

LEGAL DEPARTMENT



January 23, 2018

Federal Bureau of Investigation
Attn: FOI/PA Request
Record/Information Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843
Fax: (540) 868-4391/4997
Email: foiparequest@ic.fbi.gov

Melissa Golden (née Kassier)
Lead Paralegal and FOIA Specialist
Office of Legal Counsel
Room 5511, 950 Pennsylvania Avenue, N.W.
Department of Justice
Washington, DC 20530-0001
Fax: (202) 514-2053
Email: usdoj-officeoflegalcounsel@usdoj.gov

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
NATIONAL OFFICE
125 BROAD STREET, 18TH
FL.
NEW YORK, NY 10004-2400
T/212.549.2500
WWW.ACLU.ORG

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT B. REMAR
TREASURER

OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Fax: (571) 372-0500

Nicole Barksdale-Perry (Acting)
The Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655
Fax: (202) 343-4011
Email: foia@hq.dhs.gov

U.S. Army Humphreys Engineer Support Center
Attention: CEHEC-OC
7701 Telegraph Road
Alexandria, Virginia 22315-3860
Fax: (703) 428-7633

National FOIA Office
Bureau of Land Management
Attn: FOIA Office (WO-640)

USA_DHS-I&A_000001

1849 C St. N.W.
Washington, DC 20240
Fax: (202) 245-0050
Email: blm_wo_foia@blm.gov

**Re: Request Under Freedom of Information Act
(Expedited Processing & Fee Waiver Requested)**

To Whom It May Concern:

The American Civil Liberties Union and the American Civil Liberties Union Foundation (together, the “ACLU”)¹ submit this Freedom of Information Act (“FOIA”) request (the “Request”) for records pertaining to cooperation between federal, state, and local law enforcement entities and between federal law enforcement entities and private security companies around preparations for anticipated protests against the Keystone XL pipeline.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

I. Background

On January 27, 2017, the White House released its Presidential Memorandum Regarding Construction of the Keystone XL Pipeline, which expedited the approval process for the Canada-to-Texas oil pipeline that President Barack Obama had previously rejected.² Two months later, President Donald Trump announced that his administration had formally approved the pipeline.³

These decisions generated intense public controversy and debate. The president’s approval of the Keystone XL Pipeline set the stage for renewed protest against oil pipelines, which activist groups say accelerate climate change,

¹ The American Civil Liberties Union Foundation is a 26 U.S.C. § 501(c)(3) organization that provides legal representation free of charge to individuals and organizations in civil rights and civil liberties cases, educates the public about civil rights and civil liberties issues across the country, directly lobbies legislators, and mobilizes the American Civil Liberties Union’s members to lobby their legislators. The American Civil Liberties Union is a separate non-profit, 26 U.S.C. § 501(c)(4) membership organization that educates the public about the civil liberties implications of pending and proposed state and federal legislation, provides analysis of pending and proposed legislation, directly lobbies legislators, and mobilizes its members to lobby their legislators.

² See Presidential Memorandum Regarding Construction of the Keystone XL Pipeline (Jan. 24, 2017), <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-regarding-construction-keystone-xl-pipeline/>; Elise Labott & Dan Berman, *Obama Rejects Keystone XL Pipeline*, CNN (Nov. 6, 2015), <http://www.cnn.com/2015/11/06/politics/keystone-xl-pipeline-decision-rejection-kerry/index.html>.

³ Elise Labott & Jeremy Diamond, *Trump Administration Approves Keystone XL Pipeline*, CNN (Mar. 24, 2017), <http://www.cnn.com/2017/03/23/politics/keystone-xl-pipeline-trump-approve/index.html>.

threaten clean water reserves, and invade cultural sites of American Indian tribes.⁴ In response to the president's announcement, then-chairman of the Standing Rock Sioux tribe, David Archambault II, stated, "We opposed Keystone before, and we'll oppose it again."⁵ Environmental groups, too, have made clear their intention to protest Keystone XL's construction; one prominent group has invited advocates to sign a "Pledge of Resistance," which includes a commitment to "participate in peaceful direct action that may result in my arrest, should construction begin on the Keystone XL pipeline."⁶

Government officials have consequently made clear their intention to prevent a repeat of the prolonged protests against the Dakota Access Pipeline, which drew thousands of activists to the North Dakota site, sparked physical confrontation with law enforcement authorities, and captured worldwide attention.⁷ Officials have pursued numerous strategies for impeding these protests, such as asking the federal government for guidance on the possibility of prosecuting protestors under domestic terrorism laws,⁸ enacting legislation that allows a governor or sheriff to prohibit groups numbering more than 20 from gathering on public land,⁹ and fostering cooperation between federal, state, and local law enforcement entities and private security contractors.¹⁰ As a

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

⁴ Heather Brady, *4 Key Impacts of the Keystone XL and Dakota Access Pipelines*, National Geographic (Jan. 25, 2017), <https://news.nationalgeographic.com/2017/01/impact-keystone-dakota-access-pipeline-environment-global-warming-oil-health/>.

⁵ Stand with Standing Rock, *Standing Rock Sioux Chairman Responds to Keystone Pipeline Permit Approval* (Mar. 24, 2017), <http://standwithstandingrock.net/standing-rock-sioux-chairman-responds-keystone-pipeline-permit-approval/>.

⁶ Bold Alliance, *Sign the Keystone XL Pledge of Resistance* (last visited Dec. 27, 2017), https://boldalliance.webaction.org/p/dia/action3/common/public/?action_KEY=20257; see also Michael McLaughlin, *Keystone XL Protesters Won't Back Down After Trump Approval*, Huffington Post (Mar. 24, 2017), https://www.huffingtonpost.com/entry/keystone-xl-protesters-trump-approval_us_58d55333e4b02a2eaab3819e.

⁷ See, e.g., Paul Hammel, *Nebraska Law Enforcement, Keystone XL Pipeline Foes Prepare for Possible Protests*, Omaha World-Herald (Apr. 11, 2017), http://www.omaha.com/news/nebraska/nebraska-law-enforcement-keystone-xl-pipeline-foes-prepare-for-possible/article_d85522c1-73cd-541c-98f2-f9b3375e8a3c.html.

⁸ Timothy Gardner, *U.S. Lawmakers Ask DOJ If Terrorism Law Covers Pipeline Activists*, Reuters (Oct. 23, 2017), <https://www.reuters.com/article/us-usa-pipelines-activism/u-s-lawmakers-ask-doj-if-terrorism-law-covers-pipeline-activists-idUSKBN1CS2XY>.

⁹ South Dakota Senate Bill 176 (Mar. 27, 2017), <https://www.courthousenews.com/wp-content/uploads/2017/03/SB-176.pdf>.

¹⁰ Alleen Brown, *Nebraska Approves Keystone XL Pipeline as Opponents Face Criminalization of Protests*, The Intercept (Nov. 20, 2017), <https://theintercept.com/2017/11/20/nebraska-approves-keystone-xl-pipeline-as-opponents-face-criminalization-of-protests/>; *Lincoln Police Prepare for All Scenarios as Pipeline Protests Near*,

further threat to activists who may wish to repeat their actions at the Dakota Access Pipeline, the *Guardian* reports that Joint Terrorism Task Force agents have attempted to contact multiple individuals involved with the North Dakota anti-pipeline movement.¹¹

Evidence of cooperation among law enforcement officials and private corporations in the area of oil pipeline protests has been widely documented. On May 27, 2017, *The Intercept* published internal documents of the security firm TigerSwan that revealed close cooperation between TigerSwan, state police forces, and federal law enforcement in at least five states around the Dakota Access Pipeline.¹² For example, a TigerSwan situation report on March 29, 2016 explicitly named the state and federal actors in attendance at a joint meeting the day before: “Met with the Des Moines Field Office of the FBI, with the Omaha and Sioux Fall offices joining by conference call. Also in attendance were representatives of the Joint Terrorism Task Force, Department of Homeland Security . . . Topics covered included the current threat assessment of the pipeline, the layout of current security assets and persons of interests. The FBI seemed were [sic] very receptive . . . follow-up meetings with individuals will be scheduled soon[.]”¹³ *The Intercept* also published communications detailing coordination “between a wide range of local, state, and federal agencies,” including the revelation that the FBI participated in law enforcement operations related to the Dakota Access Pipeline protests.¹⁴ Finally, a review of federal lobbying disclosure forms by *DeSmog*, a blog focused on topics related to climate change, has revealed that the National Sheriffs’ Association was

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

1011 Now (Aug. 1, 2017), <http://www.1011now.com/content/news/Lincoln-Police-prepare-for-all-scenarios-as-pipeline-protests--437938853.html>.

¹¹ Sam Levin, *Revealed: FBI Terrorism Taskforce Investigating Standing Rock Activists*, *The Guardian* (Feb. 10, 2017), <https://www.theguardian.com/us-news/2017/feb/10/standing-rock-fbi-investigation-dakota-access>.

¹² Alleen Brown, Will Parrish, and Alice Speri, *Leaked Documents Reveal Counterterrorism Tactics Used at Standing Rock to “Defeat Pipeline Insurgencies”*, *The Intercept* (May 27, 2017), <https://theintercept.com/2017/05/27/leaked-documents-reveal-security-firms-counterterrorism-tactics-at-standing-rock-to-defeat-pipeline-insurgencies/>.

¹³ Alleen Brown, Will Parrish, and Alice Speri, *TigerSwan Responded to Pipeline Vandalism by Launching Multistate Dragnet*, *The Intercept* (Aug. 26, 2017), <https://theintercept.com/2017/08/26/dapl-security-firm-tigerswan-responded-to-pipeline-vandalism-by-launching-multistate-dragnet/>.

¹⁴ Brown, Parrish & Speri, *Leaked Documents Reveal Counterterrorism Tactics*; see also *Intel Group Email Thread*, *The Intercept* (May 27, 2017), <https://theintercept.com/document/2017/05/27/intel-group-email-thread/> (documenting FBI participation in law enforcement operations around the Dakota Access Pipeline protests).

lobbying Congress for surplus military gear and on issues related to the Dakota Access Pipeline.¹⁵

Law enforcement officials have signaled that such cooperation will assist them in responding to future protests against Keystone XL and other oil pipelines. For example, on April 11, 2017, the *Omaha Herald* reported that Morton County, North Dakota Sheriff Kyle Kirchmeier, whose department was involved in responding to the Dakota Access Pipeline protests, has been in communication with other states over how to respond to oil pipeline protestors.¹⁶

Such indications and the recent existence of cooperation on this exact issue raise important questions about federal agencies' level of collaboration with state and local governments and with private security contractors in connection with oil pipeline protest actions. These questions are especially important given the uncertainty around whether and to what extent the government was engaged in surveillance of Dakota Access Pipeline protestors.¹⁷ The First Amendment protects political speech from the threat of undue government scrutiny, and the extent of such scrutiny is currently unknown.¹⁸

To provide the American public with information about federal cooperation with state and local governments and with private security contractors over possible oil pipeline protests, the ACLU seeks such information through this FOIA request.

II. Requested Records

¹⁵ Steven Horn & Curtis Waltman, *In Heat of Dakota Access Protests, National Sheriffs' Association Lobbied for More Military Gear*, DeSmog (Apr. 27, 2017), <https://www.desmogblog.com/2017/04/27/dakota-access-sheriffs-lobbying-military-gear>.

¹⁶ Paul Hammel, *Nebraska Law Enforcement, Keystone XL Pipeline Foes Prepare for Possible Protests*, Omaha World Herald (Apr. 11, 2017), http://www.omaha.com/news/nebraska/nebraska-law-enforcement-keystone-xl-pipeline-foes-prepare-for-possible/article_d85522c1-73cd-541c-98f2-f9b3375e8a3c.html.

¹⁷ Alyssa Newcomb, Daniel A. Medina, Emmanuelle Saliba, and Chiara A. Sottile, *At Dakota Pipeline, Protestors Questions of Surveillance and 'Jamming' Linger*, NBC (Oct. 31, 2016), <https://www.nbcnews.com/storyline/dakota-pipeline-protests/dakota-pipeline-protesters-questions-surveillance-jamming-linger-n675866>; Morgan Chalfant, *ACLU Challenges Warrant to Search Facebook Page of Dakota Access Opponents*, The Hill (Mar. 9, 2017), <http://thehill.com/policy/cybersecurity/323131-aclu-challenges-police-effort-to-search-facebook-page-of-dakota-access>.

¹⁸ See Motion to Quash Search Warrant, American Civil Liberties Union, *In Re Search Warrant No. 17A03639 Served On Facebook* at 5 (filed Mar. 8, 2017), https://www.aclu.org/sites/default/files/field_document/motion_to_quash_-_filed.pdf.

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.

With respect to the **Office of the Secretary of Defense**, the ACLU seeks the release of all records created since January 27, 2017, concerning:

(5) Purchases, requests for purchase, and requests by state and local law enforcement officials of riot gear, including but not limited to tear gas, concussion grenades, and water cannons, from the U.S. Department of Defense's Law Enforcement Support Office, also known as the 1033 program.

With respect to the form of production, *see* 5 U.S.C. § 552(a)(3)(B), the ACLU requests that responsive electronic records be provided electronically in their native file format, if possible. Alternatively, the ACLU requests that the records be provided electronically in a text-searchable, static-image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates-stamped files.

III. Application for Expedited Processing

¹⁹ For the purposes of this Request, "records" are collectively defined to include, but are not limited to, final drafts of legal and policy memoranda; guidance documents; instructions; training documents; formal and informal presentations; directives; contracts or agreements; and memoranda of understanding.

The ACLU requests expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E).²⁰ There is a “compelling need” for these records, as defined in the statute, because the information requested is “urgen[tly]” needed by an organization primarily engaged in disseminating information “to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v)(II).

A. *The ACLU is an organization primarily engaged in disseminating information in order to inform the public about actual or alleged government activity.*

The ACLU is “primarily engaged in disseminating information” within the meaning of the statute. 5 U.S.C. § 552(a)(6)(E)(v)(II).²¹ Obtaining information about government activity, analyzing that information, and widely publishing and disseminating that information to the press and public are critical and substantial components of the ACLU’s work and are among its primary activities. *See ACLU v. DOJ*, 321 F. Supp. 2d 24, 29 n.5 (D.D.C. 2004) (finding non-profit public interest group that “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience” to be “primarily engaged in disseminating information”).²²

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

The ACLU regularly publishes *STAND*, a print magazine that reports on and analyzes civil liberties-related current events. The magazine is disseminated to over 980,000 people. The ACLU also publishes regular updates and alerts via email to over 3.1 million subscribers (both ACLU members and non-members). These updates are additionally broadcast to over 3.8 million social media followers. The magazine as well as the email and social-media alerts often include descriptions and analysis of information obtained through FOIA requests.

The ACLU also regularly issues press releases to call attention to documents obtained through FOIA requests, as well as other breaking news,²³

²⁰ *See also* 28 C.F.R. § 16.5(e); 32 C.F.R. § 286.8(e); 6 C.F.R. § 5.5(e).

²¹ *See also* 28 C.F.R. 16.5(e)(1)(ii); 32 C.F.R. § 286.8(e)(1)(i)(B); 6 C.F.R. § 5.5(e)(1)(ii).

²² Courts have found that the ACLU as well as other organizations with similar missions that engage in information-dissemination activities similar to the ACLU are “primarily engaged in disseminating information.” *See, e.g., Leadership Conference on Civil Rights v. Gonzales*, 404 F. Supp. 2d 246, 260 (D.D.C. 2005); *ACLU*, 321 F. Supp. 2d at 29 n.5; *Elec. Privacy Info. Ctr. v. DOD*, 241 F. Supp. 2d 5, 11 (D.D.C. 2003).

²³ *See, e.g.,* Press Release, American Civil Liberties Union, U.S. Releases Drone Strike ‘Playbook’ in Response to ACLU Lawsuit (Aug. 6, 2016), <https://www.aclu.org/news/us-releases-drone-strike-playbook-response-aclu-lawsuit>; Press Release, American Civil Liberties Union, Secret Documents Describe Graphic Abuse and Admit Mistakes (June 14, 2016), <https://www.aclu.org/news/cia-releases-dozens-torture-documents-response-aclu-lawsuit>; Press

and ACLU attorneys are interviewed frequently for news stories about documents released through ACLU FOIA requests.²⁴

Similarly, the ACLU publishes reports about government conduct and civil liberties issues based on its analysis of information derived from various sources, including information obtained from the government through FOIA requests. This material is broadly circulated to the public and widely available to everyone for no cost or, sometimes, for a small fee. ACLU national projects regularly publish and disseminate reports that include a description and analysis of government documents obtained through FOIA requests.²⁵ The ACLU also regularly publishes books, “know your rights” materials, fact sheets, and

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

Release, American Civil Liberties Union, U.S. Releases Targeted Killing Memo in Response to Long-Running ACLU Lawsuit (June 23, 2014), <https://www.aclu.org/national-security/us-releases-targeted-killing-memo-response-long-running-aclu-lawsuit>; Press Release, American Civil Liberties Union, Justice Department White Paper Details Rationale for Targeted Killing of Americans (Feb. 4, 2013), <https://www.aclu.org/national-security/justice-department-white-paper-details-rationale-targeted-killing-americans>; Press Release, American Civil Liberties Union, Documents Show FBI Monitored Bay Area Occupy Movement (Sept. 14, 2012), <https://www.aclu.org/news/documents-show-fbi-monitored-bay-area-occupy-movement-insidebayareacom>.

²⁴ See, e.g., Cora Currier, *TSA’s Own Files Show Doubtful Science Behind Its Behavioral Screen Program*, *The Intercept*, Feb. 8, 2017, <https://theintercept.com/2017/02/08/tsas-own-files-show-doubtful-science-behind-its-behavior-screening-program/> (quoting ACLU attorney Hugh Handeyside); Karen DeYoung, *Newly Declassified Document Sheds Light on How President Approves Drone Strikes*, *Wash. Post*, Aug. 6, 2016, <http://wapo.st/2jy62cW> (quoting former ACLU deputy legal director Jameel Jaffer); Catherine Thorbecke, *What Newly Released CIA Documents Reveal About ‘Torture’ in Its Former Detention Program*, *ABC*, June 15, 2016, <http://abcn.ws/2jy40d3> (quoting ACLU staff attorney Dror Ladin); Nicky Woolf, *US Marshals Spent \$10M on Equipment for Warrantless Stingray Device*, *Guardian*, Mar. 17, 2016, <https://www.theguardian.com/world/2016/mar/17/us-marshals-stingray-surveillance-airborne> (quoting ACLU attorney Nate Wessler); David Welna, *Government Suspected of Wanting CIA Torture Report to Remain Secret*, *NPR*, Dec. 9, 2015, <http://n.pr/2jy2p71> (quoting ACLU project director Hina Shamsi).

²⁵ See, e.g., Hugh Handeyside, *New Documents Show This TSA Program Blamed for Profiling Is Unscientific and Unreliable — But Still It Continues* (Feb. 8, 2017, 11:45 AM), <https://www.aclu.org/blog/speak-freely/new-documents-show-tsa-program-blamed-profiling-unscientific-and-unreliable-still>; Carl Takei, *ACLU-Obtained Emails Prove that the Federal Bureau of Prisons Covered Up Its Visit to the CIA’s Torture Site* (Nov. 22, 2016, 3:15 PM), <https://www.aclu.org/blog/speak-freely/aclu-obtained-emails-prove-federal-bureau-prisons-covered-its-visit-cias-torture>; Brett Max Kaufman, *Details Abound in Drone ‘Playbook’ — Except for the Ones That Really Matter Most* (Aug. 8, 2016, 5:30 PM), <https://www.aclu.org/blog/speak-freely/details-abound-drone-playbook-except-ones-really-matter-most>; Nathan Freed Wessler, *ACLU- Obtained Documents Reveal Breadth of Secretive Stingray Use in Florida* (Feb. 22, 2015, 5:30 PM), <https://www.aclu.org/blog/free-future/aclu-obtained-documents-reveal-breadth-secretive-stingray-use-florida>; Ashley Gorski, *New NSA Documents Shine More Light into Black Box of Executive Order 12333* (Oct. 30, 2014, 3:29 PM), <https://www.aclu.org/blog/new-nsa-documents-shine-more-light-black-box-executive-order-12333>; ACLU, *ACLU Eye on the FBI: Documents Reveal Lack of Privacy Safeguards and Guidance in Government’s “Suspicious Activity Report” Systems* (Oct. 29, 2013), https://www.aclu.org/sites/default/files/assets/eye_on_fbi_-_sars.pdf.

educational brochures and pamphlets designed to educate the public about civil liberties issues and government policies that implicate civil rights and liberties.

