liability
290 All Other Real Property

TORTS

PERSONAL INJURY
310 Airplane
315 Airplane Product Liability
320 Assault, Libel & Slander
330 Federal Employers' Liability
340 Marine
345 Marine Product Liability
350 Motor Vehicle
355 Motor Vehicle Product Liability
360 Other Personal Injury
362 Personal Injury - Medical Malpractice

PERSONAL INJURY
365 Personal Injury – Product Liability
367 Health Care/ Pharmaceutical Personal Injury Product Liability
368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
370 Other Fraud
371 Truth in Lending
380 Other Personal Property Damage
385 Property Damage Product Liability

CIVIL RIGHTS
440 Other Civil Rights
441 Voting
442 Employment
443 Housing/ Accommodations
445 Amer. w/Disabilities–Employment
446 Amer. w/Disabilities–Other
448 Education

PRISONER PETITIONS
Habeas Corpus:
463 Alien Detainee
510 Motions to Vacate Sentence
530 General
535 Death Penalty
Other:
540 Mandamus & Other
550 Civil Rights
555 Prison Condition
560 Civil Detainee–Conditions of Confinement

FORFEITURE/PENALTY
625 Drug Related Seizure of Property 21 USC § 881
690 Other

LABOR
710 Fair Labor Standards Act
720 Labor/Management Relations
740 Railway Labor Act
751 Family and Medical Leave Act
790 Other Labor Litigation
791 Employee Retirement Income Security Act

IMMIGRATION
462 Naturalization Application
465 Other Immigration Actions

BANKRUPTCY
422 Appeal 28 USC § 158
423 Withdrawal 28 USC § 157

PROPERTY RIGHTS
820 Copyrights
830 Patent
840 Trademark

SOCIAL SECURITY
861 HIA (1395ff)
862 Black Lung (923)
863 DIWC/DIWW (405(g))
864 SSID Title XVI
865 RSI (405(g))

FEDERAL TAX SUITS
870 Taxes (U.S. Plaintiff or Defendant)
871 IRS–Third Party 26 USC § 7609

OTHER STATUTES
375 False Claims Act
376 Qui Tam (31 USC § 3729(a))
400 State Reapportionment
410 Antitrust
430 Banks and Banking
450 Commerce
460 Deportation
470 Racketeer Influenced and Corrupt Organizations
480 Consumer Credit
490 Cable/Sat TV
850 Securities/Commodities/ Exchange
890 Other Statutory Actions
891 Agricultural Acts
893 Environmental Matters
895 Freedom of Information Act
896 Arbitration
899 Administrative Procedure Act/Review or Appeal of Agency Decision
950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District *(specify)*
6 Multidistrict Litigation–Transfer
8 Multidistrict Litigation–Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 U.S.C. §§ 2201-2202; 5 U.S.C. § 706

Brief description of cause:
Summons exceeds scope of authority under 19 U.S.C. § 1509 and violates the First Amendment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, Fed. R. Civ. P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY *(See instructions):*

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

☒ **SAN FRANCISCO/OAKLAND** ☐ **SAN JOSE** ☐ **EUREKA-MCKINLEYVILLE**

DATE: 04/06/2017

SIGNATURE OF ATTORNEY OF RECORD: /s/ Mark D. Flanagan

Print Save As... Reset

CIVIL COVER SHEET

Attachment

Part I (c) Attorneys for Plaintiffs (Firm Name, Address, and Telephone Number)

Mark D. Flanagan (CA SBN 130303)
WILMER CUTLER PICKERING
HALE AND DORR LLP
950 Page Mill Road
Palo Alto, California 94304
mark.flanagan@wilmerhale.com
Telephone: (650) 858-6047

Seth P. Waxman (*pro hac vice* pending)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
seth.waxman@wilmerhale.com
Telephone: (202) 663-6800

Patrick J. Carome (*pro hac vice* pending)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
patrick.carome@wilmerhale.com
Telephone: (202) 663-6610

Ari Holtzblatt (*pro hac vice* pending)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, D.C. 20006
ari.holtzblatt@wilmerhale.com
Telephone: (202) 663-6964

To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS NOTICE** **to Appear and/or Produce Records** 19 U.S.C. § 1509

Attached is a copy of a summons served by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), both agencies within the Department of Homeland Security (DHS), to examine records or to request testimony relating to records of your business transactions or affairs which have been made or kept by the person named in Block 1 of the summons.

If you object to the examination of these records, you may stay (prevent) examination of the records until a summons enforcement proceeding is commenced in court. Compliance with the summons will be stayed if, not later than the day before the date indicated in Block 2 of the summons, you advise the person summoned (the person named in Block 1), in writing, not to comply with the summons, and you send a copy of that notice by registered or certified mail to the CBP Officer or ICE Special Agent who issued the summons at the address shown in Block 6 of the summons.

CBP or ICE may begin an action to enforce the summons in the appropriate United States District Court. In such cases, you will be notified and you will have the right to intervene and present your objections before the court. The court will decide whether the person summoned should be required to comply with the summons.

If the court issues an order to comply with the summons and the person summoned fails to comply, the court may punish such failure as a contempt of court. Other sanctions may be provided by law.

If you have any questions regarding this matter, please contact the CBP Officer or ICE Special Agent before whom the summoned person is required to appear. The CBP Officer's or ICE Special Agent's name and telephone number are given in Block 2 of the summons.

DHS Form 3115A (6/09)

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS** **to Appear and/or Produce Records** 19 U.S.C. § 1509
Summons Number [redacted]	Case Number: [redacted]

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **APPEAR** before the U.S. Customs and Border Protection (CBP) Officer or U.S. Immigration and Customs Enforcement (ICE) Special Agent named in Block 2 at the place, date, and time indicated to testify and give information.

(B) ☒ **PRODUCE** the records (including statements, declarations, and other documents) indicated in Block 3 before the CBP Officer or ICE Special Agent named in Block 2 at the place, date, and time indicated.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry to ascertain the correctness of entries, to determine the liability for duties, taxes, fines, penalties, or forfeitures, and/or to ensure compliance with the laws or regulations administered by CBP and ICE.

Failure to comply with this summons will render you liable to proceedings in a U.S. District Court to enforce compliance with this summons as well as other sanctions.

2. (A) CBP Officer or ICE Special Agent before whom you are required to appear	(B) Date 03/13/2017
Name [redacted] Title Special Agent Address 1300 Pennsylvania Ave. N.W. Room 8.3 Washington D.C. 20229 Telephone Number [redacted]	(C) Time 11:45 ☒ a.m. ☐ p.m.

3. Records required to be produced for inspection

All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses.

You are requested not to disclose the existence of this summons for an indefinite period of time. Any such disclosure will impede this investigation and thereby interfere with the enforcement of federal law.

Issued under authority of section 509, Tariff Act of 1930, as amended by Public law 95-410 (19 U.S.C. § 1509); 44 F.R. 2217; Homeland Security Act of 2002

4. Name of person authorized to serve this summons or any other CBP Officer or ICE Special Agent	5. Date of issue 03/14/2017
Special Agent [redacted]	B [redacted]
	6. Name, title, address, and telephone number of person issuing this summons Name [redacted] Title Special Agent in Charge Address 11606 City Hall Promenade Suite 400, Miramar, FL 33025 Telephone Number [redacted]

If you have any questions regarding this summons, contact the CBP Officer or ICE Special Agent identified in Block 2.

DHS Form 3115 (6/09)

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT

A. CERTIFICATE OF SERVICE OF SUMMONS

I certify that I served the summons on the front of this form as follows:

☐ I delivered a copy of the summons to the person to whom it was directed, as follows:	Address or Location	Date Time ☐ a.m. ☐ p.m.
☒ *(For corporations, partnerships, and unincorporated associations which may be sued under a common name)* I delivered a copy of the summons to an officer, managing or general agent, or agent authorized to accept service of process as follows:	Address or Location Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	Date 03/13/2017 Time 11:45 ☒ a.m. ☐ p.m.
	Name of person to whom the summons was delivered Faxing to 1-415-222-9958 (attn: Trust & Safety - Legal Policy)	

Sign[redacted]

Title Special Agent	Date 03/13/2017

B. ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a copy of the summons on the front of this form.

Signature

Title	Date	Time ☐ a.m. ☐ p.m.

DHS Form 3115 (6/09)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 6:07 AM
To: (b) (6), (b) (7)(C)
Subject: FW: "alt" case
Attachments: CBP Internal Corruption.docx

Fysa

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 8:57:32 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: "alt" case

(b) (6), (b) (7)(C)

See attached.

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 06, 2017 8:17 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: "alt" case

I looped in the 2 chief counsel attorneys, (b) (6), (b) (7)(C) (b) (5)

From: FUNN, ERICK K (OPR)
Sent: Friday, April 07, 2017 12:50:57 AM
To: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: "alt" case

All

Prepare the briefing document tonight but do not conduct any further investigative activity. (b) (5)

Erick

(b) (7)(E), (b) (5)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

(b) (7)(E)

(b) (5)

(b) (7)(E)

(b) (5), (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 11:30 AM
To: (b) (6), (b) (7)(C)
Subject: RE: TWITTER

Hey I'd like to sit in on that call if possible.

(b) (6), (b) (7) is our bridge

(b) (6), (b) Moderator (you)

Participant code is: (b) (6), (b)

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:26 PM
To: (b) (6), (b) (7)(C) FUNN, ERICK K (OPR)
(b) (6), (b) (7)(C)
Subject: RE: TWITTER

In addition, (b) (6), has been briefed and is standing by.

