

EXHIBIT C

From: [Jacob Hutt](#)
To: [Nicola Morrow](#)
Subject: Fw: Acknowledgment of request 2018-IAFO-00149
Date: Thursday, August 30, 2018 12:25:51 PM
Attachments: [image004.png](#)
[image005.png](#)
[May-2017-Field-Analysis-Report.pdf](#)
[image006.png](#)

From: Jacob Hutt
Sent: Tuesday, March 27, 2018 2:35 PM
To: Henry, Brendan
Cc: I&AFOIA
Subject: RE: Acknowledgment of request 2018-IAFO-00149

Dear Mr. Henry,

I hope you're well. I'm writing for two reasons.

First, I would like to inquire on the status of the ACLU's request 2018-IAFO-00149. Three weeks ago, on March 6, you wrote that our request had been bumped to the front of the line for processing. If you could provide an update, I'd appreciate it.

Second, I thought I would pass along a document connected to I&A to show you one type of document we are seeking. It is an May 2017 Field Analysis Report entitled, "TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists." Of course, our requests encompass more than field analysis reports, but I thought this may give your researchers a better sense of what records we'd like. The report is attached.

I look forward to hearing from you soon.

Thank you,

Jacob Hutt
Brennan Fellow | Speech, Privacy & Technology Project
American Civil Liberties Union
125 Broad St., 18th Floor, New York, NY 10004
(212) 519-7809
aclu.org  



From: Jacob Hutt
Sent: Thursday, March 08, 2018 2:12 PM
To: 'Henry, Brendan'
Cc: I&AFOIA
Subject: RE: Acknowledgment of request 2018-IAFO-00149

Dear Mr. Henry,

Thank you for confirming I&A's search for the first four records in our request.

Warmly,

Jacob Hutt
Brennan Fellow | Speech, Privacy & Technology Project
American Civil Liberties Union
125 Broad St., 18th Floor, New York, NY 10004
(212) 519-7809
aclu.org  



From: Henry, Brendan [<mailto:brendan.henry@hq.dhs.gov>]
Sent: Thursday, March 08, 2018 2:08 PM
To: Jacob Hutt
Cc: I&AFOIA
Subject: RE: Acknowledgment of request 2018-IAFO-00149

Good morning Mr. Hutt,

Thank you for your email. I reviewed the request file and discussed it with staff. It appears that the portion of your request that is relevant to I&A is found on page 6 and states as follows:

With respect to **all agencies** listed above, the ACLU seeks the release of all records¹⁹ created

since January 27, 2017, concerning:

- (1) Legal and policy analyses and recommendations related to law enforcement funding for and staffing around oil pipeline protests. Such recommendations may include, but are not limited to, declarations of a state of emergency by state and local entities in order to marshal additional funds, and requests by state or local entities for federal agencies to provide funding or personnel for counter-protest operations; and
- (2) Travel of federal employees to speaking engagements, private and public meetings, panels, and conferences on the subject of preparation for oil pipeline protests and/or cooperation with private corporations in furtherance thereof; and
- (3) Meeting agendas, pamphlets, and other distributed matter at speaking engagements, private and public meetings, panels, and conferences where federal employees are present to discuss preparation for oil pipeline protests and/or cooperation with private corporations in furtherance thereof; and
- (4) Communications between federal employees and state or local law enforcement entities or employees thereof, and between federal employees and private security companies or employees thereof, discussing cooperation in preparation for oil pipeline protests.

Our search is based on the above four items, as written in your request. I apologize if the paraphrasing used in the acknowledgment letters confused matters.

Sincerely,

Brendan Henry
Deputy Privacy Officer/FOIA Officer
Office of Intelligence & Analysis
Department of Homeland Security
(202) 447-3783
Brendan.henry@hq.dhs.gov

From: Jacob Hutt [<mailto:jhutt@aclu.org>]
Sent: Wednesday, March 7, 2018 11:13 AM
To: Henry, Brendan <brendan.henry@hq.dhs.gov>
Cc: I&AFOIA <I&AFOIA@HQ.DHS.GOV>
Subject: RE: Acknowledgment of request 2018-IAFO-00149

Mr. Henry,


Thanks for your message. I have two questions in response to your acknowledgment letter:

1. Was our first record request denied? It requests "all records created since 1/27/2017 concerning legal and policy analyses and recommendations related to law

enforcement funding for and staffing around oil pipeline protests. Such recommendations may include, but are not limited to, declarations of a state of emergency by state and local entities in order to marshal additional funds, and requests by state or local entities for federal agencies to provide funding or personnel for counter-protest operations.” **You do not acknowledge this request in your letter.** Please confirm if you will be searching for these records.

2. I just want to confirm that you will be using the original language of our records request, rather than the paraphrased version in your letter, as you conduct these searches.

Thank you for granting expedited processing and I hope to hear from you soon.

Jacob Hutt
Brennan Fellow | Speech, Privacy & Technology Project
American Civil Liberties Union
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From: Henry, Brendan [<mailto:brendan.henry@hq.dhs.gov>]
Sent: Tuesday, March 06, 2018 5:30 PM
To: Jacob Hutt
Cc: I&AFOIA
Subject: FW: Acknowledgment of request 2018-IAFO-00149

Dear Mr. Hutt:

Thank you for your call earlier today inquiring about your FOIA request concerning speaking engagements, meetings, etc. concerning preparation for oil pipeline protests.. HDS HQ did transfer it to the Office of Intelligence & Analysis s for processing. DHS has a decentralized FOIA process, and each component/office assigns its own tracking number. Your tracking number for I&A is 2018-IAFO-00149. Reviewing our files, I see that we sent you an acknowledgment letter on February 16, 2018, which granted your expedited processing request. Please see attached.

Accordingly, at that time, your request was bumped to the front of the line for processing. We have tasked the search and are awaiting responses.

Please let me know if you have any questions or concerns.

Brendan Henry
Deputy Privacy Officer/FOIA Officer
Office of Intelligence & Analysis
Department of Homeland Security
(202) 447-3783
Brendan.henry@hq.dhs.gov

From: I&AFOIA
Sent: Friday, February 16, 2018 3:42 PM
To: jhutt@aclu.org
Cc: I&AFOIA <I&AFOIA@HQ.DHS.GOV>
Subject: Acknowledgment of request 2018-IAFO-00149

Good afternoon Mr. Hutt:

Please find attached an acknowledgment of your request 2018-IAFO-00149.

FOIA Officer
Department of Homeland Security Office of Intelligence and Analysis (I&A)
I&AFOIA@hq.dhs.gov
(202) 447-3783