The ACLU publishes a widely read blog where original editorial content reporting on and analyzing civil rights and civil liberties news is posted daily. *See* <https://www.aclu.org/blog>. The ACLU creates and disseminates original editorial and educational content on civil rights and civil liberties news through multi-media projects, including videos, podcasts, and interactive features. *See* <https://www.aclu.org/multimedia>. The ACLU also publishes, analyzes, and disseminates information through its heavily visited website, www.aclu.org. The website addresses civil rights and civil liberties issues in depth, provides features on civil rights and civil liberties issues in the news, and contains many thousands of documents relating to the issues on which the ACLU is focused. The ACLU's website also serves as a clearinghouse for news about ACLU cases, as well as analysis about case developments, and an archive of case-related documents. Through these pages, and with respect to each specific civil liberties issue, the ACLU provides the public with educational material, recent news, analyses of relevant Congressional or executive branch action, government documents obtained through FOIA requests, and further in-depth analytic and educational multi-media features.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

The ACLU website includes many features on information obtained through the FOIA.²⁶ For example, the ACLU's "Predator Drones FOIA" webpage, <https://www.aclu.org/national-security/predator-drones-foia>, contains commentary about the ACLU's FOIA request, press releases, analysis of the FOIA documents, numerous blog posts on the issue, documents related to litigation over the FOIA request, frequently asked questions about targeted killing, and links to the documents themselves. Similarly, the ACLU maintains an online "Torture Database," a compilation of over 100,000 pages of FOIA documents that allows researchers and the public to conduct sophisticated searches of FOIA documents relating to government policies on rendition,

²⁶ *See, e.g.*, Nathan Freed Wessler & Dyan Cortez, *FBI Releases Details of 'Zero-Day' Exploit Decisionmaking Process* (June 26, 2015, 11:00 AM), <https://www.aclu.org/blog/free-future/fbi-releases-details-zero-day-exploit-decisionmaking-process>; Nathan Freed Wessler, *FBI Documents Reveal New Information on Baltimore Surveillance Flights* (Oct. 30, 2015, 8:00 AM), <https://www.aclu.org/blog/free-future/fbi-documents-reveal-new-information-baltimore-surveillance-flights>; *ACLU v. DOJ – FOIA Case for Records Relating to the Killing of Three U.S. Citizens*, ACLU Case Page, <https://www.aclu.org/national-security/anwar-al-awlaki-foia-request>; *ACLU v. Department of Defense*, ACLU Case Page, <https://www.aclu.org/cases/aclu-v-department-defense>; *Mapping the FBI: Uncovering Abusive Surveillance and Racial Profiling*, ACLU Case Page, <https://www.aclu.org/mappingthefbi>; *Bagram FOIA*, ACLU Case Page <https://www.aclu.org/cases/bagram-foia>; *CSRT FOIA*, ACLU Case Page, <https://www.aclu.org/national-security/csrt-foia>; *ACLU v. DOJ – Lawsuit to Enforce NSA Warrantless Surveillance FOIA Request*, ACLU Case Page, <https://www.aclu.org/aclu-v-doj-lawsuit-enforce-nsa-warrantless-surveillance-foia-request>; *Patriot FOIA*, ACLU Case Page, <https://www.aclu.org/patriot-foia>; *NSL Documents Released by DOD*, ACLU Case Page, <https://www.aclu.org/nsl-documents-released-dod?redirect=cpreirect/32088>.

detention, and interrogation.²⁷

The ACLU has also published a number of charts and explanatory materials that collect, summarize, and analyze information it has obtained through the FOIA. For example, through compilation and analysis of information gathered from various sources—including information obtained from the government through FOIA requests—the ACLU created an original chart that provides the public and news media with a comprehensive summary index of Bush-era Office of Legal Counsel memos relating to interrogation, detention, rendition, and surveillance.²⁸ Similarly, the ACLU produced an analysis of documents released in response to a FOIA request about the TSA's behavior detection program²⁹; a summary of documents released in response to a FOIA request related to the FISA Amendments Act³⁰; a chart of original statistics about the Defense Department's use of National Security Letters based on its own analysis of records obtained through FOIA requests³¹; and an analysis of documents obtained through FOIA requests about FBI surveillance flights over Baltimore.³²

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

The ACLU plans to analyze, publish, and disseminate to the public the information gathered through this Request. The records requested are not sought for commercial use and the requesters plan to disseminate the information disclosed as a result of this Request to the public at no cost.

B. The records sought are urgently needed to inform the public about actual or alleged government activity.

²⁷ *The Torture Database*, ACLU, <https://www.thetorturedatabase.org>; see also *Countering Violent Extremism FOIA Database*, ACLU, <https://www.aclu.org/foia-collection/cve-foia-documents>; *TSA Behavior Detection FOIA Database*, ACLU, <https://www.aclu.org/foia-collection/tsa-behavior-detection-foia-database>; *Targeted Killing FOIA Database*, ACLU, <https://www.aclu.org/foia-collection/targeted-killing-foia-database>.

²⁸ *Index of Bush-Era OLC Memoranda Relating to Interrogation, Detention, Rendition and/or Surveillance*, ACLU (Mar. 5, 2009), https://www.aclu.org/sites/default/files/pdfs/safefree/olcmemos_2009_0305.pdf.

²⁹ *Bad Trip: Debunking the TSA's 'Behavior Detection' Program*, ACLU (2017), https://www.aclu.org/sites/default/files/field_document/dem17-tsa_detection_report-v02.pdf.

³⁰ *Summary of FISA Amendments Act FOIA Documents Released on November 29, 2010*, ACLU, <https://www.aclu.org/files/pdfs/natsec/faafoia20101129/20101129Summary.pdf>.

³¹ *Statistics on NSL's Produced by Department of Defense*, ACLU, <https://www.aclu.org/other/statistics-nsls-produced-dod>.

³² Nathan Freed Wessler, *FBI Documents Reveal New Information on Baltimore Surveillance Flights* (Oct. 30, 2015, 8:00 AM), <https://www.aclu.org/blog/free-future/fbi-documents-reveal-new-information-baltimore-surveillance-flights>.

These records are urgently needed to inform the public about actual or alleged government activity. *See* 5 U.S.C. § 552(a)(6)(E)(v)(II).³³ Specifically, the requested records relate to forthcoming cooperation between federal, state, and local law enforcement entities and between federal law enforcement entities and private security companies around preparations for protests against the Keystone XL pipeline. As discussed in Part I, *supra*, oil pipelines, protests against them, and law enforcements responses to these protests are the subject of widespread public controversy and media attention.³⁴ The records sought relate to a matter of widespread and exceptional media interest in planned oil pipelines, protests against them, and law enforcement responses to these protests.

Given the foregoing, the ACLU has satisfied the requirements for expedited processing of this Request.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

IV. Application for Waiver or Limitation of Fees

The ACLU requests a waiver of document search, review, and duplication fees on the grounds that disclosure of the requested records is in the public interest and because disclosure is “likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).³⁵ The ACLU also requests a waiver of search fees on the grounds that the ACLU qualifies as a “representative of the news media” and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II).

A. The Request is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the ACLU.

As discussed above, credible media and other investigative accounts underscore the substantial public interest in the records sought through this Request. Given the ongoing and widespread media attention to this issue, the records sought will significantly contribute to public understanding of an issue of profound public importance. Because little specific information about cooperation between federal, state, and local law enforcement entities and between federal entities and private security companies around anticipated pipeline protests is publicly available, the records sought are certain to contribute significantly to the public’s understanding of what type of efforts the federal government is undertaking in preparation for protests against the Keystone XL pipeline.

³³ *See also* 28 C.F.R. 16.5(e)(1)(ii); 32 C.F.R. § 286.8(e)(1)(i)(B); 6 C.F.R. § 5.5(e)(1)(ii).

³⁴ *See supra* notes 4–7 and accompanying text.

³⁵ *See also* 28 C.F.R. § 16.10(k)(2); 32 C.F.R. § 286.12(l)(1); 6 C.F.R. § 5.11(k)(1).

The ACLU is not filing this Request to further its commercial interest. As described above, any information disclosed by the ACLU as a result of this FOIA Request will be available to the public at no cost. Thus, a fee waiver would fulfill Congress's legislative intent in amending FOIA. *See Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) ("Congress amended FOIA to ensure that it be liberally construed in favor of waivers for noncommercial requesters." (quotation marks omitted)).

B. The ACLU is a representative of the news media and the records are not sought for commercial use.

The ACLU also requests a waiver of search fees on the grounds that the ACLU qualifies as a "representative of the news media" and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II).³⁶ The ACLU meets the statutory and regulatory definitions of a "representative of the news media" because it is an "entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5 U.S.C. § 552(a)(4)(A)(ii)(III)³⁷; *see also Nat'l Sec. Archive v. DOD*, 880 F.2d 1381, 1387 (D.C. Cir. 1989) (finding that an organization that gathers information, exercises editorial discretion in selecting and organizing documents, "devises indices and finding aids," and "distributes the resulting work to the public" is a "representative of the news media" for purposes of the FOIA); *Serv. Women's Action Network v. DOD*, 888 F. Supp. 2d 282 (D. Conn. 2012) (requesters, including ACLU, were representatives of the news media and thus qualified for fee waivers for FOIA requests to the Department of Defense and Department of Veterans Affairs); *ACLU of Wash. v. DOJ*, No. C09-0642RSL, 2011 WL 887731, at *10 (W.D. Wash. Mar. 10, 2011) (finding that the ACLU of Washington is an entity that "gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience"); *ACLU*, 321 F. Supp. 2d at 30 n.5 (finding non-profit public interest group to be "primarily engaged in disseminating information"). The ACLU is therefore a "representative of the news media" for the same reasons it is "primarily engaged in the dissemination of information."

Furthermore, courts have found other organizations whose mission, function, publishing, and public education activities are similar in kind to the ACLU's to be "representatives of the news media" as well. *See, e.g., Cause of Action v. IRS*, 125 F. Supp. 3d 145 (D.C. Cir. 2015); *Elec. Privacy Info. Ctr.*, 241 F. Supp. 2d at 10-15 (finding non-profit public interest group that

³⁶ *See also* 28 C.F.R. 16.10(k)(2)(ii)(B); 32 C.F.R. § 286.12 (l)(2)(ii)(b); 6 C.F.R. § 5.11(k)(2)(iii).

³⁷ *See also* 28 C.F.R. 16.10(b)(6); 32 C.F.R. § 286.12(b)(6); 6 C.F.R. § 5.11(b)(6).

disseminated an electronic newsletter and published books was a “representative of the news media” for purposes of the FOIA); *Nat’l Sec. Archive*, 880 F.2d at 1387; *Judicial Watch, Inc. v. DOJ*, 133 F. Supp. 2d 52, 53–54 (D.D.C. 2000) (finding *Judicial Watch*, self-described as a “public interest law firm,” a news media requester).³⁸

On account of these factors, fees associated with responding to FOIA requests are regularly waived for the ACLU as a “representative of the news media.”³⁹ As was true in those instances, the ACLU meets the requirements for a fee waiver here.

* * *

Pursuant to applicable statutes and regulations, the ACLU expects a determination regarding expedited processing within 10 days. *See* 5 U.S.C. § 552(a)(6)(E)(ii); 28 C.F.R. 16.5(e)(4); 32 C.F.R. § 286.8(e)(1); 6 C.F.R. § 5.5(e)(4).

If the Request is denied in whole or in part, the ACLU asks that you justify all deletions by reference to specific exemptions to FOIA. The ACLU expects the release of all segregable portions of otherwise exempt material. The ACLU reserves the right to appeal a decision to withhold any information or deny a waiver of fees.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

³⁸ Courts have found these organizations to be “representatives of the news media” even though they engage in litigation and lobbying activities beyond their dissemination of information / public education activities. *See, e.g., Elec. Privacy Info. Ctr.*, 241 F. Supp. 2d 5; *Nat’l Sec. Archive*, 880 F.2d at 1387; *see also Leadership Conference on Civil Rights*, 404 F. Supp. 2d at 260; *Judicial Watch, Inc.*, 133 F. Supp. 2d at 53–54.

³⁹ In August 2017, CBP granted a fee-waiver request regarding a FOIA request for records relating to a muster sent by CBP in April 2017. In May 2017, CBP granted a fee-waiver request regarding a FOIA request for documents related to electronic device searches at the border. In April 2017, the CIA and the Department of State granted fee-waiver requests in relation to a FOIA request for records related to the legal authority for the use of military force in Syria. In March 2017, the Department of Defense Office of Inspector General, the CIA, and the Department of State granted fee-waiver requests regarding a FOIA request for documents related to the January 29, 2017 raid in al Ghayil, Yemen. In May 2016, the FBI granted a fee-waiver request regarding a FOIA request issued to the DOJ for documents related to Countering Violent Extremism Programs. In April 2013, the National Security Division of the DOJ granted a fee-waiver request with respect to a request for documents relating to the FISA Amendments Act. Also in April 2013, the DOJ granted a fee-waiver request regarding a FOIA request for documents related to “national security letters” issued under the Electronic Communications Privacy Act. In August 2013, the FBI granted the fee-waiver request related to the same FOIA request issued to the DOJ. In June 2011, the DOJ National Security Division granted a fee waiver to the ACLU with respect to a request for documents relating to the interpretation and implementation of a section of the PATRIOT Act. In March 2009, the State Department granted a fee waiver to the ACLU with regard to a FOIA request for documents relating to the detention, interrogation, treatment, or prosecution of suspected terrorists.

Thank you for your prompt attention to this matter. Please furnish the applicable records to:

Jacob Hutt
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, New York 10004
T: 212.519.7809
jhutt@aclu.org

I affirm that the information provided supporting the request for expedited processing is true and correct to the best of my knowledge and belief. *See* 5 U.S.C. § 552(a)(6)(E)(vi).

Respectfully,

/s/ Jacob J. Hutt
Jacob J. Hutt
American Civil Liberties Union
Foundation
125 Broad Street, 18th Floor
New York, NY 10004
T: 212.519.7809
jhutt@aclu.org

Alex Rate
Legal Director
ACLU of Montana
P.O. Box 9138
Missoula, MT 59807
T: 406.224.1447
ratea@aclumontana.org

Courtney A. Bowie*
Legal Director
ACLU of North Dakota
P.O. Box 1190
Fargo, ND 58107
T: 201.284.9500
cbowie@aclu.org
*Admitted in MS, AL, and
MA (inactive)

Amy Miller
Legal Director
ACLU of Nebraska
134 S. 13th St. #1010
Lincoln, NE 68508
T: 402.476.8091 ext. 106
amiller@aclunbraska.org

Heather Smith
Executive Director
ACLU of South Dakota
P.O. Box 1170
Sioux Falls, SD 57101
T: 605.362.2661
heather.smith@aclu.org

From: I&AFOIA
To: jhutt@aclu.org
Cc: [I&AFOIA](#)
Subject: Acknowledgment of request 2018-IAFO-00149
Date: Friday, February 16, 2018 1:42:01 PM
Attachments: [2018-IAFO-00149a_ack_ltr.docx](#)

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 <<mailto:I&AFOIA@hq.dhs.gov>> &AFOIA@hq.dhs.gov

(202) 447-3783

U.S. Department of Homeland Security
Intelligence and Analysis
Washington, DC 20528



**Homeland
Security**

February 16, 2018

SENT BY ELECTRONIC MAIL TO: jhutt@aclu.org

Mr. Jacob J. Hutt
ACLU 125 Broad St., 18th FL
New York, NY 10004

Re: Freedom of Information Act Request 2018-IAFO-00149

Dear Mr. Hutt:

This letter acknowledges receipt of your electronic Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Office of Headquarters Privacy (HQ PRIV), dated January 23, 2018, and subsequently transferred to the Office of Intelligence and Analysis (I&A). Your request was received in this office on February 16, 2018. I&A will search for records responsive to the following portions of your request:

1. Travel of federal employees to speaking engagements, private and public meetings, panels, etc. on the subject of preparation for oil pipeline protests and/or cooperation with private corporations in furtherance thereof;
2. Meeting agendas, pamphlets and other distributed material at such gatherings;
3. Communications between federal employees and state or local law enforcement entities, etc, and between federal employees and private security companies, discussing this subject.

(Date Range for Record Search: From 1/27/2017 To 2/16/2018)

I&A grants expedited processing of your request, beginning from February 16, 2018, the you're your request was received by I&A.

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

USA_DHS-I&A_000016

Your request has been assigned reference number 2018-IAFO-00149. Please refer to this identifier in any future correspondence. You may contact this office at 202-282-8826 if you have any questions.

Sincerely,

Priscilla Waters

Priscilla Waters
Assistant FOIA Officer

From: Jacob Hutt
To: [Henry, Brendan](#)
Cc: [I&AFOIA](#)
Subject: RE: Acknowledgment of request 2018-IAFO-00149
Date: Tuesday, March 27, 2018 12:36:07 PM
Attachments: [image001.gif](#)
[image002.jpg](#)
[image004.png](#)
[image005.png](#)
[image003.jpg](#)
[image006.png](#)
[May-2017-Field-Analysis-Report.pdf](#)

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

125 Broad St., 18th Floor, New York, NY 10004

(212) 519-7809

aclu.org



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

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

FIELD ANALYSIS REPORT

Regional Analysis with National Perspective



2 May 2017

(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

(U//FOUO) Prepared by the Montana Analysis and Technical Information Center (MATIC), Minnesota Fusion Center (MNFC), North Dakota State and Local Intelligence Center (NDSLIC), South Dakota Fusion Center (SDFC), Washington State Fusion Center (WSFC), the Illinois Statewide Terrorism & Intelligence Center (STIC), and the Iowa Division of Intelligence and Fusion Center (DOI/FC) jointly with the DHS Office of Intelligence and Analysis (I&A) and coordinated with Transportation Security Administration (TSA).

(U) **Scope:** This Field Analysis Report (FAR) highlights recent criminal disruptions and violent incidents against pipeline projects in the Midwestern and Western United States in 2016, and shows how activities at these events compare with larger environmental rights extremist strategic trends—including those related to targeting, tactics and procedures (TTPs).^{*†} This product is intended to assist government and law enforcement security partners in identifying, deterring, preventing, and responding to potential threats against pipelines and related entities. It includes a discussion of drivers possibly affecting the future threat of pipeline-related violence from environmental rights extremist violence.

(U) Key Judgments

- (U//FOUO) We assess the October 2016 valve shutoff attacks against five pipelines along the US–Canada border by suspected environmental rights extremists showed a high level of pre-operational planning.
- (U//LES) We assess suspected environmental rights extremists exploited Native American causes in furtherance of their own violent agenda during a campaign to halt construction of the Dakota Access Pipeline (DAPL) in the Midwest and Western United States in 2016.[‡]
- (U//FOUO) We assess that while some characteristics of a series of arsons against Iowa pipeline construction sites in 2016 could be indicative of an environmental rights extremist attack, other factors could reasonably suggest a possible non-ideological motive. This assessment is subject to change if new information emerges. Additionally, environmental rights extremism is a plausible motivation behind multiple attacks against construction equipment in North Dakota during the same period.
- (U//LES) The TTPs observed during the 2016 incidents included but were not limited to: destroying property; using small teams for attacks; choosing remote and lightly guarded targets; wearing disguises; starting simple fires to create barricades; “doxing” government officials; using drones; using small improvised explosive devices (IEDs); and throwing projectiles and Molotov cocktails at officers.[§]

* (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

† (U//FOUO) DHS defines **terrorism** as any activity that involves an act that is dangerous to human life or potentially destructive to critical infrastructure or key resources, and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

‡ (U) For background information on DAPL, see Appendix A.