(b) (7)(E), (b) (5), (b) (6), (b) (7)(C)

We currently have a telephone conference set for this afternoon.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 11:09 AM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
Subject: TWITTER

Erick,

If this is the case from last week, it is not sitting stagnant, we are already working it with (b) (7)(E). (b) (7)(E), but as I'm told the tweet feed may have been taken down by the originator of the twitter account (b) (7)(E), (b) (6), (b) (7)(C)

Path forward - (b) (7)(E) (b) (7)(E), (b) (5)

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
(b) (7)(E)
(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Tuesday, February 28, 2017 8:56 AM
(b) (6), (b) (7)(C)
Subject: FW: Email

(b) (6), (b) (7)(C)

Please keep an eye on this file. Would like to get it going (b) (5)

Erick

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 8:53 AM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)
Subject: RE: Email

Same as the other one (b) (7)(E)

(b) (7)(E)

* Case Type
Lead Agency
Supporting Agency
* The Case is (b) (7)(E)
* Status Unopened

* Incident City UNKNOWN
* Incident State UNKNOWN-UNK
* Case Summary @ALT_USCIS Twitter account reportedly posting documents that a

(b) (7)(E)

(b) (7)(E)

* Grou (b) (7)(E)
* Case Officer
* Case Agen (b) (6), (b) (7)(C)
* Subject Office Unknown
Source Of (b) (7)(E)
Source Agency CUSTOMS AND BORDER

* Method of Receipt Email
* Case Supervisor
* Case Agent Supervisor (b) (6), (b) (7)(C)
* Subject Type CBP Other/Unknown
Source Typ (b) (7)(E)
Case Resolution Code

(b) (7)(E)

Relevant Dates

Last Modified 24-Feb-2017 12:35:01
* Incident Date 23-Feb-2017 15:02:22
State/Local/Non-OPR Arrest

Created 23-Feb-2017 15:03:31
Last Investigative Activity
Closed Date
System Closed

Prosecution: Date Submitted
Prosecution: Declined Date
Prosecution Accepted Date

(b) (7)(E)

* Reported Date 23-Feb-2017
Incident Reported Date (example: 28-Feb-2017)

(b) (7)(E)

(b) (7)(E) Organization CBP

(b) (7)(E)

From: KARISCH, RODOLFO
Sent: Thursday, February 23, 2017 3:55 PM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
Subject: FW: Email

Erick, more info on the email caper. (b) (5)

Thanks,

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 3:48 PM
To: LANDFRIED, PHIL A <(b) (6), (b) (7)(C) KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: Email

AC LANDFRIED and AC KARISCH,

Please see attached from Twitter Account Alt Immigration.

It purports to have a series of emails from 5 CBPOs.

(b) (7)(E)

The initial data dump appears to be a single email chain, but the tweet indicates more emails to come.

Additionally, the third attachment is a tweet I sent to AC KARISCH earlier today, indicating the group is willing to pay for negative information on our employees.

Thank you for looking into the matter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:24 PM
To: FLANAGAN, PATRICK S <(b) (6), (b) (7)(C)
Subject: Email

Good afternoon,

The information you requested is attached. Please let me know if you need anything else.

Thanks!

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Office of Public Affairs
U.S. Customs and Border Protection
Office (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 10:13 AM
To: (b) (6), (b) (7)(C)
Subject: RE: TWITTER

Please let me know when you are available for a call- or call me (b) (6), (b) (7)(C) when you have a minute or ten.

☺
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Tuesday, February 28, 2017 11:09 AM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Subject: TWITTER

Erick,

If this is the case from last week, it is not sitting stagnant, we are already working it with (b) (7)(E) (b) (7)(E) but as I'm told the tweet feed may have been taken down by the originator of the twitter account. (b) (6), (b) (7)(C), (b) (7)(E)

Path forward - (b) (7)(E) (b) (5), (b) (7)(E)

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Tuesday, February 28, 2017 8:56 AM
(b) (6), (b) (7)(C)

Cc: [redacted] (b) (6), (b) (7)(C) [redacted]
Subject: FW: Email

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

Please keep an eye on this file. Would like to get it going as [redacted] (b) (5) [redacted]

Erick

From: [redacted] (b) (6), (b) (7)(C) [redacted]
Sent: Tuesday, February 28, 2017 8:53 AM
To: FUNN, ERICK K (OPR) <[redacted] (b) (6), (b) (7)(C) [redacted]
Subject: RE: Email

Same as the other one... [redacted] (b) (7)(E) [redacted]

(b) (7)(E)

* Case Type
Lead Agency
Supporting Agency
* The Case is (b) (7)(E)
* Status Unopened

* Incident City UNKNOWN
* Incident State UNKNOWN-UNK
* Case Summary @ALT_USCIS Twitter account reportedly posting documents that a

(b) (7)(E)

(b) (7)(E)

* Grou (b) (7)(E)
* Case Officer
* Case Agen (b) (6), (b) (7)(C)
* Subject Office Unknown
Source Of (b) (7)(E)
Source Agency CUSTOMS AND BORDER

* Method of Receipt Email
* Case Supervisor
* Case Agent Supervisor (b) (6), (b) (7)(C)
* Subject Type CBP Other/Unknown
Source Typ (b) (7)(E)
Case Resolution Code

(b) (7)(E)

Relevant Dates

Last Modified 24-Feb-2017 12:35:01
* Incident Date 23-Feb-2017 15:02:22
State/Local/Non-OPR Arrest

Created 23-Feb-2017 15:03:31
Last Investigative Activity
Closed Date
System Closed

Prosecution: Date Submitted
Prosecution: Declined Date
Prosecution Accepted Date

(b) (7)(E)

* Reported Date 23-Feb-2017
Incident Reported Date (example: 28-Feb-2017)

(b) (7)(E)

(b) (7)(E)
Organization CBP

(b) (7)(E)

From: KARISCH, RODOLFO
Sent: Thursday, February 23, 2017 3:55 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Subject: FW: Email

Erick, more info on the email caper. Please coordinate efforts with OIT.

Thanks,

Rudy

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 3:48 PM
To: LANDFRIED, PHIL A (b) (6), (b) (7)(C) ; KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: Email

AC LANDFRIED and AC KARISCH,

Please see attached from Twitter Account Alt Immigration.

It purports to have a series of emails from 5 CBPOs.

(b) (7)(E)

The initial data dump appears to be a single email chain, but the tweet indicates more emails to come.

Additionally, the third attachment is a tweet I sent to AC KARISCH earlier today, indicating the group is willing to pay for negative information on our employees.

Thank you for looking into the matter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:24 PM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Email

Good afternoon,

The information you requested is attached. Please let me know if you need anything else.

Thanks!
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Office of Public Affairs
U.S. Customs and Border Protection
Office (b) (6), (b) (7)(C) Cell (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Tuesday, February 28, 2017 7:55 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Email

Thanks (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 8:53 AM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Subject: RE: Email

Same as the other one... (b) (7)(E)

(b) (7)(E)

* Case Type
Lead Agency
Supporting Agency
* The Case is (b) (7)(E)
* Status Unopened

* Incident City UNKNOWN
* Incident State UNKNOWN-UNK
* Case Summary @ALT_USCIS Twitter account reportedly posting documents that a

(b) (7)(E)

(b) (7)(E)

* Grou (b) (7)(E)
* Case Officer
* Case Agen (b) (6), (b) (7)(C)
* Subject Office Unknown
Source Of (b) (7)(E)
Source Agency CUSTOMS AND BORDER

* Method of Receipt Email
* Case Supervisor
* Case Agent Supervisor (b) (6), (b) (7)(C)
* Subject Type CBP Other/Unknown
Source Typ
Case Resolution Code

(b) (7)(E)

Relevant Dates

Last Modified 24-Feb-2017 12:35:01
* Incident Date 23-Feb-2017 15:02:22
State/Local/Non-OPR Arrest

Created 23-Feb-2017 15:03:31
Last Investigative Activity
Closed Date
System Closed

Prosecution: Date Submitted
Prosecution: Declined Date
Prosecution Accepted Date

(b) (7)(E)

* Reported Date 23-Feb-2017
Incident Reported Date (example: 28-Feb-2017)

(b) (7)(E)

(b) (7)(E)
Organization CBP

(b) (7)(E)

From: FUNN, ERICK K (OPR)
Sent: Tuesday, February 28, 2017 8:51 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: FW: Email

(b) (6), (b) (7)(C)

Would you check on the status of this file please?

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 4:11 PM
To: [redacted] (b) (6), (b) (7)(C)
Cc: [redacted] (b) (6), (b) (7)(C) [redacted] (b) (6), (b) (7)(C)
Subject: FW: Email

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

Would you add these documents to the feel if you deem appropriate?

Erick

From: KARISCH, RODOLFO
Sent: Thursday, February 23, 2017 3:55 PM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C) [redacted]
Subject: FW: Email

Erick, more info on the email caper. (b) (5) [redacted]

Thanks,

Rudy

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 3:48 PM
To: LANDFRIED, PHIL A (b) (6), (b) (7)(C) [redacted] KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted]
Subject: FW: Email

AC (b) (6), (b) (7)(C) [redacted] and AC KARISCH,

Please see attached from Twitter Account Alt Immigration.

It purports to have a series of emails from 5 CBPOs.

[redacted] (b) (7)(E)

The initial data dump appears to be a single email chain, but the tweet indicates more emails to come.

Additionally, the third attachment is a tweet I sent to AC KARISCH earlier today, indicating the group is willing to pay for negative information on our employees.

Thank you for looking into the matter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:24 PM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Email

Good afternoon,

The information you requested is attached. Please let me know if you need anything else.

Thanks!
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Office of Public Affairs
U.S. Customs and Border Protection
Office: (b) (6), (b) (7)(C) Cell (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Tuesday, February 28, 2017 7:55 AM
To: KARISCH, RODOLFO; (b) (6), (b) (7)(C)
[redacted]
Subject: FW: Email

AC / DAC

(b) (7)(E) (b) (7)(E)

Erick

(b) (7)(E)

* Case Type (b) (7)(E)
Lead Agency
Supporting Agency
* The Case is (b) (7)(E)
* Status Unopened

* Incident City UNKNOWN
* Incident State UNKNOWN-UNK
* Case Summary @ALT_USCIS Twitter account reportedly posting documents that a

(b) (7)(E)

(b) (7)(E)

* Grou (b) (7)(E)
* Case Officer
* Case Agen (b) (6), (b) (7)(C)
* Subject Office Unknown
Source Of (b) (7)(E)
Source Agency CUSTOMS AND BORDER

* Method of Receipt Email
* Case Supervisor
* Case Agent Supervisor (b) (6), (b) (7)(C)
* Subject Type CBP Other/Unknown
Source Typ (b) (7)(E)
Case Resolution Code

Relevant Dates

Last Modified 24-Feb-2017 12:35:01
* Incident Date 23-Feb-2017 15:02:22
State/Local/Non-OPR Arrest

Created 23-Feb-2017 15:03:31
Last Investigative Activity
Closed Date
System Closed

Prosecution: Date Submitted
Prosecution: Declined Date
Prosecution Accepted Date

(b) (7)(E)

* Reported Date 23-Feb-2017
Incident Reported Date (example: 28-Feb-2017)

(b) (7)(E)

(b) (7)(E) Organization CBP

From: KARISCH, RODOLFO
Sent: Thursday, February 23, 2017 3:55 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Subject: FW: Email

Erick, more info on the email caper. (b) (5) [redacted]

Thanks,

Rudy

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 3:48 PM
To: LANDFRIED, PHIL A (b) (6), (b) (7)(C) [redacted]; KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted]
Subject: FW: Email

AC LANDFRIED and AC KARISCH,

Please see attached from Twitter Account Alt Immigration.

It purports to have a series of emails from 5 CBPOs.

[redacted] (b) (7)(E) [redacted]

The initial data dump appears to be a single email chain, but the tweet indicates more emails to come.

Additionally, the third attachment is a tweet I sent to AC KARISCH earlier today, indicating the group is willing to pay for negative information on our employees.

Thank you for looking into the matter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:24 PM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C) [redacted]
Cc: (b) (6), (b) (7)(C) [redacted]
Subject: Email

Good afternoon,

The information you requested is attached. Please let me know if you need anything else.

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

(b) (6), (b) (7)(C)

Office of Public Affairs
U.S. Customs and Border Protection
Office: (b) (6), (b) (7)(C) | Cell (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 9:27 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Email

Good Morning (b) (6), (b) (7)(C)

Thank you for forwarding this to me. Appreciate being kept in the loop.

Have a great day.

(b) (6), (b) (7)(C)

(b) (7)(E)
(b) (7)(E)
Office of Information and Technology (OIT)
Enterprise Services (ES)
U.S. Customs and Border Protection (CBP)
(w)(b) (6), (b) (7)(C)(c(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 7:50 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Email

Addin (b) (6), (b) (7)(C) s far as I know (b) (7)(E), (b) (5)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)
Sent: Thursday, February 23, 2017 4:12 PM
(b) (6), (b) (7)(C)
Subject: FW: Email
Importance: High

I want these email subjects searched for in (b) (7)(E)
Who can do this?

(b)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:50 PM
To: (b) (6), (b) (7)(C)
Subject: FW: Email

Not sure what do with this one. Hopefully you have some Ideas

Thanks,
(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 3:48 PM
To: LANDFRIED, PHIL (b) (6), (b) (7)(C) >; KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: Email

AC LANDFRIED and AC KARISCH,

Please see attached from Twitter Account Alt Immigration.

It purports to have a series of emails from 5 CBPOs.

(b) (7)(E)

The initial data dump appears to be a single email chain, but the tweet indicates more emails to come.

Additionally, the third attachment is a tweet I sent to AC KARISCH earlier today, indicating the group is willing to pay for negative information on our employees.

Thank you for looking into the matter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:24 PM
To: FLANAGAN, PATRICK S <(b) (6), (b) (7)(C)
Subject: Email

Good afternoon,

The information you requested is attached. Please let me know if you need anything else.

Thanks!
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Office of Public Affairs
U.S. Customs and Border Protection
Office (b) (6), (b) (7)(C) | Cell (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 1:10 PM
To: (b) (6), (b) (7)(C)
Subject: FW: TWITTER

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 11:09 AM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Subject: TWITTER

Erick,

If this is the case from last week, it is not sitting stagnant, we are already working it with (b) (7)(E) (b) (7)(E) but as I'm told the tweet feed may have been taken down by the originator of the twitter account (b) (7)(E), (b) (6), (b) (7)(C)

Path forward (b) (7)(E), (b) (5)

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)
Washington Office
Miami Office
ellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
(b) (7)(E)
(b) (7)(E)
(b) (6), (b) (7)(C)

From: FUNN, ERICK K (OPR)
Sent: Tuesday, February 28, 2017 8:56 AM
(b) (6), (b) (7)(C)
Subject: FW: Email

(b) (6), (b) (7)(C)

Please keep an eye on this file. Would like to get it going [redacted] (b) (5)

Erick

From: [redacted] (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 8:53 AM
To: FUNN, ERICK K (OPR) <[redacted] (b) (6), (b) (7)(C)
Subject: RE: Email

Same as the other one… [redacted] (b) (7)(E)

(b) (7)(E)

* Case Type [redacted]
Lead Agency
Supporting Agency
* The Case is [redacted] (b) (7)(E)
* Status Unopened
[redacted]

* Incident City UNKNOWN
* Incident State UNKNOWN-UNK
* Case Summary @ALT_USCIS Twitter account reportedly posting documents that a

[redacted] (b) (7)(E) [redacted]

* Grou [redacted] (b) (7)(E)
* Case Officer
* Case Agen [redacted] (b) (6), (b) (7)(C)
* Subject Office Unknown
Source Of [redacted] (b) (7)(E)
Source Agency CUSTOMS AND BORDER
[redacted] (b) (7)(E)

* Method of Receipt Email
* Case Supervisor
* Case Agent Supervisor [redacted] (b) (6), (b) (7)(C)
* Subject Type CBP Other/Unknown
Source Typ [redacted] (b) (7)(E)
Case Resolution Code

Relevant Dates

Last Modified 24-Feb-2017 12:35:01
* Incident Date 23-Feb-2017 15:02:22
State/Local/Non-OPR Arrest

Created 23-Feb-2017 15:03:31
Last Investigative Activity
Closed Date
System Closed

Prosecution: Date Submitted
Prosecution: Declined Date
Prosecution Accepted Date

[redacted] (b) (7)(E) [redacted]

* Reported Date 23-Feb-2017
Incident Reported Date (example: 28-Feb-2017)

[redacted] (b) (7)(E) [redacted]

[redacted] (b) (7)(E) Organization CBP

[redacted] (b) (7)(E) [redacted]

From: KARISCH, RODOLFO
Sent: Thursday, February 23, 2017 3:55 PM
To: FUNN, ERICK K (OPR) <[redacted] (b) (6), (b) (7)(C) [redacted]
Subject: FW: Email

Erick, more info on the email caper. (b) (5) [redacted]

Thanks,

Rudy

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 3:48 PM
To: LANDFRIED, PHIL A (b) (6), (b) (7)(C) [redacted] KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted]
Subject: FW: Email

AC LANDFRIED and AC KARISCH,

Please see attached from Twitter Account Alt Immigration.

It purports to have a series of emails from 5 CBPOs.

[redacted] (b) (7)(E) [redacted]

The initial data dump appears to be a single email chain, but the tweet indicates more emails to come.

Additionally, the third attachment is a tweet I sent to AC KARISCH earlier today, indicating the group is willing to pay for negative information on our employees.

Thank you for looking into the matter.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:24 PM
To: FLANAGAN, PATRICK S <(b) (6), (b) (7)(C) [redacted]
Subject: Email

Good afternoon,

The information you requested is attached. Please let me know if you need anything else.

Thanks!
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Office of Public Affairs
U.S. Customs and Border Protection
Office (b) (6), (b) (7)(C) | Cell (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Thursday, March 02, 2017 8:22 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet - DATA

(b) (b) (7)(E) – see below.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
(b) (6), (b) (7)(C)

Washington DC 20229

From: (b) (6), (b) (7)(C) (OPR)
Sent: Wednesday, March 01, 2017 4:56 PM
(b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) I will be out in El Paso starting tomorrow and will return next Wednesday. I would like to come by and introduce myself when I get back.

As for the data, I cc'd (b) (6), (b) (7) and she will make arrangements (b) (7)(E)
(b) (6), (b) (7)(C)

~~Important: This document contains U.S. Customs and Border Protection information and records that may be confidential and sensitive. U.S. Customs and Border Protection has not approved this documents review, retransmission, dissemination, or use by anyone other than the intended recipient(s) listed above, please deliver immediately to the intended recipient(s). Anyone who steals, knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record or thing of value to the U.S. Customs and Border Protection shall be fined or imprisoned not more then ten (10) years pursuant to 18 USC 641.~~

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:39 PM
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

(b) (7)(E) – the threats of takedown/destruction make this a higher priority to kick off so we do not lose anything. (b) (7)(E)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Wednesday, March 01, 2017 3:52 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) or your assistance in this matter.

I am wondering (b) (6), (b) (7)(C) had a chance to review for acceptance or not? I think if we get the case (b) (7)(E) (b) (7)(E) We could go for long time, but it may not be fruitful. We could always come back where we left off.

(b) (7)(E)

Thanks,

(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E) if that work for everyone.

Thanks,

(b) (6), (b) (7)(C)

Digital Forensics and Analysis Unit

Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:48 PM
To
Cc (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E) [redacted]

(b) (6), (b) (7)(C)
Department of Homeland Security
eneral
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E) [redacted] Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To: [redacted]
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an [redacted] capture of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (7)(E) [redacted] (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E) [redacted] capabilities, although we are close to getting (b) (7)(E) [redacted] access.

In the interim does you shop have the (b) (7)(E) [redacted] (b) (7)(E) [redacted]

(b) (7)(E)

(b) (7)(E) .

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)

Assistant Special Agent in Charge

(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (7)(E) .

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM

(b) (6), (b) (7)(C)

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

(b) (6), (b) (7)(C)

Subject: FW: (No Subject)
Importance: High

(b) (7)(C), (b) (6)

Would you open a case in (b) (7)(E) -
(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what (b) (6), (b) discovers, might need you to run the case to ground. Might involve some (b) (7)(E) (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: KARISCH, RODOLFO
Sent: Wednesday, March 01, 2017 3:50 PM
To: FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

T-4 thanks.