§ (U) **Doxing** attacks often include posting on websites targeting individuals' personal background, associates or family, place of employment, home address, or contact information.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

PARRISH PRA_000122

USA_DHS-I&A_000023

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- (U//FOUO) We assess environmental rights extremists are likely to use some of these same criminal and violent tactics in attempts to disrupt other energy projects elsewhere in the United States—including those related to pipeline construction—in the coming year.

(U) Significant Incidents in 2016

(U//FOUO) Pipelines and associated construction projects in the Midwestern and Western United States in 2016 were targeted with multiple criminal and violent acts designed to disrupt fossil fuel transportation infrastructure and impede or injure law enforcement. These include valve shutoffs along the northern border, destruction of construction equipment, and arson attacks against Iowa pipeline construction sites.

(U) Valve Shutoffs along Northern Border

(U//FOUO) We assess the October 2016 valve shutoff attacks against five pipelines along the US–Canada border by suspected environmental rights extremists showed a high level of pre-operational planning. Multiple teams—comprised of individuals who traveled from across the United States—conducted simultaneous attacks against remote valve sites, wore disguises, and executed contingency plans.^{7–12} The apparent ease with which these valve shutoff attacks were carried out and the heavy media coverage they attracted lead us to be concerned that other environmental rights extremists could also pursue coordinated attacks against the energy sector. Although these valve attacks did not result in any loss of life, manually shutting pipeline valves carries an inherent risk of death or serious injury if a pipeline ruptures.

(U) Environmental Rights Extremists

(U//LES) Environmental rights extremists have a long history of committing violent acts across the United States against entities they perceive are damaging the environment. Since the movement's inception in the 1980s, adherents have been responsible for many criminal acts and threats of violence, such as arson, as well as hundreds of other criminal acts resulting in damages in the tens of millions of dollars to targeted corporations and businesses, including energy and transportation industry targets.^{1,3,11} Motivations for violence tend to mirror those of the larger nonviolent environmentalist movement and include such factors as anger over perceived environmental destruction during the oil-drilling method known as "fracking," perceived environmental and habitat destruction during mining of Canadian tar sands oil that is shipped to the United States via pipelines, and by fears of contamination to water supplies in the event of future pipeline leaks.^{2,3,4} Environmental rights extremists often consider themselves to be nonviolent because their attacks tend to be against property and are intended to only inflict economic damage. However, the use of some tactics—such as shutting off pipeline valves or committing arson to construction equipment used in building pipelines—carry an inherent risk of death or serious injury, regardless of intent. For example, pipelines can rupture as a result of tampering, and fires started by arson can inadvertently spread to non-targeted areas and result in serious injuries. Although some recent and historical environmental rights extremist attacks and disrupted plots have involved use of IEDs, bombing attacks from the movement are uncommon.^{5,6}

- (U//LES) On 11 October 2016, suspected environmental rights extremists shut down five pipelines along the US–Canadian border in Minnesota, Montana, North Dakota, and Washington for over seven hours, resulting in estimated financial losses in the hundreds of thousands of dollars, according to DHS, court documents, law enforcement information, and press reporting.^{13–18} Nine individuals were subsequently arrested on charges related to tampering with pipeline valves and preventing the transportation of petroleum. The subjects claimed to have targeted the pipelines to show solidarity with actions against DAPL. They also called on the President to use emergency powers to keep the pipelines closed and requested a total ban on new fossil fuel extractions and an immediate end to use of tar sands and

* (U//FOUO) DHS recognizes that individuals associated with various groups and movements participated in criminal and violent acts against pipelines in 2016. For the purposes of this paper, these individuals are referred to as environmental rights extremists, as these campaigns were fundamentally about protecting the environment—whether that is opposing oil pipeline construction projects or protecting the indigenous water supply from pollution.

† (U) For other examples of environmental rights extremists attacks against the energy sector, see Appendix B.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

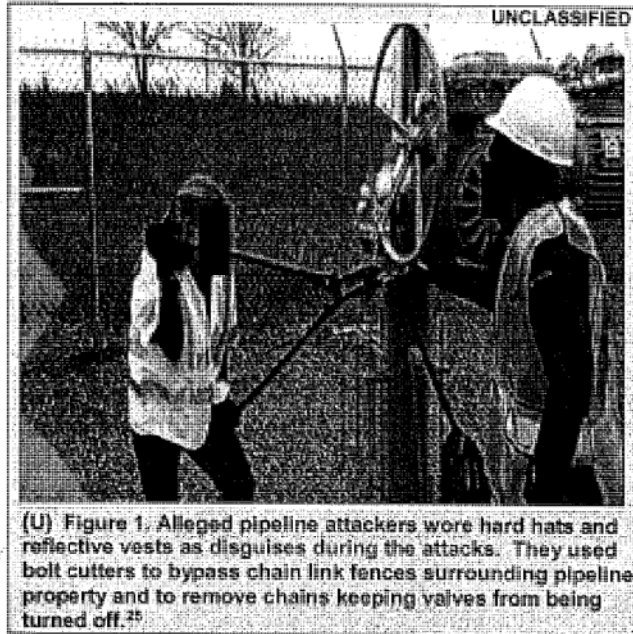
UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

coal, according to DHS reporting and an online press release from a group representing the individuals.^{19,20,*}

(U) OBSERVATIONS/TTPS

(U//LES) *Small Teams Used for Attacks:* In each of the valve shutoff incidents, there were at least three participants—one initiating the shutdown and the other two filming the event, according to US Department of Energy and law enforcement reporting.^{21,22,23,24}

(U//LES) *Many Attackers Traveled from Outside of State:* Many of the attackers were from outside the area—some from as far away as Vermont and New York, according to court documents and law enforcement reporting.^{26,27,28} One female participant arrested for filming the shutdown of one of the pipelines in North Dakota claimed to have little knowledge of the other attackers' plans to commit simultaneous pipeline attacks in the region. She, however, later admitted to law enforcement she had traveled by train from New York City with one of the individuals who planned to disrupt pipelines in Minnesota and stayed in the same motel with the two other individuals who disrupted another pipeline in North Dakota.²⁹



(U) Figure 1. Alleged pipeline attackers wore hard hats and reflective vests as disguises during the attacks. They used bolt cutters to bypass chain link fences surrounding pipeline property and to remove chains keeping valves from being turned off.²⁵

(U//LES) *Lightly Guarded Targets*

Selected: Pipeline valve sites—such as those targeted in the attack—are typically located every 10 to 15 miles along a pipeline and have minimal security, according to law enforcement reporting.³⁰

(U//LES) *Attackers Gave Advance Notice to Pipeline Companies:* Attackers made phone calls to pipeline operators in North Dakota and Minnesota to give advanced notice that a valve closure was imminent, according to media reporting.^{31,32}

(U//LES) *Disguises Worn During Attacks:* Pictures posted to websites supportive of the valve attackers indicate they disguised themselves as pipeline employees to carry out their attacks, donning hard hats and reflective safety vests.³³ According to law enforcement reporting, the hard hats and reflective vests had a red "X" on them—a known symbol of their campaign to halt fossil fuel production.³⁴

(U//LES) *Unsophisticated, Easily Acquired Tools Used During Attacks:* The subjects used bolt cutters to gain access to the aboveground maintenance facilities and removed chains protecting the valves from being turned off, according to websites supportive of the valve shutoff

* (U) For background information on tar sands, see Appendix C.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 3 of 18

PARRISH PRA_000124

USA_DHS-I&A_000025

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

action. The individuals then prevented others from regaining control of the valve by attaching their own locks.^{35,36,37}

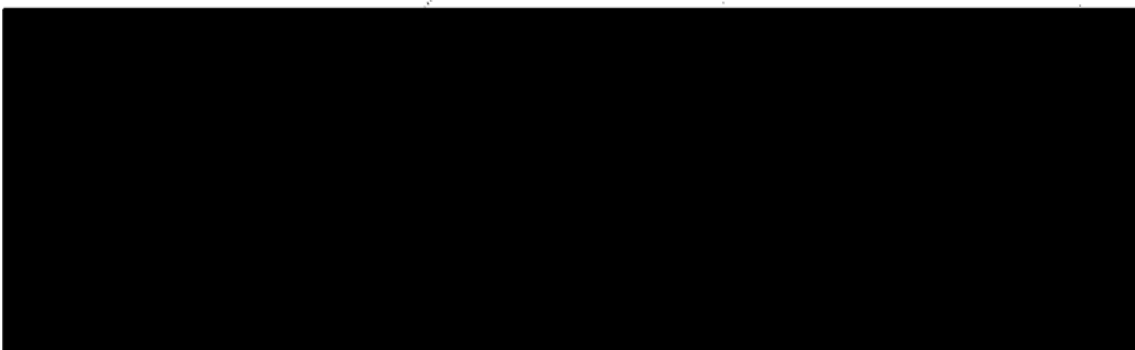
(U//FOUO) **Contingency Plans Made:** During one of the attacks against the pipelines, the attackers were unable to close a valve and instead simply chained themselves to the pipeline, according to US Department of Energy reporting.³⁸

(U) Escalation to Violence at DAPL Occupation in North Dakota

(U//LES) We assess that starting in the summer of 2016, suspected environmental rights extremists exploited Native American anti-DAPL protests to attract new members to their movement, gain public sympathy, and justify their criminal and violent acts.^{39,40} Native American tribes claim the pipeline route crosses sacred sites and burial places, and they are concerned a future pipeline rupture could pollute tribal drinking water.⁴¹ We assess the significant media attention and public sympathy gained by the environmental rights extremists from this new alliance with Native American tribes makes it likely environmental rights extremists will attempt to exploit indigenous causes for their own ideological purposes in future environment-related events.⁴²⁻⁴⁷

- (U//LES) Since August 2016, suspected environmental rights extremists have engaged in multiple violent incidents in North Dakota at illegal encampments on DAPL and US Army Corps of Engineers property in an effort to halt pipeline construction, according to law enforcement reporting.^{48,*} The occupation, which ended on 24 March 2017, resulted in 761 arrests for various crimes—primarily on charges of criminal trespassing and engaging in a riot with individuals who traveled to the region from California, representing the largest number of arrests at 115, or 15.1 percent, according to law enforcement reporting.^{49,50} Individuals have engaged in physical assault and threats of physical assault, as well as use of Molotov cocktails and IEDs.

(U) OBSERVATIONS/TTPS:



(U//LES) **Use of Potentially Lethal Devices:** On 27 October 2016, during law enforcement clearing of an encampment, an individual shot a firearm at law enforcement officers who had confronted her while taking her into custody, according to law enforcement. No injuries were reported in that incident.⁵⁵ That same day, individuals threw three Molotov cocktails at officers during clearing operations, according to media reporting.⁵⁶ On 21 November 2016, an individual female involved in violent clashes with law enforcement threw small IEDs at officers, resulting in near amputation of her arm after one of the IEDs exploded prematurely, according to

* (U) The Dakota Access Pipeline is sometimes referred to as the Bakken Oil Pipeline.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

law enforcement and DHS reporting.⁵⁷ From 3 to 5 December, individuals, including suspected environmental rights extremists, plotted, but did not execute, a coordinated attack on a DAPL drill site from all directions. The individuals claimed they would stop the pipeline at all costs and were not opposed to using firearms.^{58,59,60}

(U//LES) **Suspicious Drone Use:** On 07 September 2016, three suspected environmental rights extremists in Bismarck approached the front gate of the Fraine Barracks—which houses several emergency services agencies, the National Guard, and the NDSLIC—stating they had crashed a drone on the property, according to law enforcement. After being informed they could not access the site, they asked questions about the barracks before leaving the area.⁶¹ On 23 October 2016, according to law enforcement, a suspected environmental rights extremist used an 18-inch-by-18 inch drone to disrupt law enforcement air operations by flying it within 50 feet of a law enforcement helicopter. The same drone was later encountered by law enforcement when it flew towards officers approximately 20–30 yards off the ground and then started hovering above them. Law enforcement, which attempted to disable the drone with nonlethal and lethal munitions due to officer safety concerns, believed the drone was surveilling them, according to DHS reporting. We judge this was likely an effort designed to provide advanced notice of enforcement operations protecting DAPL construction.^{62,63}

(U//LES) **Surveillance and Doxing:** Since the beginning of the anti-DAPL campaign in August 2016, there have been several incidents of suspected environmental rights extremists surveilling law enforcement facilities in cities near encampments. We judge these incidents—including reports of individuals being photographed entering and exiting a law enforcement facility in Mandan and officers being surveilled at their residences and followed by suspicious vehicles—were likely an attempt to intimidate officers for their role in protecting DAPL construction efforts.⁶⁴ Personal contact information for a senior North Dakota Emergency Services (NDES) official accused of removing water from encampments was posted online on 24 August 2016, resulting in a sharp increase in harassing phone calls to the NDSLIC against the NDES employee, according to law enforcement.⁶⁵ A private security guard for DAPL had her personal phone number and e-mail address posted on social media by supporters of the anti-DAPL campaign, apparently in reaction to a previous incident in which she used dogs against an aggressive crowd, according to law enforcement sources. Another security guard's children were identified on social media, and law enforcement officers reported their home addresses had also been posted online.⁶⁶

(U//LES) **Travel from Outside the State:** On 08 September 2016, members of Canadian indigenous tribes took multiple buses from three reservations/territories to participate in the US campaign to stop DAPL construction. Suspected violent extremists on these buses reportedly carried weapons and riot gear, according to law enforcement, indicating likely intent to commit violent acts.^{67,68} Indigenous travel from Canada has been confirmed by Canadian law enforcement.⁶⁹ As of 24 March 2017, only 51 of the 761 persons arrested for politically motivated criminal acts in opposition to DAPL were from North Dakota, according to law enforcement.⁷⁰

(U//LES) **Call to Arms from Hacking Movements:** An individual associating himself or herself with the hacking collective Anonymous posted a call for support online, listing the North Dakota Highway Patrol and National Guard as possible targets. However, there has been no evidence of unusual activity on their networks, according to law enforcement.⁷¹ Additionally, a movement called the "Anon Resistance Movement" posted a video on social media advocating for violence in solidarity with the anti-DAPL campaign, including further sabotage of pipelines and railroads.⁷²

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 5 of 18

PARRISH PRA_000126

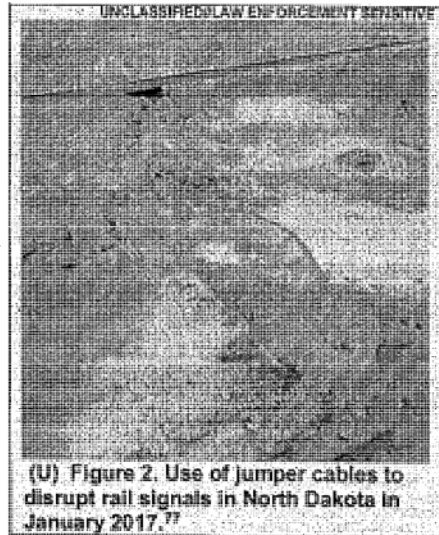
USA_DHS-I&A_000027

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//LES) **Possible Pre-Operational Surveillance:** On 14 November 2016, law enforcement received information regarding two suspicious subjects who were encountered twice by law enforcement on 11 November 2016 near DAPL drill sites in Patoka and Meredosia, Illinois. The individuals claimed to be birdwatchers looking for a local wildlife refuge, and stated they would either find a hotel or camp, although officers said they had no camping equipment and appeared to be surveilling the drill site. The individuals also appeared to be recording the encounter with the officer, and one of them had a mapping application open on a cellphone, possibly pinning their locations on the map.⁷³

(U//FOUO) **Vandalism against DAPL Financiers and Vague Online Threats:** On 18 November 2016, a suspected environmental rights extremist indicated the movement's intent to disrupt the financial operations of DAPL by posting a communiqué on an anarchist website claiming credit for vandalizing and "smashing" all the windows of a US bank in Chicago because it was "a key investor in the Dakota Access Pipeline." The individual warned other financiers with the threat that "it will remain open season on [their] offices, homes, and projects" unless they withdraw financial support for DAPL.⁷⁴ On 23 November, a suspected environmental rights extremist posted a statement to an anarchist website claiming credit for vandalism against a second branch of the Chicago bank in retaliation for "atrocities committed against" protestors in North Dakota, and blamed the bank for the loss of their "comrade's arm." The individual called for vandalism of the bank's branch offices, ATMs, security cameras, and signs, and then demanded that the bank and other DAPL supporters withdraw their support immediately, "otherwise you may expect a long night before the dawn."^{75,76}

(U//LES) **Disruption to Rail Transportation:** On 15 November, suspected environmental rights extremists placed debris and abandoned a vehicle with an accelerant-soaked rag hanging out of its gas tank on rail tracks near Mandan. Twenty-six individuals were arrested in relation to the incident. Delays from this attack cost the rail company \$2,071.94. On 09 January 2017, rail employees found jumper cables connected to tracks that were painted white and hidden under snow. The cables created a signal interruption to the conductor, causing delays that cost the business \$3,544.52. There have been no arrests. The affected rail line is one of two non-passenger lines that transport Bakken Oil out of North Dakota.^{78,79} Environmental rights extremist attacks against railways are typically designed to cause disruption rather than inflict mass casualties. However, such activity does introduce safety hazards that create the risk of injuries on the affected line.



(U) Figure 2. Use of jumper cables to disrupt rail signals in North Dakota in January 2017.⁷⁷

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

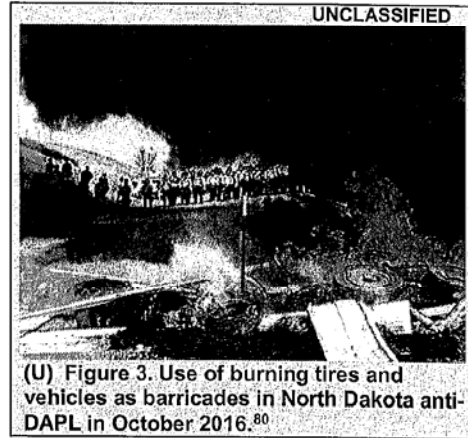
Page 6 of 18

PARRISH PRA_000127

USA_DHS-I&A_000028

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//LES) **Directed-Energy Weapon:** In early to mid-November, suspected environmental rights extremists attempted to construct at least one directed-energy device designed to disrupt or shut down radio frequencies used by law enforcement, according to law enforcement sources. If properly configured and pointed at a communication network's antenna or repeater, such a device could disrupt transmissions or cause the system to reset itself, temporarily disrupting communications. If aimed at a communication network long enough, it could destroy internal components or cause them to catch fire. In addition to posing a threat to a communication network's antenna or repeater, handheld radio and vehicular units are also susceptible to electromagnetic interference from such a device.⁸¹



(U) Figure 3. Use of burning tires and vehicles as barricades in North Dakota anti-DAPL in October 2016.⁸⁰

(U) **Use of Fire to Create Barricades:** As law enforcement was breaking up encampments on 27 October, individuals lit debris and tires on fire to create barricades, according to media reporting.⁸²

(U) Construction Equipment and Pipelines Targeted in Iowa and the Dakotas

(U//FOUO) We assess that a series of arsons against Iowa pipeline construction sites in 2016 could be indicative of an environmental rights extremist attack—due to the targets' proximity and relationship with DAPL and because the use of arson attacks targeting construction sites is an established tactic of the movement. However, other factors—including a lack of graffiti at the crime scene, no claims of responsibility, a lack of historical activity in the region, and public controversy over the project's use of eminent domain—suggest a non-ideological motive.⁸³ This assessment is subject to change if new information emerges. Additionally, environmental rights extremism is a plausible motivation behind multiple attacks against construction equipment in North Dakota during the same period, as well as a series of attacks puncturing pipelines in Iowa and South Dakota in late February and March 2017.