Rudy

From: FUNN, ERICK K (OPR)
Sent: Wednesday, March 1, 2017 4:49 PM
To: KARISCH, RODOLF (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet

AC / DAC

The OIG has given us the green light to proceed on the Twitter case. (b) (7)(E) and we have assigned the investigation to (b) (6), (b) (7)(C)

Erick

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 1, 2017 4:46 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet

Erick,

Update - FYSA - we have received the green light from DHS OIG to proceed. (b) (6), (b) (7)(C) will run point for (b) (7)(E) and collaborate with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

See email string below.

If you forward this email please remove the email string below as we have no way to control where or to who the email will be fwd to later.

Thanks,
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:38:45 PM
To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

(b) (7)(E) – the threats of takedown/destruction make this a higher priority to kick off so we do not lose anything. (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 3:52 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank (b) (6), (b) (7)(C) or your assistance in this matter.

I am wondering (b) (6), (b) (7)(C) had a chance to review for acceptance or not? I think if we get the case back, (b) (7)(E) (b) (7)(E) We could go for long time, but it may not be fruitful. We could always come back where we left off.

(b) (7)(E)

Thanks,

(b) (6), (b) (7)(C)

Important: This document contains U.S. Customs and Border Protection information and records that may be confidential and sensitive. U.S. Customs and Border Protection has not approved this documents review, retransmission, dissemination, or use by anyone other than the intended recipient(s) listed above, please deliver immediately to the intended recipient(s). Anyone who steals, knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record or thing of value to the U.S. Customs and Border Protection shall be fined or imprisoned not more then ten (10) years pursuant to 18 USC 641.

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E)
f that work for everyone.

Thanks,

(b) (6), (b) (7)(C)

(b) (7)(E)
Department of Homeland Security
Office of Inspector General – Detroit

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:48 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E)

(b) (6), (b) (7)(C)
nd Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E)
Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) capture of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (7)(E) (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E), although we are close to getting (b) (7)(E) access.

In the interim does you shop have the (b) (7)(E) (b) (7)(E)

(b) (7)(E)

(b) (7)(E) .

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
C)
(b) (6), (b) (7)(C)
Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (7)(E) .

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (7)(C), (b) (6)

Depending on what (b) (7)(C), (b) discovers, might need you to run the case to ground. Might involve some (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

~~Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.~~

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 4:02 PM
To: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

I'll defer to you to respond to her based on any discussion you may have with (b) (6), (b) (7)(C)

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E)
f that work for everyone.

Thanks,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
(b) (7)(E)
Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) (b) (6), (b) (7)(C) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E)

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E) [redacted] Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To: [redacted]
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc: [redacted]
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (7)(E) [redacted] (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not (b) (7)(E) [redacted], although we are close to getting (b) (7)(E).

In the interim does you shop have the (b) (7)(E) (b) (7)(E) [redacted]

(b) (7)(E) [redacted]

(b) (7)(E) [redacted]

(b) (7)(E) [redacted].

Give me a call if you have a moment to discuss.

Best Regards,

[redacted]
Assistant Special Agent in Charge

[redacted]

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
[redacted]

From: [redacted]
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) [redacted]
Subject: RE: (No Subject)

All-

Please see attached email just received by [redacted].

[redacted]

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: [redacted]

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what Ken discovers, might need you to run the case to ground. Might involve some (b) (7)(E) (b) (7)(E) (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (7)(C), (b) (6) >
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 11:54 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Suspicious TWITTER tweet

Thanks much appreciated. I will get a status from (b) (7)(E) today.

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:52:36 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E) if that work for everyone.

Thanks,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
(b) (7)(E)
Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Tuesday, February 28, 2017 12:48 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)

Assistant Special Agent in Charge

(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) (b) (6), (b) (7)(C) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E)

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E) Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security

Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C) (OPR)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (7)(E) (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E), although we are close to getting (b) (7)(E).

In the interim (b) (7)(E)

(b) (7)(E)

(b) (5)

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)

U.S. Customs & Border Protection

Office of Professional Responsibility
Investigative Operations Division
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) (b) (7)(C), (b) (6)
(b) (6), (b) (7)(C) ; (b) (6), (b) (7)(C) | (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (7)(E) .

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what Ken discovers, might need you to run the case to ground. Might involve some (b) (7)(E) (b) (7)(E) (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted]
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C) [redacted]

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From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 1:01 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Yes

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 1:46 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Call me when you are close and I'll meet you curb side ☺
Are you available for a call?

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 1:39 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Ok, I'll pick you up tomorrow (b) (6), (b) (7)(C) I'll call you when I am downstairs – should be between 830-9.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 1:38 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

That would be awesome! Thank you!

From: (b) (6), (b) (7)(C))
Sent: Thursday, March 02, 2017 1:31 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (7)(E) (b) (6), (b) (7)(C) today. I'll be in the office at the RRB tomorrow around 830-9. If you are going to (b) first, I can pick you up at (b) around 830-9, if you want.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 11:10 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I believe that due to the size of the files and the fact that they (b) (7)(E) they would need to be done there ☺

Also, there is an issue with me getting the PST files. (b) (6), (b) (7)(C) (b) (7)(E) (b) (6), (b) (7)(C) (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 11:06 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I'll call you after 1pm. (b) (7)(E) Happy to have you review here.

(b) (6), (b) (7)(C)

CBP FOIA001086

Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:13 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (6), (b) (7)(C)

I will be in the office tomorrow and next week. If the current information is picked up, I can start review tomorrow. I am assuming this will need to be done in the (b) (7)(E) at the RRB?

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:04 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Im on the phone with (b) (6), (b) (7) right now.. but (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:03 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

What's a good number to call you at?

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:58 AM

To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I just read through the email chain. (b) (7)(E) but I will want to wait and get the latest info based on your availability (b) (7)(E)

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:23 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

How much data are we talking about right now?

From (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:22 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet - DATA

(b) (6), (b) (7)(C) do you want a pull of the data as it stand now, or do you want to wait until the final pull of the data? – see below.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:56 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) I will be out in El Paso starting tomorrow and will return next Wednesday. I would like to come by and introduce myself when I get back.

As for the data, I cc'd (b) (7)(C), (b) (6) and she will make arrangements (b) (7)(E)

(b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C)
Desk (no voice mail)

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From (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:39 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
tweet

(b) (6), (b) (7)(C)

(b) (7)(E) – the threats of takedown/destruction make this a higher priority to kick off so we do not lose anything. (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 3:52 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) for your assistance in this matter.

I am wondering if (b) (6), (b) (7)(C) had a chance to review for acceptance or not? I think if we get the case back, (b) (7)(E) (b) (7)(E) We could go for long time, but it may not be fruitful. We could always come back where we left off.

(b) (7)(E)

Thanks,

(b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C)
Desk [redacted] (no voice mail)

Important: This document contains U.S. Customs and Border Protection information and records that may be confidential and sensitive. U.S. Customs and Border Protection has not approved this documents review, retransmission, dissemination, or use by anyone other than the intended recipient(s) listed above, please deliver immediately to the intended recipient(s). Anyone who steals, knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record or thing of value to the U.S. Customs and Border Protection shall be fined or imprisoned not more then ten (10) years pursuant to 18 USC 641.

From (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To: [redacted]
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E) [redacted] f that work for everyone.

Thanks,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Digital Forensics and Analysis Unit
Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)
Desk (b) (6), (b) (7)(C)
Cell [redacted]
Main

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:48 PM
To: [redacted]
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C) [redacted] Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) [redacted] (b) (6), (b) (7)(C) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E) [redacted]

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) [redacted] Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (7)(E) (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E) (b) (7)(E), although we are close to getting (b) (7)(E).

In the interim does you shop have the (b) (7)(E) (b) (7)(E)

(b) (7)(E)

(b) (7)(E) .

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (7)(E) .

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)
(b) (7)(C), (b) (6) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what (b) (6), (b) (7) discovers, might need you to run the case to ground. Might involve some (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted] >
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (7)(C), (b) (6) [redacted]

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From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 12:30 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (7)(E) . (b) (6), (b) (7)(C) has them

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 1:27 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (7)(E) files? Where are they coming from?

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 11:10 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I believe that due to the size of the files and the fact that they (b) (7)(E), they would need to be done there ☺

Also, there is an issue with me getting the PST files. (b) (7)(C), (b) (6) (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 11:06 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I'll call you after 1pm. I'll see if I can pick up something today so that you can review tomorrow. Happy to have you review here.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:13 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (6), (b) (7)(C)

I will be in the office tomorrow and next week. If the current information is picked up, I can start review tomorrow. I am assuming this will need to be done in the (b) (7)(E) at the RRB?

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:04 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Im on the phone with (b) (6), (b) (7 right now.. but (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:03 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

What's a good number to call you at?

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:58 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I just read through the email chain. (b) (7)(E) but I will want to wait and get the latest info based on your availability (b) (7)(E)

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:23 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:22 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet - DATA

(b) (6), (b) (7)(C) (b) (7)(E) – see below.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)

Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:56 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) I will be out in El Paso starting tomorrow and will return next Wednesday. I would like to come by and introduce myself when I get back.

As for the data, I cc'd (b) (6), (b) (7)(C) and she will make arrangements (b) (7)(E)

(b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C)
Desk (no voice mail)

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From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:39 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

(b) (7)(E) – the threats of takedown/destruction make this a higher priority to kick off so we do not lose anything. (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 3:52 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) for your assistance in this matter.

I am wondering if (b) (6), (b) (7)(C) had a chance to review for acceptance or not? I think if we get the case back, (b) (7)(E) (b) (7)(E) We could go for long time, but it may not be fruitful. We could always come back where we left off.

(b) (7)(E)

Thanks,

(b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C)
Des [redacted] no voice mail)

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From (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To: [redacted] (b) (6), (b) (7)(C) [redacted]
Cc:
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (6), (b) (7)(C)
[redacted] if that work for everyone.

Thanks,

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

(b) (6), (b) (7)(C)
[redacted] (b) (7)(E) [redacted]
Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)
Desk (b) (6), (b) (7)(C)
Cell – [redacted]
Main

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:48 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C) **Washington Office**
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) (b) (6), (b) (7)(C) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E)

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E) Thanks.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) capture of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (6), (b) (7)(C) (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E), although we are close to getting (b) (7)(E).

In the interim does you shop have the (b) (7)(E) (b) (7)(E)

(b) (7)(E)

(b) (5)

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C) **Washington Office**
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) (b) (7)(C), (b) (6)
(b) (7)(C), (b) (6)) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (7)(E) .

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on (b) (7)(C), (b) (6) discovers, might need you to run the case to ground. Might involve some (b) (7)(E) .

Erick

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:04 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Let me know when you're available ☺(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:04 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

Im on the phone wit (b) (6), (b) (7)(C) ight now.. but (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C)(o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 10:03 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

What's a good number to call you at?

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:58 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

I just read through the email chain. (b) (7)(E) so there is no need to wait I guess..but I will want to wait and get the latest info based on your availability (b) (7)(E)

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:23 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:22 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet - DATA

(b) (6), (b) (7)(C) (b) (7)(E) – see below.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) o)
c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:56 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) I will be out in El Paso starting tomorrow and will return next Wednesday. I would like to come by and introduce myself when I get back.

As for the data, I (b) (6), (b) (7)(C) and she will make arrangements (b) (7)(E)

(b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)
Desk (no voice mail)

Important: This document contains U.S. Customs and Border Protection information and records that may be confidential and sensitive. U.S. Customs and Border Protection has not approved this documents review, retransmission, dissemination, or use by anyone other than the intended recipient(s) listed above, please deliver immediately to the intended recipient(s). Anyone who steals, knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record or thing of value to the U.S. Customs and Border Protection shall be fined or imprisoned not more then ten (10) years pursuant to 18 USC 641.

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:39 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

(b) (7)(E) – the threats of takedown/destruction make this a higher priority to kick off so we do not lose anything. (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 3:52 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) for your assistance in this matter.

I am wondering if (b) (6), (b) (7)(C) had a chance to review for acceptance or not? I think if we get the case back, (b) (7)(E) (b) (7)(E) We could go for long time, but it may not be fruitful. We could always come back where we left off.

(b) (7)(E)

Thanks,

(b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C)
Desk (no voice mail)

Important: This document contains U.S. Customs and Border Protection information and records that may be confidential and sensitive. U.S. Customs and Border Protection has not approved this documents review, retransmission, dissemination, or use by anyone other than the intended recipient(s) listed above, please deliver immediately to the intended recipient(s). Anyone who steals, knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record or thing of value to the U.S. Customs and Border Protection shall be fined or imprisoned not more then ten (10) years pursuant to 18 USC 641.

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E)
if that work for everyone.

Thanks,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Digital Forensics and Analysis Unit
Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)
Desk (b) (6), (b) (7)(C)
Cell –
Main

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:48 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Good mornin (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)

(b) (6), (b) (7)(C)

From (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) (b) (6), (b) (7)(C) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E)

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E) Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received (b) (7)(E) (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E), although we are close to getting (b) (7)(E).

In the interim does you shop have the (b) (7)(E) (b) (7)(E)

(b) (7)(E), (b) (5)

(b) (5)

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)) (b) (6), (b) (7)(C)

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

Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (6), (b) (7)(C)

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) ; (b) (6), (b) (7)(C) | (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, (b) (7)(E)

(b) (6), (b) (7)(C)

Depending on what (b) (7)(C), (b) discovers, might need you to run the case to ground. Might involve some (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 8:51 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

No idea. I can email and ask, but I figure (b) (7)(E) What is your work schedule this week and next, in terms of where you will be physically located.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn: (b) (7)(E) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:23 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet - DATA

(b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Thursday, March 02, 2017 9:22 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Suspicious TWITTER tweet - DATA

(b) (6), (b) (7) (b) (7)(E) – see below.

(b) (6), (b) (7)(C)
Special Agent
(b) (6), (b) (7)(C) (o)
(c)

U.S. Customs and Border Protection
Office of Professional Responsibility (OPR)
Attn (b) (7)(E) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Washington DC 20229

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:56 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) will be out in El Paso starting tomorrow and will return next Wednesday. I would like to come by and introduce myself when I get back.

As for the (b) (7), I (b) (6), (b) (7)(C) and she will make arrangements (b) (7)(E)
(b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)
Desk

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From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 4:39 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

(b) (7)(E) – the threats of takedown/destruction make this a higher priority to kick off so we do not lose anything. (b) (7)(E)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, March 01, 2017 3:52 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thanks (b) (6), (b) (7)(C) for your assistance in this matter.

I am wondering (b) (6), (b) (7)(C) had a chance to review for acceptance or not? I think if we get the case back, then we can start reviewing (b) (7)(E) (b) (5) We could go for long time, but it may not be fruitful. We could always come back where we left off.

(b) (7)(E) (b) (7)(E)

Thanks,

(b) (6), (b) (7)(C)
Cell: Desk (b) (6), (b) (7)(C)

~~Important: This document contains U.S. Customs and Border Protection information and records that may be confidential and sensitive. U.S. Customs and Border Protection has not approved this documents review, retransmission, dissemination, or use by anyone other than the intended recipient(s) listed above, please deliver immediately to the intended recipient(s). Anyone who steals, knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record or thing of value to the U.S. Customs and Border Protection shall be fined or imprisoned not more then ten (10) years pursuant to 18 USC 641.~~

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:53 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Greetings,

(b) (7)(E)
[redacted] if that work for everyone.

Thanks,

(b) (6), (b) (7)(C)
[redacted]
Digital Forensics and Analysis Unit
Department of Homeland Security
Office of Inspector General – Detroit
(b) (6), (b) (7)(C)
[redacted]

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 28, 2017 12:48 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Good morning (b) (6), (b) (7)(C)

There was some rumor that the twitter account owner was going to discontinue the feed. Do you know it that happened or is it still up and running. I know in some cases these users use the "I'm shutting it down" as bait to see if they have enough interest in keeping it alive.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (5)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:53 AM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Thank you. (b) (7)(E) (b) (6), (b) (7)(C) agents can coordinate direct with you. I will be out at FBI most of the day and available intermittently on cell.

From: (b) (6), (b) (7)(C)
Sent: Friday, February 24, 2017 6:40 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

Disregard last. (b) (7)(E)

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 10:25:44 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (7)(E) (b) (7)(E) and will advise in the morning so we can decide on a course of action. Thanks.

(b) (6), (b) (7)(C)
Department of Homeland Security
Office of Inspector General
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 4:40:06 PM
To:
Cc: (b) (6), (b) (7)(C)
Subject: RE: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Can you do an (b) (7)(E) of the Twitter account Alt_USCIS (it is publicly viewable – no need to follow)? Looks like there may be leaks or compromise of internal CBP emails and we'd like to capture before/if it goes down.

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 3:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: Suspicious TWITTER tweet

(b) (6), (b) (7)(C)

Just a heads up. We received a (b) (7)(E) earlier today (See email string below). It will be coming to your shop first for review. Currently CBP OPR does not have (b) (7)(E), although we are close to getting (b) (7)(E).

In the interim does you shop have the (b) (7)(E) to follow the twitter user who is tweeting the information below?

(b) (7)(E)

(b) (5)

Give me a call if you have a moment to discuss.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge

(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division

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

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

All-

Please see attached email just received by (b) (7)(E)

(b) (5)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)
(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what (b) (7)(C), (b) discovers, might need you to run the case to ground. Might involve some (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. (b) (5)

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 8:36 AM
To: (b) (6)
Cc: CBP Media Relations; meidainquiry@dhs.gov
Subject: RE: Comment on Twitter/USCIS suit

It is DHS policy not to comment on pending litigation.

From: (b) (6)
Sent: Friday, April 07, 2017 9:33 AM
To: CBP Media Relations <CBPMediaRelations@cbp.dhs.gov>; meidainquiry@dhs.gov
Subject: Comment on Twitter/USCIS suit

Hello,

Does DHS or CBP have any comment on Twitter's suit against CBP's request for information on the owners of the @ALT_USCIS account?

Thanks

(b) (6)
Staff Writer
Federal Computer Week
(b) (6)

(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 1:18 PM
To: FLANAGAN, PATRICK S
Subject: RE: CBP Summons to Twitter

Sorry I missed you. Just tried you back. I'm on cell.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T.(b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 1:17:15 PM
To: FLANAGAN, PATRICK S
Subject: RE: CBP Summons to Twitter

Call my cell.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T.(b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: FLANAGAN, PATRICK S
Sent: Friday, April 07, 2017 1:16:49 PM
To: COUREY, MARC BENNETT (OCC)
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C))
Subject: RE: CBP Summons to Twitter

Thank you. Will call you shortly.

V/R
Patrick

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 6:05:41 PM
To: FLANAGAN, PATRICK S
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: FW: CBP Summons to Twitter

Patrick – Withdrawal e-mail transmitted below. (b) (6) reportedly advised (b) (6), our DOJ attorney, that Twitter intends to withdraw the suit, without prejudice, via filing pursuant to Rule 41 of the Federal Rules of Civil Procedure. We'll keep you posted. Feel free to call to discuss. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 1:01 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: CBP Summons to Twitter

(b) (6) – Following your conversation with (b) (6) of the U.S. Department of Justice, copied here, this message is to inform you and your client Twitter, Inc., on behalf of U.S. Customs and Border Protection, that the attached summons that is the subject of the suit filed by Twitter on April 6, 2017 in the Northern District of California, requesting "All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses" is hereby withdrawn.

If you have any questions, please do not hesitate to contact (b) (6), (b) (7)(C) or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Friday, April 07, 2017 12:17 PM
To: COUREY, MARC BENNETT (OCC)
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C) [redacted]
Subject: RE: CBP Summons to Twitter

Thank you. Will call you shortly.