- (U//LES) On 14 September, employees of a construction company reported an unknown individual(s) used firearms to shoot several rounds of ammunition into a portable toilet and a backhoe at a pipeline construction site near Alexander, North Dakota. According to law enforcement, two of the rounds were fired at, but did not penetrate, the backhoe's fuel tank, which could have sparked a fire. There were no injuries, and there have been no arrests or claims of responsibility for the attacks.⁸⁴
- (U//LES) On 13 September, law enforcement arrested individuals for criminal mischief and trespassing after they allegedly sabotaged an under-construction pipeline at a site near New Salem, North Dakota by placing a crate of miscellaneous items in the pipe. According to the pipeline's lead safety inspector, had the crate gone undetected, it could have made the pipeline into a "pipe bomb" capable of killing bystanders once a "pig" is run through the pipeline.* The individuals also broke the keys off in the ignition of machinery and spray-painted the messages "WATER IS LIFE," "NO DAPL," and "RISE UP!!! ILLINOIS + IOWA NO DAPL."⁸⁵ The individuals are awaiting trial.

* (U) A "pig" is a device used to check for pipeline leaks.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 7 of 18

PARRISH PRA_000128

USA_DHS-I&A_000029

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- (U//LES) On 6 September, an unknown number of individuals damaged electrical wires of construction equipment at an oil pipeline construction site near St. Anthony, North Dakota, creating a threat to worker safety. Additionally, the attackers cut hoses, punctured a tire, filled a radiator with fire extinguisher suppressant, and filled fuel tanks with dirt. There have been no arrests or claims of responsibility for the attacks.⁸⁶
- (U//LES) During the early morning hours of 31 July, 1 August, and 15 October, an unknown individual(s) set fires targeting heavy machinery at three construction sites associated with DAPL in Mahaska and Jasper Counties, Iowa, resulting in over \$3 million in damage.⁸⁷ There have been no arrests or claims of responsibility for the attacks.^{88,89,90,91}
- (U//LES) On 09 November, an unknown number of individuals set fire to four pieces of heavy construction equipment in Buena Vista County, Iowa. According to law enforcement, two additional pieces of equipment were prepped for burning but not set on fire. There have been no claims of responsibility for the attack.⁹²
- (U//LES) Between 24 and 25 September, unidentified environmental extremists sabotaged five pieces of heavy equipment at DAPL site near Winfred, South Dakota. The sabotage included cutting brakes and electrical wiring, causing a potential threat to worker safety. Additionally, dirt was found in the motor, and rocks and gravel were found in swing boxes. Estimated damages are over \$50,000. Two individuals were identified as suspects and provisionally charged with first degree vandalism pending arrest.⁹³

(U) OBSERVATIONS/TTPS:

(U//LES) **Sabotaging Heavy Equipment:** The attackers targeted construction equipment at multiple sites—including bulldozers, a track hoe, excavators, and side-booms, according to law enforcement reporting.^{94,95} Some of the fires originated in the vehicles' cab compartments.⁹⁶

(U//LES) **Use of Simple Fires:** In all cases, the arsons committed against construction equipment did not involve use of complex improvised incendiary devices, such as those that employ a time-delay mechanism to initiate a fire, according to law enforcement.^{97,98}

(U//LES) **Possible Pre-Operational Surveillance:** A few days prior to the Mahaska County attack, construction workers reported seeing an individual in a vehicle slowly driving past one of the construction sites and taking photographs, according to law enforcement.⁹⁹

(U//FOUO) **Puncturing Pipelines:** Between 28 February and 17 March 2017, an unknown number of individuals at multiple DAPL-related aboveground valve stations in Iowa and South Dakota used a welding torch or similar tool to pierce segments of pipeline filled with nitrogen gas, which is pumped into pipelines to test for leaks. While nitrogen gas is non-flammable and poses no physical danger to the public, the hissing sound of gas escaping through puncture holes could lead to panic.^{100,101,102} Additionally, at an Iowa site that received a similar puncture attack, graffiti spray-painted on the control building declared "UR Children Need Water," "Oil is Death," and "Mni Wiconi"—a phrase that has recently become popular among opponents of DAPL campaign that means "water is life" in the Lakota Indian tribe language.¹⁰³

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Outlook: Tactics and Drivers of Pipeline-Related Violence in Near Term

(U//FOUO) We assess environmental rights extremists are likely to use some of these same criminal and violent tactics in attempts to disrupt other US energy projects for the remainder of 2017. Most of these tactics, which are available online for all to see, are relatively easy to carry out have perceived utility among environmental rights extremists in the larger effort to halt DAPL construction.

(U//FOUO) We further assess the following developments, if observed, could lead to an *increased threat* of violence in the coming months from environmental rights extremists against pipeline-related entities in the Midwest and Western United States:

- (U//FOUO) High-profile instances or allegations of excessive use of force during law enforcement actions related to pipeline construction;
- (U//FOUO) Death or serious injury to occupiers at the hands of law enforcement, making "martyrs" for the cause; and
- (U//FOUO) New Canadian pipelines are constructed—such as the Canadian Trans Mountain pipeline—potentially creating new grievances and resulting in enhanced sharing of violent TTPs between US and Canadian environmental rights extremists.

(U//FOUO) We assess the following developments, if observed, could lead to a *decreased threat* of violence:

- (U//FOUO) Law enforcement blockades prevent resupply of remaining occupiers; and
- (U//FOUO) Indigenous leaders involved in anti-pipeline campaigns ask remaining occupiers to leave out of concerns about the impending spring floods along the Missouri River and tributaries.

(U) Intelligence Gaps

- (U//FOUO) Which camps house individuals who have an interest in using lethal weapons such as IEDs against law enforcement or pipeline entities in the future?
- (U//FOUO) Were training camps established to teach violent tactics to environmental rights extremists prior to their arrival in the region?
- (U//FOUO) Why are individuals conducting surveillance on law enforcement personnel and member of their family?
- (U//FOUO) What coordinated resourcing and funding is available to environmental rights extremists?

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Comments, requests, or shareable intelligence may be directed to: STIC at 877-455-7842 or STIC@isp.state.il.us; DOI/FC at 515-725-6310 or intca@dps.state.ia.us; MNFC at 651-793-3730 or mn.fc@state.mn.us; MATIC at 406-444-1330 or dojintel@mt.gov; NDSLIC at 701-328-8172 or ndslic@nd.gov; SDFC at 866-466-5263 or sdfusioncenter@state.sd.us; WSFC at 877-843-9522 or intake@wsfc.wa.gov.

(U) Source Summary Statement

(U) The information used in this FAR is drawn from open source reporting, court documents, and DHS and other law enforcement intelligence reports. We have **high confidence** in the information obtained from DHS, court, other US Government and law enforcement agencies. We have **medium confidence** in the information obtained from open sources, which includes reports from the news media, NGOs, and Internet websites whose information is credibly sourced and plausible but may contain biases or unintentional inaccuracies. When possible, open source information has been corroborated through other law enforcement and government sources.

(U//FOUO) We have **medium confidence** in our assessment that the October 2016 simultaneous valve shutoff attacks against five pipelines along the US-Canada border by suspected environmental rights extremists showed a higher level of coordination than members of the movement typically exhibit, as our judgment is based on our review of TTPs used in historical environmental rights extremist attacks.

(U//LES) We have **high confidence** in our assessment that suspected environmental rights extremists exploited Native American causes in furtherance of their own violent agenda during a campaign to halt construction of the DAPL in the Midwest and Western United States in 2016. Our judgment is based on press reporting indicating alliances by the larger environmental movement and indigenous entities, as well as by environmental rights extremists issuing communiqués in support of indigenous causes.

(U//FOUO) We have **low-to-medium confidence** in our assessment that while some characteristics of 2016 arsons against Iowa pipeline construction could be indicative of an environmental rights extremist attack, other factors could reasonably suggest a possible non-ideological motive. Our assessment is influenced by the following factors: the targets' proximity and relationship with DAPL; arson attacks targeting construction sites are an established tactic of the movement; a lack of graffiti and communiqués claiming responsibility for the attack; and a lack of attacks from the movement in Iowa. Our confidence in this assessment is lessened by the possibility that new information emerges related to the incident.

(U//FOUO) We have **medium confidence** in our assessment that environmental rights extremists are likely to use some of these same criminal and violent tactics in attempts to disrupt other US energy projects in the coming year. Our judgment is based on the fact that most of these tactics being easy to carry out, widely available online, and their perceived utility in halting DAPL construction efforts in the remainder of 2017.

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsl.ncirc.gov/resources.aspx>.

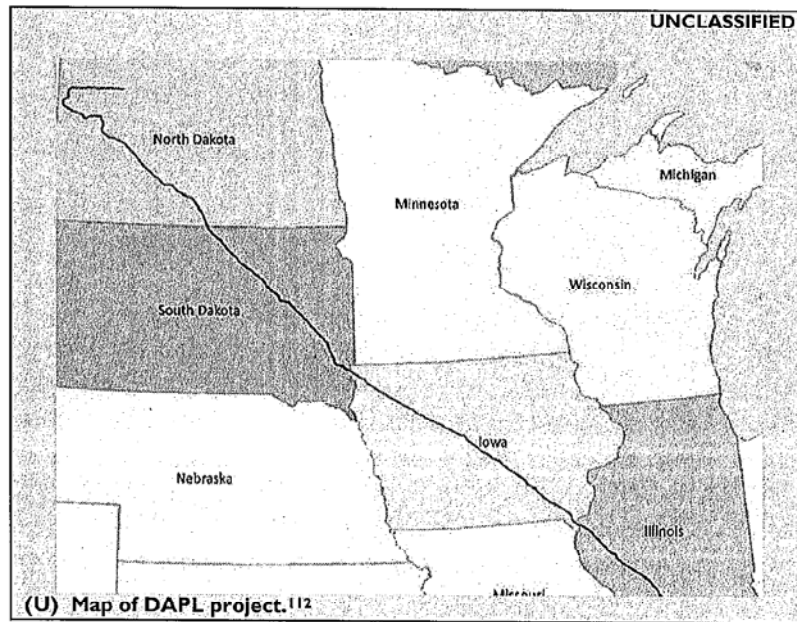
(U//LES) Tracked by: PIR-IA-CVE.2.2.2; PIR-IA-CVE.2.2.3 DHS-NFCA-2016/17-KIQ-24 HSEC-8.1, HSEC 8.2; HSEC-8.3; HSEC-8.5; HSEC-8.6; HSEC-8.8; HSEC-8.10; HSEC-10.1; HSEC-10.2; HSEC-10.5; HSEC-10.6; HSEC-10.8; HSEC-10.10; IADOIFC-17-IRT1; IADOIFC-17-IRK1; IADOIFC-17-IRV6; MATIC-05.5.2015; MN01.3; MN07.1; ND-HSEC 8.1; ND-HSEC 8.2; ND-HSEC 8.3; ND-HSEC 8.5; ND-HSEC 8.6; ND-HSEC 8.8; ND-HSEC 8.10; ND-HSEC 10.1; ND-HSEC10.2; ND-HSEC 10.5; ND-HSEC 10.6; ND-HSEC 10.8; ND-HSEC 10.10; HSEC-02-02000-P1-SD-2010; HSEC-02-03000-P1-SD-2010; STIC-SIN-8.1; STIC-SIN-12.1; STIC-SIN-12.7; STIC-SIN-12.11; WSFC-1.1I WSFC-1.3.1; WSFC-1.5; WSFC-1.6; WSFC-1.8.1; WSFC-1.8.2; WSFC-1.8.3; WSFC-1.9.5; WSFC-1.10.1.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix A: The Dakota Access Pipeline

(U//LES) The Dakota Access Pipeline project is an underway \$3.78 billion construction project to build a 1,172-mile, 30-inch diameter pipeline for transporting US light sweet crude oil from the Bakken and Three Forks production areas of North Dakota to existing pipelines in Patoka, Illinois for further distribution to refining markets.¹⁰⁴ DAPL construction attracted controversy as a result of a North Dakota-based indigenous tribe's claims that pipeline leaks would contaminate the water supply of their reservation.¹⁰⁵ In July 2016, the tribe filed a lawsuit against the US Army Corps of Engineers for its role in granting permits to build the pipeline.¹⁰⁶ The lawsuit spurred a series of protests and demonstrations near the reservation.¹⁰⁷ Members of other Indian tribes—as well as environmental rights extremists who share the tribes' underlying goal of halting construction of the pipeline—have traveled from across the United States and Canada to join the occupation.^{108,109} Since August 2016, there have been hundreds of arrests for criminal and violent incidents at encampments set up by anti-pipeline groups and nearby DAPL-related sites in an effort to stymie construction efforts.^{110,111}



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix B: Prior Energy Sector Attacks by Environmental Rights Extremists

(U//FOUO) The pipeline attacks in the Midwest and Western United States in the latter half of 2016 were the first significant environmental rights extremist attacks targeting the transportation and energy sectors since September 2015. The last known attack specifically targeting a pipeline occurred in Texas in 2012.

- (U//LES) On 16 September 2015, environmental rights extremist Rory Lynn Gunderman exchanged gunfire with South Dakota law enforcement officers and then fatally shot himself. Subsequently, law enforcement officers located Gunderman's remote campsite in Custer County, South Dakota, where they discovered a stolen weapon, digital media, and the components necessary to manufacture numerous IEDs.¹¹³ According to recovered evidence, Gunderman purchased numerous IED components in Spearfish, South Dakota on 8 September 2015.¹¹⁴ Analysis of digital media in Gunderman's possession revealed recently accessed copies of al-Qa'ida in the Arabian Peninsula's *Inspire* magazine, including editions 1, 10, and 12.¹¹⁵ Though the exact targets and timing of Gunderman's plot remain unknown, his behavior and statements indicated a fixation on the energy sector.¹¹⁶ Gunderman additionally claimed membership in the Crescent City, California-based Deep Green Resistance^{USPER}. Though the group maintains it only engages in nonviolent activities, the organization promotes the belief that a separate "underground" is needed to conduct violent "direct action" in order to save humanity and other life on earth from environmental disaster. This violent direct action would include attacks against critical infrastructure "to disrupt and dismantle industrial civilization."¹¹⁷
- (U//LES) In September 2014, a suspected environmental rights extremist(s) in Washington stole a bulldozer and drove it into the base of a US Department of Energy 500-kilovolt powerline tower in an apparent attempt to knock the tower down. The incident did not result in any significant damage. Graffiti associated with anti-capitalism and environmental rights extremism was spray-painted at the scene and on nearby structures. Graffiti included the phrase "#killcap" ("Kill Capitalism"), "Corrupt Society," and "ELF," the acronym for the environmental rights extremist movement Earth Liberation Front. The case is currently under investigation.^{118,119}
- (U) From 17 to 18 June 2012, environmental rights extremist Anson Chi^{USPER} set off a series of explosive devices on top of an Atmos^{USPER} gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flow. He was sentenced to 20 years in prison without parole on 30 June 2014.^{120,121} Chi pled guilty to a charge of attempting to destroy a natural gas pipeline used in interstate commerce, and to a charge of possessing an explosive device not registered with the National Firearms Registration and Transfer Record.¹²² Chi also contacted well known convicted bomber Theodore Kaczynski^{USPER} to be a mentor; Kaczynski eventually broke off contact and told Chi to seek professional help.¹²³

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

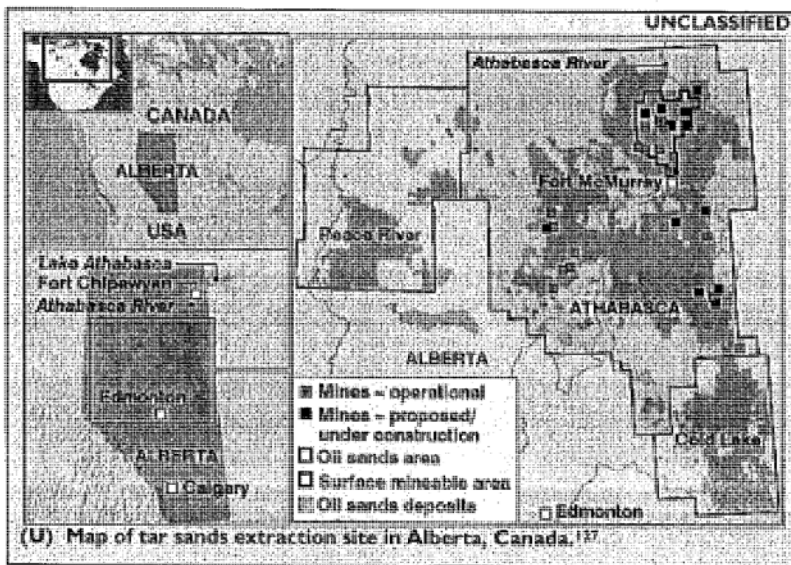
Page 12 of 18
PARRISH PRA_000133

USA_DHS-I&A_000034

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix C: Tar Sands

(U) Several pipelines along the US–Canadian border carry crude oil into the United States for refinement and distribution.¹²⁴ Alberta, Canada has one of the world's largest deposits of a particularly thick and heavy form of crude oil known as tar sands oil. Tar sands oil is controversial because of perceived negative impacts to the environment that occur during mining, processing, and transporting the oil—such as large CO₂ emissions contributing to climate change, contamination of groundwater during extraction, and destruction of natural resources used by indigenous tribes.¹²⁵ In October 2016, US environmental rights extremists engaged in coordinated attacks to disrupt five border pipelines perceived to be transporting tar sands oil from Canada into the United States.¹²⁶



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Appendix D: Behavioral Indicators of Planned Criminal or Violent Activities Targeting Pipelines

(U//FOUO) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.

- (U//FOUO) Planning of violent activities related to major protests on message boards, social networking sites, or in Internet chat rooms;
- (U//FOUO) Reports of rhetoric indicating a desire to manually close pipeline valves or engage in violence targeting pipelines and associated entities;
- (U//FOUO) Possession of bolt cutters to cut security fencing or locks and homemade devices to chain oneself to pipeline valves or construction equipment;
- (U//FOUO) Reports of graffiti threatening violence related to a pipeline;
- (U//FOUO) Threatening phone calls or e-mails to corporate executives, businesses, or contractors associated with pipeline construction efforts;
- (U//FOUO) Signs of trespassing or suspicious persons in construction areas—possibly indicating pre-incident surveillance;
- (U//FOUO) Reports of individuals wearing all dark or black clothing and masks or bandanas without a reasonable explanation;
- (U//FOUO) Possession of sharp or blunt objects (knives, axes, machetes, dowels; tire irons) or illegal firearms during protests;
- (U//FOUO) Reports of attacks on opposition vehicles, possibly involving lighting them on fire or using them as roadblocks;
- (U//FOUO) Reports of individuals acquiring materials that could be used to build improvised incendiary devices (e.g., propane gas canisters) or IEDs without a reasonable explanation;
- (U//FOUO) Reports of individuals moving heavy materials (e.g., fences, tires, trashcans, or dumpsters) to make barricades during protests, possibly with the intention to light them on fire;
- (U//FOUO) Reports of individuals pilfering bricks, rebar, or pipes from construction sites for use as potential projectiles;
- (U//FOUO) Pre-staging of bricks, rocks, or debris near protest sites for possible use as weapons;
- (U//FOUO) Reports of individuals carpooling from other locations to engage in planned criminal or violent acts during protests; and
- (U//FOUO) Reports of drivers not obeying law enforcement directions at traffic control checkpoints.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- ¹ (U); James F. Jarboe, Domestic Terrorism Section Chief, FBI Counterterrorism Division; Testimony before the House Resources Committee, Subcommittee on Forests and Forest Health; 12 FEB 2002; (U); "The Threat of Eco-Terrorism"; <https://archives.fbi.gov/archives/news/testimony/the-threat-of-eco-terrorism/>; accessed on 26 APR 2016.
- ² (U); *The Washington Post*; "The Big Fight over the Dakota Access Pipeline, Explained"; 20 SEP 2016; <https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/>; accessed on 17 NOV 2016.
- ³ (U); Sources Available Upon Request.
- ⁴ (U); GreenMedInfo.com; "A Special Report on Standing Rock: The Environmental and Social Justice Consequences of the Dakota Access Pipeline"; 28 OCT 2016; <http://www.greenmedinfo.com/blog/special-report-standing-rock-environmental-and-social-justice-consequences-dakota>; accessed on 30 NOV 2016; (U); Environmental protection website.
- ⁵ (U); KXAS-TV; "Anson Chi Given 20 Years in Plano Pipeline Bombing"; 30 JUN 2014; <http://www.nbcdfw.com/news/local/Anson-Chi-Given-20-Years-in-Plano-Pipeline-Bombing-305731811.html>; accessed on 18 OCT 2016; (U); Dallas-Fort Worth NBC affiliate news website.
- ⁶ (U); South Dakota Attorney General's Office; Press release; "Lawrence County Officer Involved Shooting Summary Released"; 08 OCT 2015; <http://atg.sd.gov/LinkClick.aspx?fileticket=F-Ronn36MEg%3d&tabid=442>; accessed on 03 DEC 2015.
- ⁷ (U); Sources Available Upon Request.
- ⁸ (U); Sources Available Upon Request.
- ⁹ (U); State of North Dakota District Court; CRIMINAL COMPLAINT; 13 OCT 2016; (U); "ND vs. Michael Eric Foster^{USPER} File No. 34-2016-CR-187"; Extracted information is UNCLASSIFIED; Overall document classification is UNCLASSIFIED.
- ¹⁰ (U); Sources Available Upon Request.
- ¹¹ (U); Sources Available Upon Request.
- ¹² (U); Sources Available Upon Request.
- ¹³ (U); Sources Available Upon Request.
- ¹⁴ (U); Rebecca Hersher; NPR; "Protesters Disrupt Pipelines Across the Northern US"; 12 OCT 2016; <http://www.npr.org/sections/thetwo-way/2016/10/12/497673866/protests-disrupt-pipelines-across-the-west>; accessed on 17 NOV 2016.
- ¹⁵ (U); Sources Available Upon Request.
- ¹⁶ (U); Sources Available Upon Request.
- ¹⁷ (U); Sources Available Upon Request.
- ¹⁸ (U); Sources Available Upon Request.
- ¹⁹ (U); Sources Available Upon Request.
- ²⁰ (U); Sources Available Upon Request.
- ²¹ (U); Sources Available Upon Request.
- ²² (U); Sources Available Upon Request.
- ²³ (U); Sources Available Upon Request.
- ²⁴ (U); Sources Available Upon Request.
- ²⁵ (U); Raw Story (Reuters); "Daring US Pipeline Sabotage Spawned by Lobster Boat Coal Protest"; 13 OCT 2016; <http://www.rawstory.com/2016/10/daring-us-pipeline-sabotage-spawned-by-lobster-boat-coal-protest/>; accessed on 17 NOV 2016; (U); National news website.
- ²⁶ (U); Sources Available Upon Request.
- ²⁷ (U); Sources Available Upon Request.
- ²⁸ (U); Sources Available Upon Request.
- ²⁹ (U); Sources Available Upon Request.
- ³⁰ (U); Sources Available Upon Request.
- ³¹ (U); Rebecca Hersher; NPR; "Protesters Disrupt Pipelines Across the Northern US"; 12 OCT 2016; <http://www.npr.org/sections/thetwo-way/2016/10/12/497673866/protests-disrupt-pipelines-across-the-west>; accessed on 17 NOV 2016.
- ³² (U); Sources Available Upon Request.
- ³³ (U); Sources Available Upon Request.
- ³⁴ (U); Sources Available Upon Request.
- ³⁵ (U); Sources Available Upon Request.
- ³⁶ (U); Sources Available Upon Request.
- ³⁷ (U); Sources Available Upon Request.
- ³⁸ (U); Sources Available Upon Request.
- ³⁹ (U); *The Washington Post*; "The Big Fight over the Dakota Access Pipeline, Explained"; 20 SEP 2016; <https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/>; accessed on 17 NOV 2016.
- ⁴⁰ (U); Sources Available Upon Request.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- 41 (U); Rebecca Hersher; NPR; "Protesters Disrupt Pipelines Across the Northern US"; 12 OCT 2016; <http://www.npr.org/sections/thetwo-way/2016/10/12/497673866/protests-disrupt-pipelines-across-the-west>; accessed on 17 NOV 2016.
- 42 (U); Holly Yan; CNN; "Dakota Access Pipeline: What's At Stake"; 28 OCT 2016; <http://www.cnn.com/2016/09/07/us/dakota-access-pipeline-visual-guide/index.html>; accessed on 04 JAN 2017.
- 43 (U); Fox News (AP); "Feds Block Controversial Dakota Access Pipeline Route"; 04 DEC 2016; <http://www.foxnews.com/us/2016/12/04/feds-block-route-dakota-access-pipeline.html>; accessed on 04 JAN 2017.
- 44 (U); MSNBC; "Dakota Access Pipeline Protest Update"; 22 OCT 2016; <http://www.msnbc.com/am-joy/watch/dakota-access-pipeline-protest-update-791551043506>; accessed on 04 JAN 2017; (U); Update by Amy Goodman of Democracy Now on the MSNBC show AM JOY.
- 45 (U); Nives Dolsak, Aseem Prakash, Maggie Allen; *The Washington Post*; "The Big Fight Over the Dakota Access Pipeline, Explained"; 20 SEPT 2016; https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/?utm_term=.e93e5659923d; accessed on 04 JAN 2017.
- 46 (U); Jack Healy and Nicholas Fandos; *The New York Times*; "Protesters Gain Victory in Fight Over Dakota Access Pipeline"; 04 DEC 2016; <http://www.nytimes.com/2016/12/04/us/federal-officials-to-explore-different-route-for-dakota-pipeline.html>; accessed on 04 JAN 2017.
- 47 (U); Merrit Kennedy; NPR; "More than 1 Million Check-In to Support the Standing Rock Sioux"; 01 NOV 2016; <http://www.npr.org/sections/thetwo-way/2016/11/01/500268879/more-than-a-million-check-in-on-facebook-to-support-the-standing-rock-sioux>; accessed on 04 JAN 2017.
- 48 (U); Sources Available Upon Request.
- 49 (U); Sources Available Upon Request.
- 50 (U); Sources Available Upon Request.
- 51 (U); Sources Available Upon Request.
- 52 (U); Sources Available Upon Request.
- 53 (U); Caroline Grueskin and Lauren Donovan; *The Bismarck Tribune*; "Protesters, Law Enforcement Clash as Camp Cleared"; 27 OCT 2016; http://bismarcktribune.com/news/local/mandan/protesters-law-enforcement-clash-as-camp-cleared/article_d8170db7-66f9-5f34-916a-35d40097e07c.html; accessed on 17 NOV 2016..
- 54 (U); Sources Available Upon Request.
- 55 (U); Sources Available Upon Request.
- 56 (U) CNN; "Dakota Access Pipeline: Police Remove Protesters—Scores Arrested"; 27 OCT 2016; <http://www.cnn.com/2016/10/27/us/dakota-access-pipeline-protests/index.html>; accessed on 17 NOV 2016.
- 57 (U); Sources Available Upon Request.
- 58 (U); Sources Available Upon Request.
- 59 (U); Sources Available Upon Request.
- 60 (U); Sources Available Upon Request.
- 61 (U); Sources Available Upon Request.
- 62 (U); Sources Available Upon Request.
- 63 (U); Sources Available Upon Request.
- 64 (U); Sources Available Upon Request.
- 65 (U); Sources Available Upon Request.
- 66 (U); Sources Available Upon Request.
- 67 (U); Mark Rendell; CBC News; "Denendeh to Dakota: N.W.T. Activists Head to Standing Rock to Join Pipeline Protests"; 01 NOV 2016; <http://www.cbc.ca/news/canada/north/denendeh-against-dapl-nwt-activists-to-standing-rock-1.3830987>; accessed on 17 NOV 2016; (U); Canadian national news website.
- 68 (U); Sources Available Upon Request.
- 69 (U); Sources Available Upon Request.
- 70 (U); Sources Available Upon Request.
- 71 (U); Sources Available Upon Request.
- 72 (U); Sources Available Upon Request.
- 73 (U//LES); STIC; Vital Dbase Entry 239207; 14 NOV 2016; DOI 14 NOV 2016; (U//LES); "Possible Surveillance of Dakota Access Pipeline in Illinois"; Extracted information is U//LES; Overall document classification is U//LES.
- 74 (U); Sources Available Upon Request.
- 75 (U); Sources Available Upon Request.
- 76 (U); Sources Available Upon Request.
- 77 (U); Sources Available Upon Request.
- 78 (U); Sources Available Upon Request.
- 79 (U); Sources Available Upon Request.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- ⁸⁰ (U); *Billings Gazette*; "Gallatin County May not Help at DAPL Protest"; 09 NOV 2016; http://billingsgazette.com/news/state-and-regional/montana/gallatin-county-may-not-help-at-dapl-protest/article_9891a5ce-0788-5244-a392-3c5030f2ac29.html; accessed on 17 NOV 2016.
- ⁸¹ (U); Sources Available Upon Request.
- ⁸² (U); CNN; "Dakota Access Pipeline: Police Remove Protesters—Scores Arrested"; 27 OCT 2016; <http://www.cnn.com/2016/10/27/us/dakota-access-pipeline-protests/index.html>; accessed on 17 NOV 2016.
- ⁸³ (U); William Petroski; *The Des Moines Register*; "Dakota Access Pipeline Approval Disputed in Iowa Court"; 15 DEC 2016; <http://www.desmoinesregister.com/story/news/politics/2016/12/15/dakota-access-pipeline-approval-disputed-iowa-court/95420126>; accessed on 02 MAR 2017.
- ⁸⁴ (U); Sources Available Upon Request.
- ⁸⁵ (U); Sources Available Upon Request.
- ⁸⁶ (U); Sources Available Upon Request.
- ⁸⁷ (U); *Newton Daily News*; "Arson Investigation Underway on Three Bakken Pipeline Sites"; 01 AUG 2016; <http://www.newtondailynews.com/2016/08/01/arson-investigation-underway-on-three-bakken-pipeline-sites/a7lc0hyl>; accessed on 17 NOV 2016.
- ⁸⁸ (U); Mike Mendenhall; *Newton Daily News*; "Arson Investigation Underway on Three Bakken Pipeline Sites"; 1 AUG 2016; <http://www.newtondailynews.com/2016/08/01/arson-investigation-underway-on-three-bakken-pipeline-sites/a7lc0hyl>; accessed on 17 NOV 2016.
- ⁸⁹ (U); Sources Available Upon Request.
- ⁹⁰ (U); Radio Iowa; "More Pipeline Construction Equipment Burned in Jasper County"; 17 OCT 2016; <http://www.radioiowa.com/2016/10/17/more-pipeline-construction-equipment-burned-in-jasper-county/>; accessed on 17 NOV 2016; (U); Local radio news blog.
- ⁹¹ (U); Josh Morgan; Reuters; "Fire Near North Dakota Pipeline Protests is Under Investigation"; 30 OCT 2016; <http://www.reuters.com/article/us-usa-pipeline-idUSKBN12U0VM>; accessed on 17 NOV 2016; (U); National news website.
- ⁹² (U); Sources Available Upon Request.
- ⁹³ (U); Sources Available Upon Request.
- ⁹⁴ (U); Sources Available Upon Request.
- ⁹⁵ (U); Sources Available Upon Request.
- ⁹⁶ (U); Sources Available Upon Request.
- ⁹⁷ (U); Sources Available Upon Request.
- ⁹⁸ (U); Sources Available Upon Request.
- ⁹⁹ (U); Sources Available Upon Request.
- ¹⁰⁰ (U); Sources Available Upon Request.
- ¹⁰¹ (U); Sources Available Upon Request.
- ¹⁰² (U); Sources Available Upon Request.
- ¹⁰³ (U); Sources Available Upon Request.
- ¹⁰⁴ (U); Energy Transfer Partners, LLP; "Dakota Access Pipeline Fact Sheet"; 24 DEC 2016; <http://www.dapipelinefacts.com/about/fact-sheet.html>; accessed on 17 NOV 2016; (U); Pipeline company website.
- ¹⁰⁵ (U); Sources Available Upon Request.
- ¹⁰⁶ (U); Catherine Thorboke; ABC News; "Timeline of the Dakota Access Protests"; 28 OCT 2016; <http://abcnews.go.com/US/timeline-dakota-access-pipeline-protests/story?id=43131355>; accessed on 17 NOV 2016.
- ¹⁰⁷ (U); Catherine Thorboke; ABC News; "Timeline of the Dakota Access Protests"; 28 OCT 2016; <http://abcnews.go.com/US/timeline-dakota-access-pipeline-protests/story?id=43131355>; accessed on 17 NOV 2016.
- ¹⁰⁸ (U); Sources Available Upon Request.
- ¹⁰⁹ (U); *The Washington Post*; "The Big Fight over the Dakota Access Pipeline, Explained"; 20 SEP 2016; <https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/>; accessed on 17 NOV 2016.
- ¹¹⁰ (U); Sources Available Upon Request.
- ¹¹¹ (U); Fortune.com (Reuters); "Police Have Arrested at Least 141 North Dakota Protesters"; 28 OCT 2016; <http://fortune.com/2016/10/28/north-dakota-pipeline-protest-arrests/>; accessed on 17 NOV 2016.
- ¹¹² (U); 93.7 FM Radio; "County Sees Population Increase Due to Pipeline Construction"; 04 JUL 2016; <http://y94.com/news/articles/2016/jul/04/county-sees-population-increase-due-to-pipeline-construction/>; accessed on 17 NOV 2016; (U); Radio news blog.
- ¹¹³ (U); Sources Available Upon Request.
- ¹¹⁴ (U); Sources Available Upon Request.
- ¹¹⁵ (U); Sources Available Upon Request.
- ¹¹⁶ (U); Sources Available Upon Request.
- ¹¹⁷ (U); Sources Available Upon Request.
- ¹¹⁸ (U); Sources Available Upon Request.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

-
- ¹¹⁹ (U); *The Seattle Times* (AP); "2 Radio Towers in Everett Toppled"; 04 SEP 2016; <http://www.seattletimes.com/seattle-news/2-radio-towers-in-everett-toppled/>; accessed on 17 NOV 2016.
- ¹²⁰ (U); KXAS-TV; "Anson Chi Given 20 Years in Plano Pipeline Bombing"; 30 JUN 2014; <http://www.nbcdfw.com/news/local/Anson-Chi-Given-20-Years-in-Plano-Pipeline-Bombing-305731811.html>; accessed on 18 OCT 2016.
- ¹²¹ (U); US Department of Justice; Press Release; "Plano Man Guilty in Pipeline Bombing Incident"; 03 JUN 2013; <https://www.justice.gov/usao-edtx/pr/plano-man-guilty-pipeline-bombing-incident>; accessed on 18 OCT 2016.
- ¹²² (U); Valerie Wigglesworth; *The Dallas Morning News*; "Plano Pipeline Bomber Given 20 Year Sentence"; 30 JUN 2014; <http://www.dallasnews.com/news/crime/2015/06/01/plano-pipeline-bomber-given-20-year-sentence>; accessed on 18 OCT 2016.
- ¹²³ (U); KXAS-TV; "Anson Chi Given 20 Years in Plano Pipeline Bombing"; 30 JUN 2014; <http://www.nbcdfw.com/news/local/Anson-Chi-Given-20-Years-in-Plano-Pipeline-Bombing-305731811.html>; accessed on 18 OCT 2016.
- ¹²⁴ (U); Canadian Energy Pipeline Association; "FACT SHEET: What are the Different Types of Crude Oil Transported by Transmission Pipelines?"; 01 JUL 2016; https://www.aboutpipelines.com/wp-content/uploads/2016/07/CEPA_FactSheet_Crude-Oil_Web-1.pdf; accessed on 17 NOV 2016; (U); Canadian petroleum agency.
- ¹²⁵ (U); DeSmogBlog; "Top 10 Facts About the Alberta Oil Sands"; 21 SEP 2015; <http://www.desmogblog.com/top-10-facts-canada-alberta-oil-sands-information>; accessed on 17 NOV 2016; (U); Environmental blog focusing on air pollution issues.
- ¹²⁶ (U); Jesse Ferreras; *The Huffington Post*; "Canada-US Pipelines Shut Off by Activists"; 12 NOV 2016; http://www.huffingtonpost.ca/2016/10/12/canada-oil-pipelines-shut-off_n_12457358.html; accessed on 17 NOV 2016.
- ¹²⁷ (U); BBC News; "Canada's Black Gold Oil Rush"; 10 DEC 2008; <http://news.bbc.co.uk/2/hi/americas/7762226.stm>; accessed on 17 NOV 2016.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 18 of 18
PARRISH PRA_000139

USA_DHS-I&A_000040

From: I&AFOIA
To: jhutt@aclu.org
Cc: [I&AFOIA](#)
Subject: Final Response to DHS I&A FOIA 2018-IAFO-00149
Date: Friday, June 22, 2018 2:14:10 PM
Attachments: [2018-IAFO-00149_final_ltr.docx](#)
[\(U--LES\) FAR - TTPs Used in Recent US Popleline Attacks Release.pdf](#)

Good afternoon Mr. Hutt:

Please find attached the final response to DHS I&A FOIA 2018-IAFO-00149.

V/r,

FOIA Officer

Department of Homeland Security Office of Intelligence and Analysis (I&A)

I&AFOIA@hq.dhs.gov

(202) 447-3783

U.S. Department of Homeland Security
Intelligence and Analysis
Washington, DC 20528



Homeland Security

June 25, 2018

SENT BY ELECTRONIC MAIL TO: jhutt@aclu.org

Mr. Jacob J. Hutt
ACLU 125 Broad St., 18th FL
New York, NY 10004

Re: Freedom of Information Act Request 2018-IAFO-00149

Dear Mr. Hutt:

This letter is the final response to your electronic Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Office of Headquarters Privacy (HQ PRIV), dated January 23, 2018, and subsequently transferred to the Office of Intelligence and Analysis (I&A). Your request was received in this office on February 16, 2018. You are seeking records regarding :

1. Travel of federal employees to speaking engagements, private and public meetings, panels, etc. on the subject of preparation for oil pipeline protests and/or cooperation with private corporations in furtherance thereof;
2. Meeting agendas, pamphlets and other distributed material at such gatherings;
3. Communications between federal employees and state or local law enforcement entities, etc, and between federal employees and private security companies, discussing this subject.

(Date Range for Record Search: From 1/27/2017 To 2/16/2018)

A search of I&A records for documents responsive to your request produced a total of twenty (20) pages. Based on the review of these documents, I&A is providing the following:

 20 pages are being released in part (RIP).

Freedom of Information Act, 5 U.S.C. § 552			Privacy Act, 5 U.S.C. § 552a
<input type="checkbox"/> 552(b)(1)	<input type="checkbox"/> 552(b)(5)	<input type="checkbox"/> 552(b)(7)(C)	<input type="checkbox"/> 552a(j)(2)
<input type="checkbox"/> 552(b)(2)	<input checked="" type="checkbox"/> 552(b)(6)	<input type="checkbox"/> 552(b)(7)(D)	<input type="checkbox"/> 552a(k)(2)
<input checked="" type="checkbox"/> 552(b)(3)	<input type="checkbox"/> 552(b)(7)(A)	<input checked="" type="checkbox"/> 552(b)(7)(E)	<input type="checkbox"/> 552a(k)(5)
<input type="checkbox"/> 552(b)(4)	<input type="checkbox"/> 552(b)(7)(B)	<input type="checkbox"/> 552(b)(7)(F)	<input type="checkbox"/> Other:

FOIA Exemption 3, 5 U.S.C. § 552(b)(3)

Exemption 3 protects “information specifically exempted from disclosure by [another] statute.” *See* 5 U.S.C. § 552(b)(3). In this instance, 50 U.S.C. § 3024(i) and 6 U.S.C. § 121(d)(11) exempt(s) information regarding intelligence sources and methods from unauthorized disclosure. I&A is withholding information which would lead to the revelation of intelligence sources and methods.

FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution, if such disclosure could reasonably be expected to risk circumvention of the law.” *See* 5 U.S.C. § 552(b)(7)(E). DHS I&A is withholding from disclosure specific information which could reasonably be expected to risk circumvention of the law.

You have a right to appeal this response.¹ Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to:

The Privacy Office
U.S. Department of Homeland Security
Attn: FOIA Appeals
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655
Phone: 202-343-1743 or 866-431-0486
E-mail: foia@hq.dhs.gov

Please follow the procedures outlined in the DHS regulations at 6 C.F.R. § 5.8. Your envelope and letter should be marked “FOIA Appeal.” Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email that entity at ogis@nara.gov or call 877-684-6448.