V/R
(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 6:05:41 PM
To: FLANAGAN, PATRICK S
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C) [redacted]
Subject: FW: CBP Summons to Twitter

Patrick – Withdrawal e-mail transmitted below. (b) (6) reportedly advised (b) (6), our DOJ attorney, that Twitter intends to withdraw the suit, without prejudice, via filing pursuant to Rule 41 of the Federal Rules of Civil Procedure. We'll keep you posted. Feel free to call to discuss. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T (b) (6), (b) (7)(C) / C (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 1:01 PM
To: [redacted]
Cc: (b) (6), (b) (7)(C)
Subject: CBP Summons to Twitter

(b) (6) – Following your conversation with (b) (6) of the U.S. Department of Justice, copied here, this message is to inform you and your client Twitter, Inc., on behalf of U.S. Customs and Border Protection, that the attached summons that is the subject of the suit filed by Twitter on April 6, 2017 in the Northern District of California, requesting "All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses" is hereby withdrawn.

If you have any questions, please do not hesitate to contact (b) (6) or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
[redacted] (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: CUPP, MARY E (OCC)
Sent: Friday, April 07, 2017 1:20 PM
To: COUREY, MARC BENNETT (OCC); (b) (6), (b) (7)(C)
Subject: RE: CBP Summons to Twitter

(b) (5)
Mary

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 10:17 AM
To: CUPP, MARY E (OCC (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: CBP Summons to Twitter

FYI. Please do not redistribute. Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 1:07:54 PM
To: Maher, Joseph
Cc: Palmer, David; (b) (6) FALK, SCOTT K (OCC); HIGHSMITH, ANNMARIE (OCC); (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Subject: FW: CBP Summons to Twitter

Joe – (b) (5)
Thanks.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 1:06 PM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Cc: KARISCH, RODOLFO (b) (6), (b) (7)(C) FUNN, ERICK K (OPR) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: FW: CBP Summons to Twitter

Patrick – Withdrawal e-mail transmitted below. (b) (6) reportedly advised (b) (6), our DOJ attorney, that Twitter intends to withdraw the suit, without prejudice, via filing pursuant to Rule 41 of the Federal Rules of Civil Procedure. We'll keep you posted. Feel free to call to discuss. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 1:01 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: CBP Summons to Twitter

(b) (6) – Following your conversation with (b) (6) of the U.S. Department of Justice, copied here, this message is to inform you and your client Twitter, Inc., on behalf of U.S. Customs and Border Protection, that the attached summons that is the subject of the suit filed by Twitter on April 6, 2017 in the Northern District of California, requesting "All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses" is hereby withdrawn.

If you have any questions, please do not hesitate to contact (b) (6), (b) (7)(C) or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Friday, April 07, 2017 12:15 PM
To: MCALEENAN, KEVIN K
Subject: FW: CBP Summons to Twitter
Attachments: CBP Summons to Twitter 3-14-17.pdf

V/R
(b) (6), (b) (7)(C)

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 07, 2017 6:05:41 PM
To: FLANAGAN, PATRICK S
Cc: KARISCH, RODOLFO; FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Subject: FW: CBP Summons to Twitter

Patrick – (b) (5)
e'll keep you posted. Feel free to call to discuss. Thanks again.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
T. (b) (6), (b) (7)(C) / C. (b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

From: COUREY, MARC BENNETT (OCC)
Sent: Friday, April 7, 2017 1:01 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: CBP Summons to Twitter

(b) (6) Following your conversation with (b) (6) of the U.S. Department of Justice, copied here, this message is to inform you and your client Twitter, Inc., on behalf of U.S. Customs and Border Protection, that the attached summons that is the subject of the suit filed by Twitter on April 6, 2017 in the Northern District of California, requesting "All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses" is hereby withdrawn.

If you have any questions, please do not hesitate to contact (b) (6), (b) (7)(C), or me at the number below. Thank you.

Bennett Courey
CBP Associate Chief Counsel (Enforcement and Operations)
(b) (6), (b) (7)(C)
** Attorney Work Product / Attorney-Client Privileged **

To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS NOTICE** **to Appear and/or Produce Records** 19 U.S.C. § 1509

Attached is a copy of a summons served by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), both agencies within the Department of Homeland Security (DHS), to examine records or to request testimony relating to records of your business transactions or affairs which have been made or kept by the person named in Block 1 of the summons.

If you object to the examination of these records, you may stay (prevent) examination of the records until a summons enforcement proceeding is commenced in court. Compliance with the summons will be stayed if, not later than the day before the date indicated in Block 2 of the summons, you advise the person summoned (the person named in Block 1), in writing, not to comply with the summons, and you send a copy of that notice by registered or certified mail to the CBP Officer or ICE Special Agent who issued the summons at the address shown in Block 6 of the summons.

CBP or ICE may begin an action to enforce the summons in the appropriate United States District Court. In such cases, you will be notified and you will have the right to intervene and present your objections before the court. The court will decide whether the person summoned should be required to comply with the summons.

If the court issues an order to comply with the summons and the person summoned fails to comply, the court may punish such failure as a contempt of court. Other sanctions may be provided by law.

If you have any questions regarding this matter, please contact the CBP Officer or ICE Special Agent before whom the summoned person is required to appear. The CBP Officer's or ICE Special Agent's name and telephone number are given in Block 2 of the summons.

DHS Form 3115A (6/09)

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	**SUMMONS** **to Appear and/or Produce Records** 19 U.S.C. § 1509
Summons Number (b) (7)(E)	Case Number: (b) (7)(E)

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **APPEAR** before the U.S. Customs and Border Protection (CBP) Officer or U.S. Immigration and Customs Enforcement (ICE) Special Agent named in Block 2 at the place, date, and time indicated to testify and give information.

(B) ☒ **PRODUCE** the records (including statements, declarations, and other documents) indicated in Block 3 before the CBP Officer or ICE Special Agent named in Block 2 at the place, date, and time indicated.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry to ascertain the correctness of entries, to determine the liability for duties, taxes, fines, penalties, or forfeitures, and/or to ensure compliance with the laws or regulations administered by CBP and ICE.

Failure to comply with this summons will render you liable to proceedings in a U.S. District Court to enforce compliance with this summons as well as other sanctions.

2. (A) CBP Officer or ICE Special Agent before whom you are required to appear	(B) Date 03/13/2017
Name (b) (6), (b) (7)(C) Title Special Agent Address 1300 Pennsylvania Ave. N.W. Room 8.3 Washington D.C. 20229 Telephone Number (b) (6), (b) (7)(C)	(C) Time 11:45 ☒ a.m. ☐ p.m.

3. Records required to be produced for inspection

All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses.

You are requested not to disclose the existence of this summons for an indefinite period of time. Any such disclosure will impede this investigation and thereby interfere with the enforcement of federal law.

Issued under authority of section 509, Tariff Act of 1930, as amended by Public law 95-410 (19 U.S.C. § 1509); 44 F.R. 2217; Homeland Security Act of 2002

4. Name of person authorized to serve this summons or any other CBP Officer or ICE Special Agent	5. Date of issue 03/14/2017
Special Agent (b) (6), (b) (7)(C)	B (b) (6), (b) (7)(C)
	6. Name, title, address, and telephone number of person issuing this summons Name (b) (6), (b) (7)(C) Title Special Agent in Charge Address 11606 City Hall Promenade Suite 400, Miramar, FL 33025 Telephone Number (b) (6), (b) (7)(C)

If you have any questions regarding this summons, contact the CBP Officer or ICE Special Agent identified in Block 2.

DHS Form 3115 (6/09)

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT

A. CERTIFICATE OF SERVICE OF SUMMONS

I certify that I served the summons on the front of this form as follows:

☐ I delivered a copy of the summons to the person to whom it was directed, as follows:	Address or Location	Date Time ☐ a.m. ☐ p.m.
☒ *(For corporations, partnerships, and unincorporated associations which may be sued under a common name)* I delivered a copy of the summons to an officer, managing or general agent, or agent authorized to accept service of process as follows:	Address or Location Twitter, Inc. c/o Trust & Safety - Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103	Date 03/13/2017 Time 11:45 ☒ a.m. ☐ p.m.
	Name of person to whom the summons was delivered Faxing to 1-415-222-9958 (attn: Trust & Safety - Legal Policy)	

Sign[redacted]

Title

Special Agent

Date 03/13/2017

B. ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a copy of the summons on the front of this form.

Signature

Title	Date	Time
		☐ a.m. ☐ p.m.

DHS Form 3115 (6/09)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 1:45 PM
To: (b) (6), (b) (7)(C)
Subject: FW: Media request regarding email leaks purportedly written by CBP agents

---

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:44 PM
To: [redacted]
Cc: [redacted]
Subject: FW: Media request regarding email leaks purportedly written by CBP agents

Counsel just stopped by my desk in reference to this. I can't download the link. It is blocked on my computer.

https://twitter.com/ALT_USCIS/status/834809096058580992

(b) (6), (b) (7)(C)
Office of Public Affairs
U.S. Customs and Border Protection
Office: (b) (6), (b) (7)(C) | Cell: (b) (6), (b) (7)(C)

From: [redacted]
Sent: Thursday, February 23, 2017 2:09 PM
To: CBP Media Relations <CBPMediaRelations@cbp.dhs.gov>
Subject: Media request regarding email leaks purportedly written by CBP agents

Hi there,

My name is (b) (6) and I'm the immigration reporter at ThinkProgress, an online news site based in Washington, D.C.

I am looking to get an "on the record" comment on email leaks purportedly written by CBP agents. The email contents appear to show glaringly biased support for the Trump administration and the use of a derogatory slur.

1) Can you speak to the veracity of these emails?
2) How is CBP responding?
3) What will happen to the people who leaked these emails?
4) How does CBP generally handle agents who would express views such as "we in the wetback killing business and business will be boom'n" as one email allegedly read.

Deadline: As soon as possible on Thursday, Feb 23, 2017.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 1:36 PM
To: FUNN, ERICK K (OPR); (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: (No Subject)
Attachments: @alt_USCIS twitter feed releasing CBP documents (not clear if they were legitimately released or not)

Correction. That would be (b) (7)(E).

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: (No Subject)

All-

Please see attached email just received by (b) (7)(E) (b) (7)(E)

(b) (7)(E)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what (b) (6), (b) (7) discovers, might need you to run the case to ground. Might involve some (b) (7)(E)

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM

To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 11:16 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

Tweet from "ALTImmigration @ ALT_USCIS" says: "If you have personal dirt related to any DISHONEST ICE or CBP officer, please email fuckcbp@tuta.io. We will protect ur identity & pay!"

V/R
Patrick

Patrick Flanagan
202-325-2786

~~Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.~~

From: MCALEENAN, KEVIN K
Sent: Thursday, February 23, 2017 11:00 AM
To: FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Subject: RE: (No Subject)

It won't load on my device. Can you describe the issue?

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: MCALEENAN, KEVIN K
Sent: Thursday, February 23, 2017 2:54:48 AM
To: FLANAGAN, PATRICK S
Subject: FW: (No Subject)

What is this about?

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Thursday, February 23, 2017 4:50 PM
To: (b) (6), (b) (7)(C) (OPR)
Cc: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Importance: High

Hey (b) (6), (b) (7)(C)

Can you please open a case regarding this allegation and relate it to CBP case (b) (7)(E).

Thanks

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 5:23 PM
To: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) does want us to open an (b) (7)(E) of this complaint and we can relate to CBPs case. Please have someone open.

Thanks
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), CHS-V
Section Chief, (b) (7)(E)
Investigative Operations Unit
ICE, Office of Professional Responsibility
U.S. Department of Homeland Security
Office: (b) (6), (b) (7)(C)
Cell:
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Thursday, February 23, 2017 2:39 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) (OPR)
Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

So you are aware, CBP OPR has been notified of the @ALT_USCIS twitter handle. The information we received also references ICE, see below

> "ALT Immigration
> Hi, If you have personal dirt related to any DISHONEST ICE or CBP officer,
> please email fuckcbp@tuta.io. We will protect ur identity & pay!"

CBP OPR is generating a file on this issue.

Thanks,

(b) (6), (b) (7)(C)

SUPERVISOR, JOINT INTAKE CENTER (JIC)
CBP I OFFICE OF PROFESSIONAL RESPONSIBILITY I INVESTIGATIVE OPERATIONS DIVISION
(b) (6), (b) (7)(C) (CELL)

From: (b) (6), (b) (7)(C) (OPR)
Sent: Thursday, February 23, 2017 2:20 PM
To: JOINT INTAKE (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Importance: High

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

~~Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.~~

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM

To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, March 03, 2017 2:11 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: FW: (No Subject)

Importance: High

Original source document. It is Alt_uscis.

Thanks,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 12:06:12 PM
To: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:54:44 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: FW: (No Subject)

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)

(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

(b) (6), (b) (7)(C)

Depending on what (b) (6), (b) (7) discovers, might need you to run the case to ground. Might involve some (b) (7)(E)

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM

To: KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted] >
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C)

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Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

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Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 1:34 PM
To: (b) (6), (b) (7)(C)
Subject: FW: (No Subject)
Attachments: @alt_USCIS twitter feed releasing CBP documents (not clear if they were legitimately released or not)

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 23, 2017 2:27 PM
To: FUNN, ERICK K (OPR) <(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

All-

Please see attached email just received by (b) (7)(E)

(b) (7)(E)

From: FUNN, ERICK K (OPR)
Sent: Thursday, February 23, 2017 1:55 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: FW: (No Subject)
Importance: High

(b) (6), (b) (7)(C)

Would you open a case in (b) (7)(E)
(b) (6), (b) (7)(C)

Once it comes back, can you assign for a preliminary investigation?

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

Depending on what [redacted] discovers, might need you to run the case to ground. Might involve some [redacted]

Erick

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 12:17 PM
To: KARISCH, RODOLFO (b) (6), (b) (7)(C) [redacted]
Subject: FW: (No Subject)

Sir,

Can your staff follow-up on the below tweet.

Thank you.

V/R
Patrick

Patrick Flanagan
(b) (6), (b) (7)(C) [redacted]

Notice: FOR OFFICIAL USE ONLY - this transmission contains material covered by the Privacy Act of 1974 and should be viewed only by personnel having an official "need to know." If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify me immediately by email and delete the original message.

From: FLANAGAN, PATRICK S
Sent: Thursday, February 23, 2017 10:39:26 AM
To: MCALEENAN, KEVIN K
Subject: RE: (No Subject)

First we have seen. Will engage OPR.

V/R
Patrick

From: Cissna, Tiffany
Sent: Wednesday, February 22, 2017 9:38:33 PM
To: Homan, Thomas; MCALEENAN, KEVIN K
Subject:

Is this something someone should investigate? I mean, I know that your officers and agents are often the targets of such things, but…

ALT Immigration @ALT_USCIS · 2h

Hi, If you have personal dirt related to any DISHONEST ICE or CBP officer, please email fuckcbp@tuta.io. We will protect ur identity & pay!

51 56

From: (b) (6), (b) (7)(C)
To: (b) (7)(E)
Cc: COUREY, MARC BENNETT (OCC); (b) (6), (b) (7)(C)
Subject: @alt_USCIS twitter feed releasing CBP documents (not clear if they were legitimately released or not)
Date: Thursday, February 23, 2017 1:20:00 PM

(b) (7)(E)

(b) (5)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Senior Attorney (Enforcement & Operations)/EPC
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue N.W., Suite 4.4B
Washington, D.C. 20229
(b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 06, 2017 5:11 PM
To: (b) (6) CBP Media Relations
Subject: RE: (b) (6) with NHK Japan Broadcasting Corporation

(b) (6)

As a matter of policy, we cannot comment on pending litigation.

Thanks.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 06, 2017 6:01:43 PM
To: CBP Media Relations
Subject: (b) (6), (b) (7)(C) with NHK Japan Broadcasting Corporation

Greetings CBP media relations

My name is (b) (6) with NHK (Japan Broadcasting Corporation) in Washington DC. I would like to ask some questions regarding reports that CBP had faxed a summons last month to Twitter for a user's account information. The report states that CBP wanted user's account login, phone number, mailing address and IP address for the account of @ALT_uscis.
I would like to ask why CBP requested this information for this account? The report says that the account belongs to a federal immigration employee, is it illegal for a government worker to speak out against the President?
If you could send a statement regarding this, or please call me on my cell phone, my number is (b) (6).

Many thanks
(b) (6)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 8:45 AM
To: (b) (6), (b) (7)(C) CBP Media Relations
Subject: RE: Media Inquiry re: Twitter lawsuit against CBP

(b) (6)

It is DHS policy not to comment on pending litigation.
Thanks,
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Department of Homeland Security
U.S. Customs and Border Protection
Office of Public Affairs / Media Division
(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Friday, April 07, 2017 9:39 AM
To: CBP Media Relations <CBPMediaRelations@cbp.dhs.gov>
Subject: Media Inquiry re: Twitter lawsuit against CBP

Hello,

Does CBP have a statement regarding Twitter's lawsuit that looks to block the CBP's efforts to unmask the @ALT_USCIS Twitter account? The complaint is at the link below:

https://www.nytimes.com/interactive/2017/04/06/technology/100000005031593.mobile.html?module=ArrowsNav&contentCollection=Technology&action=keypress&region=FixedLeft&pgtype=Multimedia

Thank you.

--
(b) (6)
Senior Editor, LawNewz.com
(b) (6)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 9:38 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: RECODE: Twitter is suing the government for trying to unmask an anti-Trump account

Sen. Wyden's SFC staff called to ask about this as well, but mentioned a USCIS issue. I assume our approach should be to not comment since it is in litigation?

(b) (6), (b) (7)(C)
U.S. Customs and Border Protection
Office of Congressional Affairs
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 7, 2017 10:35 AM
To: (b) (6), (b) (7)(C)
Subject: FW: RECODE: Twitter is suing the government for trying to unmask an anti-Trump account

FYI. Reuters also picked up along with some other media outlets

---

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 9:49:00 AM
To: MCALEENAN, KEVIN K
Cc: (b) (6), (b) (7)(C) FLANAGAN, PATRICK S; (b) (6), (b) (7)(C)
Subject: RECODE: Twitter is suing the government for trying to unmask an anti-Trump account

Commissioner,

FYSA. Below is one of the stories that quote Sen. Wyden.

https://www.recode.net/2017/4/6/15211214/twitter-suing-government-free-speech-anti-trump-account-first-amendment

R/S

(b) (6), (b) (7)(C)
Assistant Commissioner (Acting)
Office of Public Affairs
U.S. Customs and Border Protection
(b) (6), (b) (7)(C) Office
Mobile

Twitter is suing the government for trying to unmask an anti-Trump account

The lawsuit filed Thursday contends the government is threatening free speech.

by (b) (6) [redacted] Apr 6, 2017, 3:55pm EDT

Twitter is suing the Trump administration after it tried to compel the social media site to reveal the identity of an account that had been tweeting criticism of the president.

In a lawsuit filed in the U.S. District Court in the Northern District of California, Twitter revealed that the Department of Homeland Security in March had demanded that the company reveal who is behind @ALT_USCIS, an anonymous account that has been raising alarms about U.S. Citizenship and Immigration Services and Trump's immigration policies.

Twitter contends the request amounts to an "unlawful" use of the government's investigative powers, as the rules that allow customs and border officials to issue summonses generally relate to the import of merchandise, including counterfeit goods — not information involving online accounts.

In seeking to unmask that user anyway, though, Twitter says the government's request "would have a grave chilling effect on the speech of that account in particular and on the many other 'alternative agency' accounts that have been created to voice dissent to government policies."

A spokesman for DHS declined to comment, citing the fact it is pending litigation. Spokespeople for the Justice Department and White House also declined to offer their views on the case.