¹ For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Your request has been assigned reference number 2018-IAFO-00149. Please refer to this identifier in any future correspondence. You may contact this office at 202-282-8826 if you have any questions.

Sincerely,

Priscilla Waters

Priscilla Waters
Assistant FOIA Officer

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

FIELD ANALYSIS REPORT



(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

per DHS I&A

(b)(7)(E)

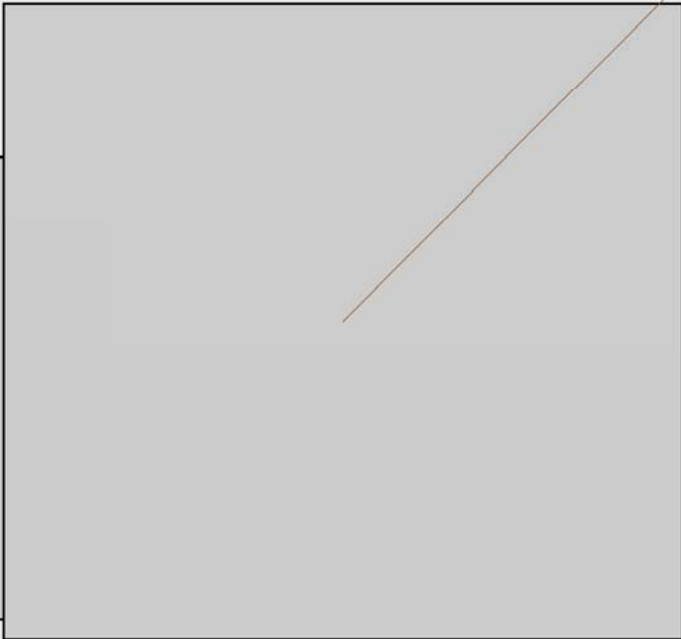
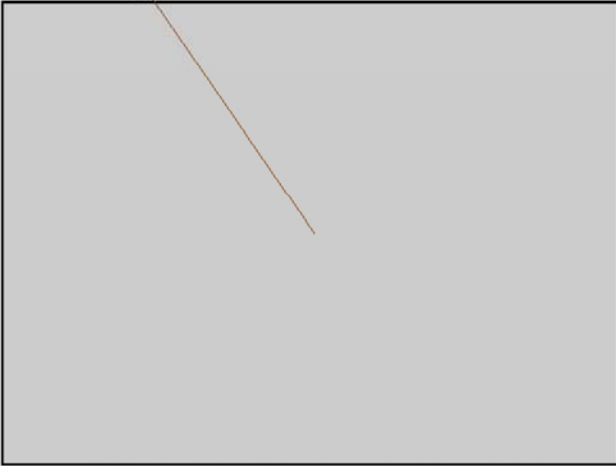
2 May 2017

per DHS I&A

(b)(7)(E)



Homeland Security



Office of Intelligence and Analysis

(b)(7)(E)

per DHS I&A

(U) **LAW ENFORCEMENT SENSITIVE:** The information marked (U//LES) in this document is the property of MATIC, MNFC, NDSLIC, SDFC, WSFC, STIC, DOI/FC, and DHS and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials, and individuals with a need to know. Distribution beyond these entities without MATIC, MNFC, NDSLIC, SDFC, WSFC, STIC, DOI/FC, or DHS authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

(U) **Warning:** This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label USPER and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the minimized US person information, please contact the I&A Production Branch at IAPM@hq.dhs.gov, IAPM@dhs.gov, or IAPM@dhs.ic.gov.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

FIELD ANALYSIS REPORT



Regional Analysis with National Perspective.

2 May 2017

(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

(b)(7)(E)

(b)(7)(E)

(U//FOUO) Prepared by the

(U) **Scope:** This Field Analysis Report (FAR) highlights recent criminal disruptions and violent incidents against pipeline projects in the Midwestern and Western United States in 2016, and (b)(7)(E),(b)(3) 50 U.S.C. § 3024(i),(b)(3) 6 U.S.C. § 121(d)(11) (b)(7)(E),(b)(3) 50 U.S.C. § 3024(i),(b)(3) 6 U.S.C. § 121(d)(11)

per DHS I&A

This product is intended to assist government and law enforcement security partners in identifying, deterring, preventing, and responding to potential threats against pipelines and related entities. It includes a discussion of drivers possibly affecting the future threat of pipeline-related violence from environmental rights extremist violence.

(U) Key Judgments

(b)(7)(E),(b)(3) 50 U.S.C. §

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

per DHS I&A

- (U//FOUO) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

- (U//LES) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

- (U//FOUO) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

- (U//LES) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

^{*} (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

[†] (U//FOUO) DHS defines **terrorism** as any activity that involves an act that is dangerous to human life or potentially destructive to critical infrastructure or key resources, and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

[‡] (U) For background information on DAPL, see Appendix A.

[§] (U) **Doxing** attacks often include posting on websites targeting individuals' personal background, associates or family, place of employment, home address, or contact information.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(b)(7)(E),(b)(3);50
~~(b)(7)(E),(b)(3);50~~
U.S.C.S.

- (U//FOUO) [Redacted]

per DHS I&A

(b)(7)(E),(b)(3);50
~~(b)(7)(E),(b)(3);50~~
U.S.C.S.

(U) Significant Incidents in 2016

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

(U) Environmental Rights Extremists

(U//LES) Environmental rights extremists have a long history of committing violent acts across the United States against entities they perceive are damaging the environment. Since the movement's inception in the 1980s, adherents have been responsible for many criminal acts and threats of violence, such as arson, as well as hundreds of other criminal acts resulting in damages in the tens of millions of dollars to targeted corporations and businesses, including energy and transportation industry targets.^{1,†}

[Redacted]

(b)(7)(E),(b)(3);50
~~(b)(7)(E),(b)(3);50~~
U.S.C.S.

per DHS I&A

(b)(7)(E),(b)(3);50
~~(b)(7)(E),(b)(3);50~~
U.S.C.S.

(U) Valve Shutoffs along Northern Border

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

(b)(7)(E),(b)(3);50
~~(b)(7)(E),(b)(3);50~~
U.S.C.S.

- (U//LES) On 11 [Redacted]
- [Redacted]

per DHS I&A

^{*} (U//FOUO) DHS recognizes that individuals associated with various groups and movements participated in criminal and violent acts against pipelines in 2016. For the purposes of this paper, these individuals are referred to as environmental rights extremists, as these campaigns were fundamentally about protecting the environment—whether that is opposing oil pipeline construction projects or protecting the indigenous water supply from pollution.

[†] (U) For other examples of environmental rights extremists attacks against the energy sector, see Appendix B.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3);50 U.S.C. §

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3);50 U.S.C. §

(b)(7)(E),(b)(3);50 U.S.C. §

(U) OBSERVATIONS/TTPS

(U//LES)

per DHS I&A

[Redacted]

(U//LES)

(b)(7)(E),(b)(3);50 U.S.C. § 3024(i),(b)(3);6 U.S.C. § 121(d)(11)

per DHS I&A

(b)(7)(E),(b)(3);50 U.S.C. § 3024(i),(b)(3);6 U.S.C. § 121(d)(11)



per DHS I&A

(b)(7)(E),(b)(3);50 U.S.C. §

(b)(7)(E),(b)(3);50 U.S.C. §

(U) Figure 1. Alleged pipeline a

[Redacted]

(U//LES)

(b)(7)(E),(b)(3);50 U.S.C. § 3024(i),(b)(3);6 U.S.C. § 121(d)(11)

(b)(7)(E),(b)(3);50 U.S.C. §

(b)(7)(E),(b)(3);50 U.S.C. §

(U//LES)

[Redacted]

(b)(7)(E),(b)(3);50 U.S.C. §

per DHS I&A

(U//LES)

(b)(7)(E),(b)(3);50 U.S.C. § 3024(i),(b)(3);6 U.S.C. § 121(d)(11)

(b)(7)(E),(b)(3);50 U.S.C. §

(b)(7)(E),(b)(3);50 U.S.C. §

(U//LES)

[Redacted]

* (U) For background information on tar sands, see Appendix C.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E);(b)(3);50
U.S.C.S.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E);(b)(3);50
U.S.C.S.

[Redacted]

(b)(7)(E);(b)(3);50
U.S.C.S.

(U//FOUO) [Redacted]

[Redacted]

(b)(7)(E);(b)(3);50
U.S.C.S.

(U) Escalation to Violence at DAPL Occupation in North Dakota

(b)(7)(E);(b)(3);50
U.S.C.S.

(U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C.S.

• (U//LES) [Redacted]

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S.

(U) OBSERVATIONS/TTPS:

(b)(7)(E);(b)(3);50
U.S.C.S.

(U//LES) [Redacted]

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C.S.

(U//LES) [Redacted]

[Redacted]

^(U) The Dakota Access Pipeline is sometimes referred to as the Bakken Oil Pipeline.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3),50
U.S.C.S.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

per DHS
I&A

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES)

per DHS
I&A

[Redacted]

per DHS
I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES)

(b)(7)(E),(b)(3),50
U.S.C.S.

[Redacted]

per DHS
I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES)

(b)(7)(E),(b)(3),50
U.S.C.S.

[Redacted]

per DHS
I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES)

[Redacted]

per DHS
I&A

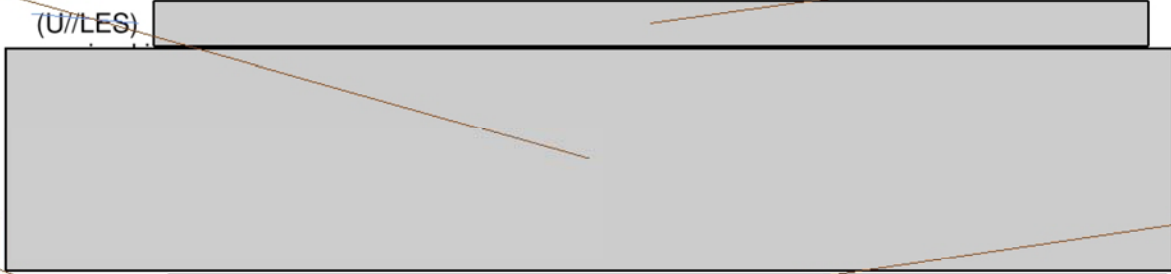
~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES)

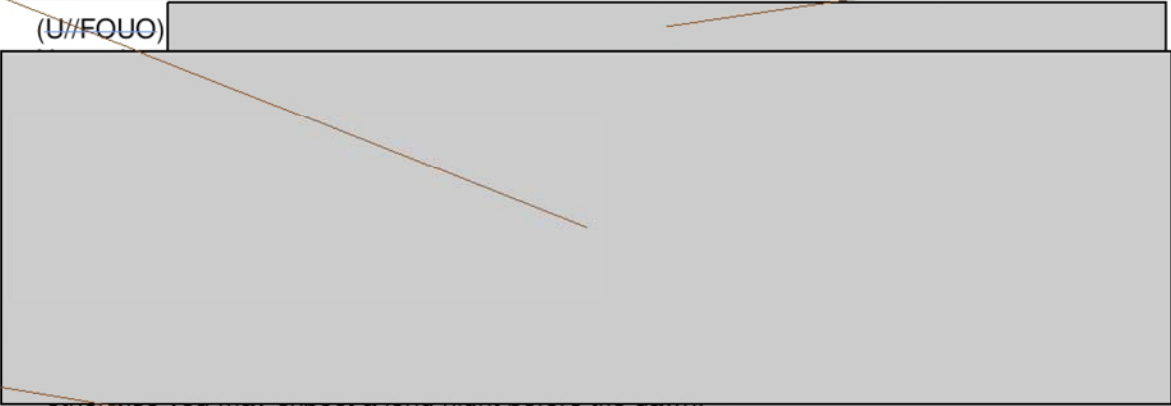


per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

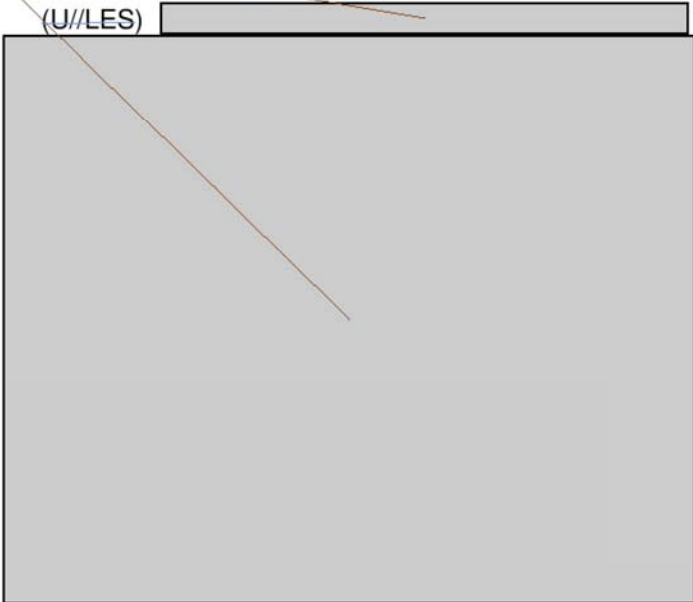
(U//FOUO)



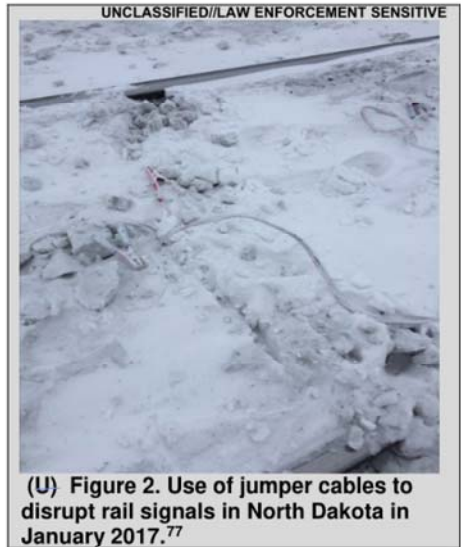
per DHS I&A

(b)(7)(E),(b)(3),50
(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES)



per DHS I&A



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES) [Redacted]

per DHS I&A

[Redacted]



(U) Figure 3. Use of burning tires and vehicles as barricades in North Dakota anti-DAPL in October 2016.⁸⁰

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(U)

[Redacted]

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(U) [Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

- (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

- (U//LES) [Redacted]

[Redacted]

per DHS I&A

*(U) A "pig" is a device used to check for pipeline leaks.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(U) OBSERVATIONS/TTPS:

(U//LES) [Redacted]

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES) [Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//LES) [Redacted]

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//FOUO) Outlook: Tactics and Drivers of Pipeline-Related Violence in Near Term

(b)(7)(E),(b)(3),50
U.S.C.S.

(U//FOUO)

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

per DHS I&A

(U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

per DHS I&A

(U//FOUO) We assess the following developments, if observed, could lead to a *decreased threat* of violence:

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

(U) Intelligence Gaps

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3),50
U.S.C.S.

• (U//FOUO)

[Redacted]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(C)
(b)(7)(C)

(b)(7)(C)

(U//FOUO) Comments, requests, or shareable intelligence may be directed to: [redacted] or [redacted]

per DHS I&A

(U) Source Summary Statement

(U) The information used in this FAR is drawn from open source reporting, court documents, and DHS and other law enforcement intelligence reports. We have **high confidence** in the information obtained from DHS, court, other US Government and law enforcement agencies. We have **medium confidence** in the information obtained from open sources, which includes reports from the news media, NGOs, and Internet websites whose information is credibly sourced and plausible but may contain biases or unintentional inaccuracies. When possible, open source information has been corroborated through other law enforcement and government sources.

per DHS I&A

(b)(7)(E),(b)(3),50
U.S.C.S

(b)(7)(E),(b)(3),50
U.S.C.S

(U//FOUO)

(b)(7)(E),(b)(3),50
U.S.C.S

(b)(7)(E),(b)(3),50
U.S.C.S

(U//LES)

(b)(7)(E),(b)(3),50
U.S.C.S

(b)(7)(E),(b)(3),50
U.S.C.S

per DHS I&A

(U//FOUO)

(b)(7)(E),(b)(3),50
U.S.C.S

(b)(7)(E),(b)(3),50
U.S.C.S

(U//FOUO)

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsi.ncirc.gov/resources.aspx>.

(b)(7)(E)

per DHS I&A

(b)(7)(E)

(U//LES) Tracked by: [redacted]

per DHS I&A

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

per DHS I&A

per DHS I&A

(U) Appendix A: The Dakota Access Pipeline

(b)(7)(E);(b)(3);50 U.S.C.S

(U//LES) The Dakota Access Pipeline project is an underway \$3.78 billion construction project to build a 1,172-mile, 30-inch diameter pipeline for transporting US light sweet crude oil from the Bakken and Three Forks production areas of North Dakota to existing pipelines in Patoka, Illinois for further distribution to refining markets.¹⁰⁴

(b)(7)(E);(b)(3);50 U.S.C.S

(b)(7)(E);(b)(3);50 U.S.C.S

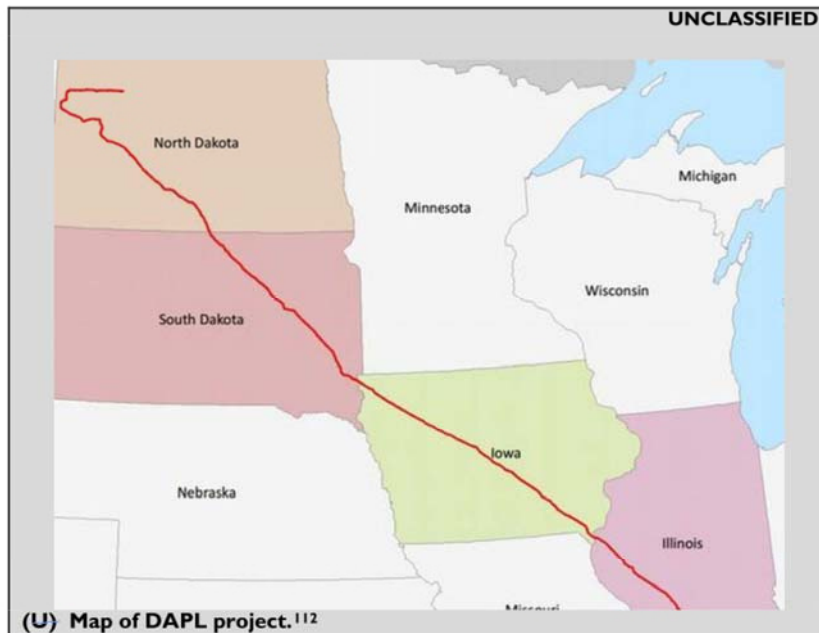
In July 2016, the tribe filed a lawsuit against the US Army Corps of Engineers for its role in granting permits to build the pipeline.¹⁰⁶ The lawsuit spurred a series of protests and demonstrations near the reservation.¹⁰⁷

(b)(7)(E)

(b)(7)(E);(b)(3);50 U.S.C.S

(b)(7)(E)

[Redacted text block]



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE


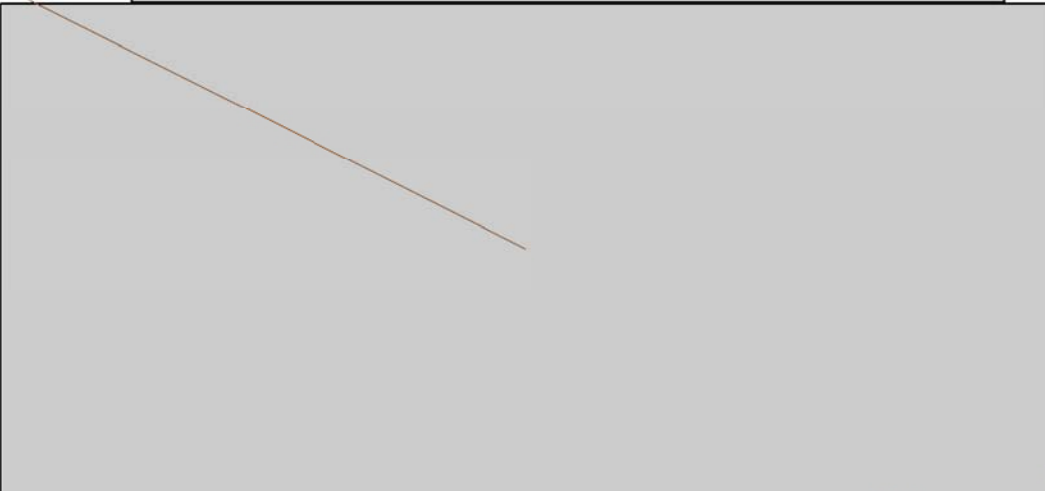
~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(U) Appendix B: Prior Energy Sector Attacks by Environmental Rights Extremists

(U//FOUO) The pipeline attacks in the Midwest and Western United States in the latter half of 2016 were the first significant environmental rights extremist attacks targeting the transportation and energy sectors since September 2015. The last known attack specifically targeting a pipeline occurred in Texas in 2012.