But Democratic Sen. Ron Wyden, an ally of Silicon Valley in Congress, blasted the Trump administration Thursday for its conduct. "The Department of Homeland Security appears to have abused its authority and wasted taxpayer resources, all to uncover an anonymous critic on Twitter," the Oregon lawmaker told **Recode** in a statement. He said the agency's inspector general -- a watchdog that reviews for abuse — should "investigate to determine who directed this witch hunt."

Since Trump has taken office, a number of "alt-agency" accounts — unofficial deviations from federal agencies' verified online Twitter profiles — have started firing 140-character salvos at the new administration. There are accounts for the Environmental Protection Agency and the Labor Department, for example, which have targeted Trump for his climate and employment policies. Some "rogue" staffers at the National Park Service even hijacked their official account to tweet criticism of the president around his inauguration, though NPS quickly reclaimed it.

In many cases, though, the authors of these accounts are not clear. "The users appear to view and depend on preservation of their anonymity as crucial to their ability to express information and ideas that are contrary to the policies and objectives of the Administration and its agencies," as Twitter explains in its court briefing.

The @ALT_USCIS account arrived in late January, according to Twitter's complaint, purporting to be the site of the "[o]fficial inside resistance" of USCIS. It began tweeting sharp rebukes of Trump's immigration policies, including his support for a wall along the U.S.-Mexican border. And it soon alleged rampant mismanagement at the USCIS, pointing out a potential instance of lost green cards and poor behavior by customs agents.

On March 14, Twitter said an agent for the USCIS "transmitted to Twitter by fax a summons" that ordered it to produce records related to the alt-agency account. That information included names, addresses and phone numbers, Twitter said, along with a threat of additional sanctions if the company did not comply.

In the days to follow, Twitter said it informed the @ALT_USCIS accountholder of the government's request — and the Trump administration of its plans to challenge the summons in court.

And on Thursday, the @ALT_USCIS also fired back:

Twitter has a long history of defending free speech on its platform, sometimes to a fault (hence its issues around abuse and harassment). Late last year, Twitter reminded everyone that it's against the company's guidelines to use Twitter for surveillance purposes, claiming a "commitment to social justice is core to our mission."

Additional reporting by Kurt Wagner.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 07, 2017 8:53 AM
To: (b) (6), (b) (7)(C) MCALEENAN, KEVIN K
Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S
Subject: RE: RECODE: Twitter is suing the government for trying to unmask an anti-Trump account

C1/ (b) (6), (b) (7)(C)
I also printed a copy of the article in Recode. His quote is also in Reuters and a few other outlets picked it up. I checked to see if the Senator produced a press release or stated anything on twitter – he did not.
V/R
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, April 7, 2017 9:49 AM
To: MCALEENAN, KEVIN K (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) (b) (7)(C), (b) (6) FLANAGAN, PATRICK S (b) (6), (b) (7)(C)
Subject: RECODE: Twitter is suing the government for trying to unmask an anti-Trump account

Commissioner,

FYSA. Below is one of the stories that quote Sen. Wyden.

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R/S

(b) (6), (b) (7)(C)
Assistant Commissioner (Acting)
Office of Public Affairs
U.S. Customs and Border Protection
(b) (6), (b) (7)(C)

Twitter is suing the government for trying to unmask an anti-Trump account

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by (b) (6) Apr 6, 2017, 3:55pm EDT

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Additional reporting by Kurt Wagner.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, March 14, 2017 12:18 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: (b) (7)(E)
Attachments: Twitter cbp_3115a.pdf; Twritter cbp_3115.pdf

Thanks (b) (6), (b) (7) much appreciated.

Best Regards,

(b) (6), (b) (7)(C)
Assistant Special Agent in Charge
(b) (6), (b) (7)(C)
Washington Office
Miami Office
Cellular
Miami Lab
(b) (6), (b) (7)(C)

U.S. Customs & Border Protection
Office of Professional Responsibility
Investigative Operations Division
(b) (7)(E)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C))
Sent: Monday, March 13, 2017 3:23 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: (b) (7)(E)

Sir,

Please review sign and then scan back to me. I will then sign and fax to Twitter's trust and safety –legal policy.

(b) (6), (b) (7)(C)
SPECIAL AGENT | OFFICE OF PROFESSIONAL RESPONSIBILITY | DEPARTMENT OF HOMELAND SECURITY | U.S. CUSTOMS AND BORDER PROTECTION
(b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, March 14, 2017 8:10 AM
To: (b) (6), (b) (7)(C)
Subject: FW (b) (7)(E)
Attachments: Twitter cbp_3115a.pdf; Twritter cbp_3115.pdf

Did you sign off?

(b) (6), (b) (7)(C)
(b) (7)(E)
RRB Washington DC
(b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C))
Sent: Monday, March 13, 2017 3:23 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: 201704511

Sir,

Please review sign and then scan back to me. I will then sign and fax to Twitter's trust and safety –legal policy.

(b) (6), (b) (7)(C)
SPECIAL AGENT | OFFICE OF PROFESSIONAL RESPONSIBILITY | DEPARTMENT OF HOMELAND SECURITY | U.S. CUSTOMS AND BORDER PROTECTION
(b) (6), (b) (7)(C)

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To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. **c/o Trust & Safety - Legal Policy** **1355 Market Street, Suite 900** **San Francisco, CA 94103**	**SUMMONS NOTICE** **to Appear and/or Produce Records** 19 U.S.C. § 1509

Attached is a copy of a summons served by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), both agencies within the Department of Homeland Security (DHS), to examine records or to request testimony relating to records of your business transactions or affairs which have been made or kept by the person named in Block 1 of the summons.

If you object to the examination of these records, you may stay (prevent) examination of the records until a summons enforcement proceeding is commenced in court. Compliance with the summons will be stayed if, not later than the day before the date indicated in Block 2 of the summons, you advise the person summoned (the person named in Block 1), in writing, not to comply with the summons, and you send a copy of that notice by registered or certified mail to the CBP Officer or ICE Special Agent who issued the summons at the address shown in Block 6 of the summons.

CBP or ICE may begin an action to enforce the summons in the appropriate United States District Court. In such cases, you will be notified and you will have the right to intervene and present your objections before the court. The court will decide whether the person summoned should be required to comply with the summons.

If the court issues an order to comply with the summons and the person summoned fails to comply, the court may punish such failure as a contempt of court. Other sanctions may be provided by law.

If you have any questions regarding this matter, please contact the CBP Officer or ICE Special Agent before whom the summoned person is required to appear. The CBP Officer's or ICE Special Agent's name and telephone number are given in Block 2 of the summons.

1. To (Name, Address, City, State, Zip Code)	DEPARTMENT OF HOMELAND SECURITY
Twitter, Inc. **c/o Trust & Safety - Legal Policy** **1355 Market Street, Suite 900** **San Francisco, CA 94103**	**SUMMONS** **to Appear and/or Produce Records** 19 U.S.C. § 1509
Summons Number	

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **APPEAR** before the U.S. Customs and Border Protection (CBP) Officer or U.S. Immigration and Customs Enforcement (ICE) Special Agent named in Block 2 at the place, date, and time indicated to testify and give information.

(B) ☒ **PRODUCE** the records (including statements, declarations, and other documents) indicated in Block 3 before the CBP Officer or ICE Special Agent named in Block 2 at the place, date, and time indicated.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry to ascertain the correctness of entries, to determine the liability for duties, taxes, fines, penalties, or forfeitures, and/or to ensure compliance with the laws or regulations administered by CBP and ICE.

Failure to comply with this summons will render you liable to proceedings in a U.S. District Court to enforce compliance with this summons as well as other sanctions.

2. (A) CBP Officer or ICE Special Agent before whom you are required to appear	(B) Date **03/13/2017**
Name (b) (6), (b) (7)(C) Title **Special Agent** Address **1300 Pennsylvania Ave. N.W. Room 8.3 Washington D.C. 20229** Telephone Number (b) (6), (b) (7)(C)	(C) Time **11:45** ☒ a.m. ☐ p.m.

3. Records required to be produced for inspection

All records regarding the twitter account @ALT_USCIS to include, User names, account login, phone numbers, mailing addresses, and I.P addresses.

You are requested not to disclose the existence of this summons for an indefinite period of time. Any such disclosure will impede this investigation and thereby interfere with the enforcement of federal law.

Issued under authority of section 509, Tariff Act of 1930, as amended by Public law 95-410 (19 U.S.C. § 1509); 44 F.R. 2217; Homeland Security Act of 2002

4. Name of person authorized to serve this summons or any other CBP Officer or ICE Special Agent

ASAC (b) (6), (b) (7)(C)

5. Date of issue **03/13/2017**

By _____
(Signature)

6. Name, title, address, and telephone number of person issuing this summons

Name (b) (6), (b) (7)(C)

Title **Assistant Special Agent in Charge**

Address **1300 Pennsylvania Ave. N.W. Room 8.3 Washington D.C. 20229**

Telephone Number (b) (6), (b) (7)(C)

If you have any questions regarding this summons, contact the CBP Officer or ICE Special Agent identified in Block 2.

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT

A. CERTIFICATE OF SERVICE OF SUMMONS

I certify that I served the summons on the front of this form as follows:

☐ I delivered a copy of the summons to the person to whom it was directed, as follows:	Address or Location	Date Time ☐ a.m. ☐ p.m.
☒ *(For corporations, partnerships, and unincorporated associations which may be sued under a common name)* I delivered a copy of the summons to an officer, managing or general agent, or agent authorized to accept service of process as follows:	Address or Location **Twitter, Inc.** **c/o Trust & Safety - Legal Policy** **1355 Market Street, Suite 900** **San Francisco, CA 94103**	Date **03/13/2017** Time **11:45** ☒ a.m. ☐ p.m.
	Name of person to whom the summons was delivered **Faxing to** (b) (6) [redacted] **(attn: Trust & Safety - Legal Policy)**	

Signature	
Title **Special Agent**	Date **03/13/2017**

B. ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a copy of the summons on the front of this form.

Signature		
Title	Date	Time ☐ a.m. ☐ p.m.

DHS Form 3115 (6/09)