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

- (U//LES) 


per I&A FOIA

per I&A FOIA

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

- (U//LES) 

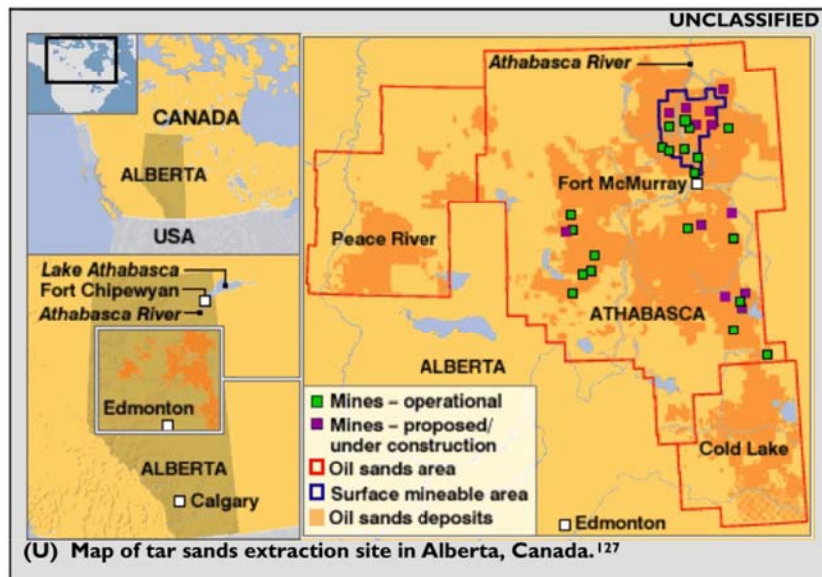

- (U) From 17 to 18 June 2012, environmental rights extremist Anson Chi^{USPER} set off a series of explosive devices on top of an Atmos^{USPER} gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flow. He was sentenced to 20 years in prison without parole on 30 June 2014.^{120,121} Chi pled guilty to a charge of attempting to destroy a natural gas pipeline used in interstate commerce, and to a charge of possessing an explosive device not registered with the National Firearms Registration and Transfer Record.¹²² Chi also contacted well known convicted bomber Theodore Kaczynski^{USPER} to be a mentor; Kaczynski eventually broke off contact and told Chi to seek professional help.¹²³

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix C: Tar Sands

(U) Several pipelines along the US–Canadian border carry crude oil into the United States for refinement and distribution.¹²⁴ Alberta, Canada has one of the world’s largest deposits of a particularly thick and heavy form of crude oil known as tar sands oil. Tar sands oil is controversial because of perceived negative impacts to the environment that occur during mining, processing, and transporting the oil—such as large CO₂ emissions contributing to climate change, contamination of groundwater during extraction, and destruction of natural resources used by indigenous tribes.¹²⁵ In October 2016, US environmental rights extremists engaged in coordinated attacks to disrupt five border pipelines perceived to be transporting tar sands oil from Canada into the United States.¹²⁶



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Appendix D: Behavioral Indicators of Planned Criminal or Violent Activities Targeting Pipelines

per DHS I&A

per DHS I&A

(U//FOUO) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

(b)(7)(E),(b)(3),50
U.S.C.S.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 16 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 17 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 18 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 19 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

CLASSIFICATION: UNCLASSIFIED//FOR OFFICIAL USE ONLY



Homeland Security

Office of Intelligence and Analysis

Customer Feedback Form

Product Title: (U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

All survey responses are completely anonymous. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

1. Please select partner type: and function:

2. What is the highest level of intelligence information that you receive?

3. Please complete the following sentence: "I focus most of my time on:"

4. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Product's overall usefulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's relevance to your mission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's responsiveness to your intelligence needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. How do you plan to use this product in support of your mission? (Check all that apply.)

- Drive planning and preparedness efforts, training, and/or emergency response operations
- Observe, identify, and/or disrupt threats
- Share with partners
- Allocate resources (e.g. equipment and personnel)
- Reprioritize organizational focus
- Author or adjust policies and guidelines
- Initiate a law enforcement investigation
- Intiate your own regional-specific analysis
- Intiate your own topic-specific analysis
- Develop long-term homeland security strategies
- Do not plan to use
- Other:

6. To further understand your response to question #5, please provide specific details about situations in which you might use this product.

7. What did this product not address that you anticipated it would?

8. To what extent do you agree with the following two statements?

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	N/A
This product will enable me to make better decisions regarding this topic.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This product provided me with intelligence information I did not find elsewhere.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. How did you obtain this product?

10. Would you be willing to participate in a follow-up conversation about your feedback?

To help us understand more about your organization so we can better tailor future products, please provide:

Name: Position:
 Organization: State:
 Contact Number: Email:



[Privacy Act Statement](#)

CLASSIFICATION: UNCLASSIFIED//FOR OFFICIAL USE ONLY



Homeland
Security

July 02, 2018

SENT VIA E-MAIL: jhutt@aclu.org

Jacob J. Hutt
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Re: **DHS Appeal Number 2018-HQAP-00285**
FOIA Request Number 2018-IAFO-00149

Dear Mr. Hutt:

The Department of Homeland Security (DHS) has received your appeal of the response by Intelligence and Analysis (I&A) to your Freedom of Information Act (FOIA) request concerning the adequacy of I&A's search. On behalf of the Deputy Associate General Counsel for General Law, we acknowledge your appeal and are assigning it number **2018-HQAP-00285** for tracking purposes. Please reference this number in any future communications about your appeal.

A high number of FOIA requests have been received by the Department. Accordingly, we have adopted the court-sanctioned practice of generally handling backlogged appeals on a first-in, first-out basis.¹ While we will make every effort to process your appeal on a timely basis, there may be some delay in resolving this matter.

The status of your appeal is now available online and can be accessed at: <https://www.dhs.gov/foia-status>, by using the appeal number. Status information is updated daily. Alternatively, you can download the DHS eFOIA Mobile App, the free app is available for all Apple and Android devices. With the DHS eFOIA Mobile App, you can submit FOIA requests or check the status of requests, access all of the content on the FOIA website, and receive updates anytime.

Should you have any questions concerning the processing of your appeal, please contact me at kevin.tyrrell@hq.dhs.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kevin L. Tyrrell".

Kevin L. Tyrrell
Director
FOIA Appeals and Litigation

¹ Appeals of expedited treatment denials will be handled on an expedited basis.

June 28, 2018

The Privacy Office
U.S. Department of Homeland Security
Attn: FOIA Appeals
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655



Re: **FOIA Appeal**
I&A FOIA Case Number 2018-IAFO-00149

To Whom It May Concern:

National Office
125 Broad Street,
18th Floor
New York, NY 10004
Tel: (212) 549-2644
Fax: (212) 549-2644
aclu.org

Susan N. Herman
President

Anthony D. Romero
Executive Director

Richard Zacks
Treasurer

Requesters American Civil Liberties Union and American Civil Liberties Union Foundation (collectively, "ACLU") write to appeal the Office of Intelligence and Analysis's ("I&A") determination regarding records responsive to the ACLU's Freedom of Information Act ("FOIA") request ("Request") concerning cooperation between federal, state, and local law enforcement entities and between federal law enforcement entities and private security companies around preparation for anticipated protests against the Keystone XL pipeline. *See* Ex. A (FOIA Request dated January 23, 2018). Requesters also provided an unredacted, unclassified I&A document to I&A as an example of one type of document sought in the Request. Ex. B (Unredacted DHS Field Analysis Report, May 2017). FOIA Officer Priscilla Waters' response letter ("Final Response") is dated June 25, 2018. *See* Ex. C (Response Letter, I&A FOIA Case Number 2018-IAFO-00149). In response to the Request, I&A provided a redacted version of the same, unclassified document Requesters had offered to I&A. Ex. D (Redacted DHS Field Analysis Report, May 2017). The ACLU respectfully appeals from I&A's determination on the following bases: 1) the agency did not conduct an adequate search for records; and 2) the agency improperly redacted the documents provided in response to the Request.

Inadequate search

"An inadequate search for records constitutes an improper withholding under the FOIA." *Dean v. U.S. Dep't of Justice*, 141 F. Supp. 3d 46, 48 (D.D.C. 2015). "An agency's search is adequate if its methods are reasonably calculated to locate records responsive to a FOIA request." *Hodge v. FBI*, 764 F. Supp. 2d 134, 141 (D.D.C. 2011); *see also* 32 C.F.R. § 286.5(a) (explaining that FOIA requires agencies to "locate [records requested] with a reasonable amount of effort."). By failing to disclose responsive records within the applicable

timeframe and failing to provide a plausible justification for nondisclosure, the I&A has violated 5 U.S.C. § 552(a)(6)(A). To the extent that this failure is attributable to the adequacy of the I&A's search for responsive records, the I&A violated 5 U.S.C. § 552(a)(3)(C), (D).

First, it is not plausible that a "comprehensive" search by I&A would fail to return any documents, beyond what Requesters themselves already provided to I&A as a sample. On March 27, 2018, Requesters submitted to FOIA Officer Brendan Henry an I&A-authored report entitled, *TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists*. The report notes in the introduction that it was prepared jointly with several state law enforcement agencies. The Request sought other documents similar to this report. However, on June 25, 2018, I&A's Final Response indicated that it would only disclose one document—the same report Requesters had originally provided. An adequate search would have returned more records responsive to the Request, especially given this evidence that I&A has collaborated with state law enforcement agencies on the issue of oil pipeline protests.

Moreover, I&A improperly cabins the date range for the Request to February 16, 2018, more than four months before the I&A submitted its Final Response. Requesters sought the release of "all records created since January 27, 2017." Ex. A. at 6. I&A's receipt of the Request on February 16 does not allow it to limit its search for responsive records to that date. I&A far exceeded the statutorily mandated deadline for responding to the Request, and erred in failing to search for records beyond its receipt of the Request on February 16.

Finally, I&A's Final Response lacks any explanation concerning the reason why the agency found no responsive records beyond what Requesters provided. I&A specified neither the databases that were searched, nor the search terms or methods used to seek responsive records. Because an agency "cannot limit its search to only one record system if there are others that are likely to turn up the information requested," *Oglesby v. U.S. Dep't of Army*, 920 F.2d 57, 68 (D.C. Cir. 1990), the agency "at a minimum ha[s] to aver that it has searched all files likely to contain relevant documents." *AIC v. DHS*, 950 F. Supp. 2d 221, 230 (D.D.C. 2013). A reasonable search for records responsive to the Request would include searches of, at a minimum: Legal and policy analyses and recommendations related to law enforcement funding for and staffing around oil pipeline protests; 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; 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 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.

I&A has failed to conduct a search “reasonably calculated to locate” responsive records. *Hodge*, 764 F. Supp. 2d at 141.

Improper redaction

In order to properly invoke a FOIA exemption, an agency must provide “detailed” and “specific” justifications for why the claimed exemption applies. *See generally Vaughn v. Rosen*, 484 F.2d 820, 826 (D.C. Cir. 1973) (“[C]ourts will simply no longer accept conclusory and generalized allegations of exemptions.”). This requirement applies just as forcefully to an agency’s final response letter as it does to its briefing in federal court. *See Mead Data Cent. Inc. v. U.S. Dep’t of Air Force*, 566 F. 2d 242, 251 (D.C. Cir. 1977) (“[T]he objective of the *Vaughn* requirements, to permit the requesting party to present its case effectively, is equally applicable to proceedings within the agency.”).

I&A’s Final Response fails this requirement. The Final Response states that 20 pages are being released in part, due to FOIA Exemptions 3 and 7(E), but offers no explanation why. At most, the Response provides that “I&A is withholding from disclosure specific information which could reasonably be expected to risk circumvention of the law.” But this generalized allegation merely restates the language of 5 U.S.C. § 552(b)(7)(E) without specifying why the claimed exemption applies.

Second, Exemptions 3 and 7(E) cannot immunize such records from public scrutiny. These exemptions do not shield the government’s interpretation of its own constitutional obligations from view; nor can Exemptions 3 and 7(E) permit the government to withhold publicly-known information or reasonably segregable, non-exempt information. *See PHE, Inc. v. Dep’t of Justice*, 983 F.2d 248, 252 (D.C. Cir. 1993) (holding that, even where Exemption 7(E) is invoked, “FOIA mandates the release of . . . materials that define standards for determining whether the law has been violated”). In particular, given that all but the first page of the disclosed report is already publicly-known information, as shown by Requesters’ submission of this information to I&A, I&A has not demonstrated any basis for redacting the cover page of the report. Ex. D. at 1.

* * *

I&A’s decision to deny the ACLU records pertaining to law enforcement preparation for oil pipeline protests was in error. Accordingly, we respectfully request that you order a new search using methods “reasonably calculated to uncover all relevant documents.” The Final Response also violates FOIA by failing to justify the withholdings with any adequate explanation, and by improperly invoking Exemptions 3 and 7(E). Accordingly, we ask that the documents in question be

released, in part or in full, and that the ACLU be provided with an adequate justification for any redactions. My phone and email contact information is below.

Thank you for your consideration of this appeal, and we look forward to your prompt response.

Respectfully Submitted,

Jacob Hutt
Speech, Privacy, and Technology Project
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004
(212) 519-7809
jhutt@aclu.org

EXHIBIT A

LEGAL DEPARTMENT



January 23, 2018

Federal Bureau of Investigation
Attn: FOI/PA Request
Record/Information Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843
Fax: (540) 868-4391/4997
Email: foiparequest@ic.fbi.gov

Melissa Golden (née Kassier)
Lead Paralegal and FOIA Specialist
Office of Legal Counsel
Room 5511, 950 Pennsylvania Avenue, N.W.
Department of Justice
Washington, DC 20530-0001
Fax: (202) 514-2053
Email: usdoj-officeoflegalcounsel@usdoj.gov

OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Fax: (571) 372-0500

Nicole Barksdale-Perry (Acting)
The Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655
Fax: (202) 343-4011
Email: foia@hq.dhs.gov

U.S. Army Humphreys Engineer Support Center
Attention: CEHEC-OC
7701 Telegraph Road
Alexandria, Virginia 22315-3860
Fax: (703) 428-7633

National FOIA Office
Bureau of Land Management
Attn: FOIA Office (WO-640)

**AMERICAN CIVIL LIBERTIES
UNION FOUNDATION**
NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500
WWW.ACLU.ORG

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT B. REMAR
TREASURER

USA_DHS-I&A_-000071

1849 C St. N.W.
Washington, DC 20240
Fax: (202) 245-0050
Email: blm_wo_foia@blm.gov

**Re: Request Under Freedom of Information Act
(Expedited Processing & Fee Waiver Requested)**

To Whom It May Concern:

The American Civil Liberties Union and the American Civil Liberties Union Foundation (together, the “ACLU”)¹ submit this Freedom of Information Act (“FOIA”) request (the “Request”) for records pertaining to cooperation between federal, state, and local law enforcement entities and between federal law enforcement entities and private security companies around preparations for anticipated protests against the Keystone XL pipeline.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

I. Background

On January 27, 2017, the White House released its Presidential Memorandum Regarding Construction of the Keystone XL Pipeline, which expedited the approval process for the Canada-to-Texas oil pipeline that President Barack Obama had previously rejected.² Two months later, President Donald Trump announced that his administration had formally approved the pipeline.³

These decisions generated intense public controversy and debate. The president’s approval of the Keystone XL Pipeline set the stage for renewed protest against oil pipelines, which activist groups say accelerate climate change,

¹ The American Civil Liberties Union Foundation is a 26 U.S.C. § 501(c)(3) organization that provides legal representation free of charge to individuals and organizations in civil rights and civil liberties cases, educates the public about civil rights and civil liberties issues across the country, directly lobbies legislators, and mobilizes the American Civil Liberties Union’s members to lobby their legislators. The American Civil Liberties Union is a separate non-profit, 26 U.S.C. § 501(c)(4) membership organization that educates the public about the civil liberties implications of pending and proposed state and federal legislation, provides analysis of pending and proposed legislation, directly lobbies legislators, and mobilizes its members to lobby their legislators.

² See Presidential Memorandum Regarding Construction of the Keystone XL Pipeline (Jan. 24, 2017), <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-regarding-construction-keystone-xl-pipeline/>; Elise Labott & Dan Berman, *Obama Rejects Keystone XL Pipeline*, CNN (Nov. 6, 2015), <http://www.cnn.com/2015/11/06/politics/keystone-xl-pipeline-decision-rejection-kerry/index.html>.

³ Elise Labott & Jeremy Diamond, *Trump Administration Approves Keystone XL Pipeline*, CNN (Mar. 24, 2017), <http://www.cnn.com/2017/03/23/politics/keystone-xl-pipeline-trump-approve/index.html>.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

threaten clean water reserves, and invade cultural sites of American Indian tribes.⁴ In response to the president’s announcement, then-chairman of the Standing Rock Sioux tribe, David Archambault II, stated, “We opposed Keystone before, and we’ll oppose it again.”⁵ Environmental groups, too, have made clear their intention to protest Keystone XL’s construction; one prominent group has invited advocates to sign a “Pledge of Resistance,” which includes a commitment to “participate in peaceful direct action that may result in my arrest, should construction begin on the Keystone XL pipeline.”⁶

Government officials have consequently made clear their intention to prevent a repeat of the prolonged protests against the Dakota Access Pipeline, which drew thousands of activists to the North Dakota site, sparked physical confrontation with law enforcement authorities, and captured worldwide attention.⁷ Officials have pursued numerous strategies for impeding these protests, such as asking the federal government for guidance on the possibility of prosecuting protestors under domestic terrorism laws,⁸ enacting legislation that allows a governor or sheriff to prohibit groups numbering more than 20 from gathering on public land,⁹ and fostering cooperation between federal, state, and local law enforcement entities and private security contractors.¹⁰ As a

⁴ Heather Brady, *4 Key Impacts of the Keystone XL and Dakota Access Pipelines*, National Geographic (Jan. 25, 2017), <https://news.nationalgeographic.com/2017/01/impact-keystone-dakota-access-pipeline-environment-global-warming-oil-health/>.

⁵ Stand with Standing Rock, *Standing Rock Sioux Chairman Responds to Keystone Pipeline Permit Approval* (Mar. 24, 2017), <http://standwithstandingrock.net/standing-rock-sioux-chairman-responds-keystone-pipeline-permit-approval/>.

⁶ Bold Alliance, *Sign the Keystone XL Pledge of Resistance* (last visited Dec. 27, 2017), https://boldalliance.webaction.org/p/dia/action3/common/public/?action_KEY=20257; see also Michael McLaughlin, *Keystone XL Protesters Won’t Back Down After Trump Approval*, Huffington Post (Mar. 24, 2017), https://www.huffingtonpost.com/entry/keystone-xl-protesters-trump-approval_us_58d55333e4b02a2eaab3819e.

⁷ See, e.g., Paul Hammel, *Nebraska Law Enforcement, Keystone XL Pipeline Foes Prepare for Possible Protests*, Omaha World-Herald (Apr. 11, 2017), http://www.omaha.com/news/nebraska/nebraska-law-enforcement-keystone-xl-pipeline-foes-prepare-for-possible/article_d85522c1-73cd-541c-98f2-f9b3375e8a3c.html.

⁸ Timothy Gardner, *U.S. Lawmakers Ask DOJ If Terrorism Law Covers Pipeline Activists*, Reuters (Oct. 23, 2017), <https://www.reuters.com/article/us-usa-pipelines-activism/u-s-lawmakers-ask-doj-if-terrorism-law-covers-pipeline-activists-idUSKBN1CS2XY>.

⁹ South Dakota Senate Bill 176 (Mar. 27, 2017), <https://www.courthousenews.com/wp-content/uploads/2017/03/SB-176.pdf>.

¹⁰ Alleen Brown, *Nebraska Approves Keystone XL Pipeline as Opponents Face Criminalization of Protests*, The Intercept (Nov. 20, 2017), <https://theintercept.com/2017/11/20/nebraska-approves-keystone-xl-pipeline-as-opponents-face-criminalization-of-protests/>; *Lincoln Police Prepare for All Scenarios as Pipeline Protests Near*,

further threat to activists who may wish to repeat their actions at the Dakota Access Pipeline, the *Guardian* reports that Joint Terrorism Task Force agents have attempted to contact multiple individuals involved with the North Dakota anti-pipeline movement.¹¹

Evidence of cooperation among law enforcement officials and private corporations in the area of oil pipeline protests has been widely documented. On May 27, 2017, *The Intercept* published internal documents of the security firm TigerSwan that revealed close cooperation between TigerSwan, state police forces, and federal law enforcement in at least five states around the Dakota Access Pipeline.¹² For example, a TigerSwan situation report on March 29, 2016 explicitly named the state and federal actors in attendance at a joint meeting the day before: “Met with the Des Moines Field Office of the FBI, with the Omaha and Sioux Fall offices joining by conference call. Also in attendance were representatives of the Joint Terrorism Task Force, Department of Homeland Security . . . Topics covered included the current threat assessment of the pipeline, the layout of current security assets and persons of interests. The FBI seemed were [sic] very receptive . . . follow-up meetings with individuals will be scheduled soon[.]”¹³ *The Intercept* also published communications detailing coordination “between a wide range of local, state, and federal agencies,” including the revelation that the FBI participated in law enforcement operations related to the Dakota Access Pipeline protests.¹⁴ Finally, a review of federal lobbying disclosure forms by *DeSmog*, a blog focused on topics related to climate change, has revealed that the National Sheriffs’ Association was

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

1011 Now (Aug. 1, 2017), <http://www.1011now.com/content/news/Lincoln-Police-prepare-for-all-scenarios-as-pipeline-protests--437938853.html>.

¹¹ Sam Levin, *Revealed: FBI Terrorism Taskforce Investigating Standing Rock Activists*, *The Guardian* (Feb. 10, 2017), <https://www.theguardian.com/us-news/2017/feb/10/standing-rock-fbi-investigation-dakota-access>.

¹² Alleen Brown, Will Parrish, and Alice Speri, *Leaked Documents Reveal Counterterrorism Tactics Used at Standing Rock to “Defeat Pipeline Insurgencies”*, *The Intercept* (May 27, 2017), <https://theintercept.com/2017/05/27/leaked-documents-reveal-security-firms-counterterrorism-tactics-at-standing-rock-to-defeat-pipeline-insurgencies/>.

¹³ Alleen Brown, Will Parrish, and Alice Speri, *TigerSwan Responded to Pipeline Vandalism by Launching Multistate Dragnet*, *The Intercept* (Aug. 26, 2017), <https://theintercept.com/2017/08/26/dapl-security-firm-tigerswan-responded-to-pipeline-vandalism-by-launching-multistate-dragnet/>.

¹⁴ Brown, Parrish & Speri, *Leaked Documents Reveal Counterterrorism Tactics; see also Intel Group Email Thread*, *The Intercept* (May 27, 2017), <https://theintercept.com/document/2017/05/27/intel-group-email-thread/> (documenting FBI participation in law enforcement operations around the Dakota Access Pipeline protests).

lobbying Congress for surplus military gear and on issues related to the Dakota Access Pipeline.¹⁵

Law enforcement officials have signaled that such cooperation will assist them in responding to future protests against Keystone XL and other oil pipelines. For example, on April 11, 2017, the *Omaha Herald* reported that Morton County, North Dakota Sheriff Kyle Kirchmeier, whose department was involved in responding to the Dakota Access Pipeline protests, has been in communication with other states over how to respond to oil pipeline protestors.¹⁶

Such indications and the recent existence of cooperation on this exact issue raise important questions about federal agencies' level of collaboration with state and local governments and with private security contractors in connection with oil pipeline protest actions. These questions are especially important given the uncertainty around whether and to what extent the government was engaged in surveillance of Dakota Access Pipeline protestors.¹⁷ The First Amendment protects political speech from the threat of undue government scrutiny, and the extent of such scrutiny is currently unknown.¹⁸

To provide the American public with information about federal cooperation with state and local governments and with private security contractors over possible oil pipeline protests, the ACLU seeks such information through this FOIA request.

II. Requested Records

¹⁵ Steven Horn & Curtis Waltman, *In Heat of Dakota Access Protests, National Sheriffs' Association Lobbied for More Military Gear*, DeSmog (Apr. 27, 2017), <https://www.desmogblog.com/2017/04/27/dakota-access-sheriffs-lobbying-military-gear>.

¹⁶ Paul Hammel, *Nebraska Law Enforcement, Keystone XL Pipeline Foes Prepare for Possible Protests*, Omaha World Herald (Apr. 11, 2017), http://www.omaha.com/news/nebraska/nebraska-law-enforcement-keystone-xl-pipeline-foes-prepare-for-possible/article_d85522c1-73cd-541c-98f2-f9b3375e8a3c.html.

¹⁷ Alyssa Newcomb, Daniel A. Medina, Emmanuelle Saliba, and Chiara A. Sottile, *At Dakota Pipeline, Protestors Questions of Surveillance and 'Jamming' Linger*, NBC (Oct. 31, 2016), <https://www.nbcnews.com/storyline/dakota-pipeline-protests/dakota-pipeline-protesters-questions-surveillance-jamming-linger-n675866>; Morgan Chalfant, *ACLU Challenges Warrant to Search Facebook Page of Dakota Access Opponents*, The Hill (Mar. 9, 2017), <http://thehill.com/policy/cybersecurity/323131-aclu-challenges-police-effort-to-search-facebook-page-of-dakota-access>.

¹⁸ See Motion to Quash Search Warrant, American Civil Liberties Union, *In Re Search Warrant No. 17A03639 Served On Facebook* at 5 (filed Mar. 8, 2017), https://www.aclu.org/sites/default/files/field_document/motion_to_quash_-_filed.pdf.

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.

With respect to the **Office of the Secretary of Defense**, the ACLU seeks the release of all records created since January 27, 2017, concerning:

(5) Purchases, requests for purchase, and requests by state and local law enforcement officials of riot gear, including but not limited to tear gas, concussion grenades, and water cannons, from the U.S. Department of Defense's Law Enforcement Support Office, also known as the 1033 program.

With respect to the form of production, *see* 5 U.S.C. § 552(a)(3)(B), the ACLU requests that responsive electronic records be provided electronically in their native file format, if possible. Alternatively, the ACLU requests that the records be provided electronically in a text-searchable, static-image format (PDF), in the best image quality in the agency's possession, and that the records be provided in separate, Bates-stamped files.

III. Application for Expedited Processing

¹⁹ For the purposes of this Request, "records" are collectively defined to include, but are not limited to, final drafts of legal and policy memoranda; guidance documents; instructions; training documents; formal and informal presentations; directives; contracts or agreements; and memoranda of understanding.

The ACLU requests expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E).²⁰ There is a “compelling need” for these records, as defined in the statute, because the information requested is “urgen[tly]” needed by an organization primarily engaged in disseminating information “to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v)(II).

A. *The ACLU is an organization primarily engaged in disseminating information in order to inform the public about actual or alleged government activity.*

The ACLU is “primarily engaged in disseminating information” within the meaning of the statute. 5 U.S.C. § 552(a)(6)(E)(v)(II).²¹ Obtaining information about government activity, analyzing that information, and widely publishing and disseminating that information to the press and public are critical and substantial components of the ACLU’s work and are among its primary activities. *See ACLU v. DOJ*, 321 F. Supp. 2d 24, 29 n.5 (D.D.C. 2004) (finding non-profit public interest group that “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience” to be “primarily engaged in disseminating information”).²²

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

The ACLU regularly publishes *STAND*, a print magazine that reports on and analyzes civil liberties-related current events. The magazine is disseminated to over 980,000 people. The ACLU also publishes regular updates and alerts via email to over 3.1 million subscribers (both ACLU members and non-members). These updates are additionally broadcast to over 3.8 million social media followers. The magazine as well as the email and social-media alerts often include descriptions and analysis of information obtained through FOIA requests.

The ACLU also regularly issues press releases to call attention to documents obtained through FOIA requests, as well as other breaking news,²³

²⁰ *See also* 28 C.F.R. § 16.5(e); 32 C.F.R. § 286.8(e); 6 C.F.R. § 5.5(e).

²¹ *See also* 28 C.F.R. 16.5(e)(1)(ii); 32 C.F.R. § 286.8(e)(1)(i)(B); 6 C.F.R. § 5.5(e)(1)(ii).

²² Courts have found that the ACLU as well as other organizations with similar missions that engage in information-dissemination activities similar to the ACLU are “primarily engaged in disseminating information.” *See, e.g., Leadership Conference on Civil Rights v. Gonzales*, 404 F. Supp. 2d 246, 260 (D.D.C. 2005); *ACLU*, 321 F. Supp. 2d at 29 n.5; *Elec. Privacy Info. Ctr. v. DOD*, 241 F. Supp. 2d 5, 11 (D.D.C. 2003).

²³ *See, e.g.,* Press Release, American Civil Liberties Union, U.S. Releases Drone Strike ‘Playbook’ in Response to ACLU Lawsuit (Aug. 6, 2016), <https://www.aclu.org/news/us-releases-drone-strike-playbook-response-aclu-lawsuit>; Press Release, American Civil Liberties Union, Secret Documents Describe Graphic Abuse and Admit Mistakes (June 14, 2016), <https://www.aclu.org/news/cia-releases-dozens-torture-documents-response-aclu-lawsuit>; Press

and ACLU attorneys are interviewed frequently for news stories about documents released through ACLU FOIA requests.²⁴

Similarly, the ACLU publishes reports about government conduct and civil liberties issues based on its analysis of information derived from various sources, including information obtained from the government through FOIA requests. This material is broadly circulated to the public and widely available to everyone for no cost or, sometimes, for a small fee. ACLU national projects regularly publish and disseminate reports that include a description and analysis of government documents obtained through FOIA requests.²⁵ The ACLU also regularly publishes books, “know your rights” materials, fact sheets, and

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

Release, American Civil Liberties Union, U.S. Releases Targeted Killing Memo in Response to Long-Running ACLU Lawsuit (June 23, 2014), <https://www.aclu.org/national-security/us-releases-targeted-killing-memo-response-long-running-aclu-lawsuit>; Press Release, American Civil Liberties Union, Justice Department White Paper Details Rationale for Targeted Killing of Americans (Feb. 4, 2013), <https://www.aclu.org/national-security/justice-department-white-paper-details-rationale-targeted-killing-americans>; Press Release, American Civil Liberties Union, Documents Show FBI Monitored Bay Area Occupy Movement (Sept. 14, 2012), <https://www.aclu.org/news/documents-show-fbi-monitored-bay-area-occupy-movement-insidebayareacom>.

²⁴ See, e.g., Cora Currier, *TSA's Own Files Show Doubtful Science Behind Its Behavioral Screen Program*, *The Intercept*, Feb. 8, 2017, <https://theintercept.com/2017/02/08/tsas-own-files-show-doubtful-science-behind-its-behavior-screening-program/> (quoting ACLU attorney Hugh Handeyside); Karen DeYoung, *Newly Declassified Document Sheds Light on How President Approves Drone Strikes*, *Wash. Post*, Aug. 6, 2016, <http://wapo.st/2jy62cW> (quoting former ACLU deputy legal director Jameel Jaffer); Catherine Thorbecke, *What Newly Released CIA Documents Reveal About 'Torture' in Its Former Detention Program*, *ABC*, June 15, 2016, <http://abcn.ws/2jy40d3> (quoting ACLU staff attorney Dror Ladin); Nicky Woolf, *US Marshals Spent \$10M on Equipment for Warrantless Stingray Device*, *Guardian*, Mar. 17, 2016, <https://www.theguardian.com/world/2016/mar/17/us-marshals-stingray-surveillance-airborne> (quoting ACLU attorney Nate Wessler); David Welna, *Government Suspected of Wanting CIA Torture Report to Remain Secret*, *NPR*, Dec. 9, 2015, <http://n.pr/2jy2p71> (quoting ACLU project director Hina Shamsi).

²⁵ See, e.g., Hugh Handeyside, *New Documents Show This TSA Program Blamed for Profiling Is Unscientific and Unreliable — But Still It Continues* (Feb. 8, 2017, 11:45 AM), <https://www.aclu.org/blog/speak-freely/new-documents-show-tsa-program-blamed-profiling-unscientific-and-unreliable-still>; Carl Takei, *ACLU-Obtained Emails Prove that the Federal Bureau of Prisons Covered Up Its Visit to the CIA's Torture Site* (Nov. 22, 2016, 3:15 PM), <https://www.aclu.org/blog/speak-freely/aclu-obtained-emails-prove-federal-bureau-prisons-covered-its-visit-cias-torture>; Brett Max Kaufman, *Details Abound in Drone 'Playbook' — Except for the Ones That Really Matter Most* (Aug. 8, 2016, 5:30 PM), <https://www.aclu.org/blog/speak-freely/details-abound-drone-playbook-except-ones-really-matter-most>; Nathan Freed Wessler, *ACLU- Obtained Documents Reveal Breadth of Secretive Stingray Use in Florida* (Feb. 22, 2015, 5:30 PM), <https://www.aclu.org/blog/free-future/aclu-obtained-documents-reveal-breadth-secretive-stingray-use-florida>; Ashley Gorski, *New NSA Documents Shine More Light into Black Box of Executive Order 12333* (Oct. 30, 2014, 3:29 PM), <https://www.aclu.org/blog/new-nsa-documents-shine-more-light-black-box-executive-order-12333>; ACLU, *ACLU Eye on the FBI: Documents Reveal Lack of Privacy Safeguards and Guidance in Government's "Suspicious Activity Report" Systems* (Oct. 29, 2013), https://www.aclu.org/sites/default/files/assets/eye_on_fbi_-_sars.pdf.

educational brochures and pamphlets designed to educate the public about civil liberties issues and government policies that implicate civil rights and liberties.

The ACLU publishes a widely read blog where original editorial content reporting on and analyzing civil rights and civil liberties news is posted daily. See <https://www.aclu.org/blog>. The ACLU creates and disseminates original editorial and educational content on civil rights and civil liberties news through multi-media projects, including videos, podcasts, and interactive features. See <https://www.aclu.org/multimedia>. The ACLU also publishes, analyzes, and disseminates information through its heavily visited website, www.aclu.org. The website addresses civil rights and civil liberties issues in depth, provides features on civil rights and civil liberties issues in the news, and contains many thousands of documents relating to the issues on which the ACLU is focused. The ACLU's website also serves as a clearinghouse for news about ACLU cases, as well as analysis about case developments, and an archive of case-related documents. Through these pages, and with respect to each specific civil liberties issue, the ACLU provides the public with educational material, recent news, analyses of relevant Congressional or executive branch action, government documents obtained through FOIA requests, and further in-depth analytic and educational multi-media features.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

The ACLU website includes many features on information obtained through the FOIA.²⁶ For example, the ACLU's "Predator Drones FOIA" webpage, <https://www.aclu.org/national-security/predator-drones-foia>, contains commentary about the ACLU's FOIA request, press releases, analysis of the FOIA documents, numerous blog posts on the issue, documents related to litigation over the FOIA request, frequently asked questions about targeted killing, and links to the documents themselves. Similarly, the ACLU maintains an online "Torture Database," a compilation of over 100,000 pages of FOIA documents that allows researchers and the public to conduct sophisticated searches of FOIA documents relating to government policies on rendition,

²⁶ See, e.g., Nathan Freed Wessler & Dyan Cortez, *FBI Releases Details of 'Zero-Day' Exploit Decisionmaking Process* (June 26, 2015, 11:00 AM), <https://www.aclu.org/blog/free-future/fbi-releases-details-zero-day-exploit-decisionmaking-process>; Nathan Freed Wessler, *FBI Documents Reveal New Information on Baltimore Surveillance Flights* (Oct. 30, 2015, 8:00 AM), <https://www.aclu.org/blog/free-future/fbi-documents-reveal-new-information-baltimore-surveillance-flights>; *ACLU v. DOJ – FOIA Case for Records Relating to the Killing of Three U.S. Citizens*, ACLU Case Page, <https://www.aclu.org/national-security/anwar-al-awlaki-foia-request>; *ACLU v. Department of Defense*, ACLU Case Page, <https://www.aclu.org/cases/aclu-v-department-defense>; *Mapping the FBI: Uncovering Abusive Surveillance and Racial Profiling*, ACLU Case Page, <https://www.aclu.org/mappingthefbi>; *Bagram FOIA*, ACLU Case Page <https://www.aclu.org/cases/bagram-foia>; *CSRT FOIA*, ACLU Case Page, <https://www.aclu.org/national-security/csrt-foia>; *ACLU v. DOJ – Lawsuit to Enforce NSA Warrantless Surveillance FOIA Request*, ACLU Case Page, <https://www.aclu.org/aclu-v-doj-lawsuit-enforce-nsa-warrantless-surveillance-foia-request>; *Patriot FOIA*, ACLU Case Page, <https://www.aclu.org/patriot-foia>; *NSL Documents Released by DOD*, ACLU Case Page, <https://www.aclu.org/nsl-documents-released-dod?redirect=cpredirect/32088>.

detention, and interrogation.²⁷

The ACLU has also published a number of charts and explanatory materials that collect, summarize, and analyze information it has obtained through the FOIA. For example, through compilation and analysis of information gathered from various sources—including information obtained from the government through FOIA requests—the ACLU created an original chart that provides the public and news media with a comprehensive summary index of Bush-era Office of Legal Counsel memos relating to interrogation, detention, rendition, and surveillance.²⁸ Similarly, the ACLU produced an analysis of documents released in response to a FOIA request about the TSA's behavior detection program²⁹; a summary of documents released in response to a FOIA request related to the FISA Amendments Act³⁰; a chart of original statistics about the Defense Department's use of National Security Letters based on its own analysis of records obtained through FOIA requests³¹; and an analysis of documents obtained through FOIA requests about FBI surveillance flights over Baltimore.³²

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

The ACLU plans to analyze, publish, and disseminate to the public the information gathered through this Request. The records requested are not sought for commercial use and the requesters plan to disseminate the information disclosed as a result of this Request to the public at no cost.

B. The records sought are urgently needed to inform the public about actual or alleged government activity.

²⁷ *The Torture Database*, ACLU, <https://www.thetorturedatabase.org>; see also *Countering Violent Extremism FOIA Database*, ACLU, <https://www.aclu.org/foia-collection/cve-foia-documents>; *TSA Behavior Detection FOIA Database*, ACLU, <https://www.aclu.org/foia-collection/tsa-behavior-detection-foia-database>; *Targeted Killing FOIA Database*, ACLU, <https://www.aclu.org/foia-collection/targeted-killing-foia-database>.

²⁸ *Index of Bush-Era OLC Memoranda Relating to Interrogation, Detention, Rendition and/or Surveillance*, ACLU (Mar. 5, 2009), https://www.aclu.org/sites/default/files/pdfs/safefree/olcmemos_2009_0305.pdf.

²⁹ *Bad Trip: Debunking the TSA's 'Behavior Detection' Program*, ACLU (2017), https://www.aclu.org/sites/default/files/field_document/dem17-tsa_detection_report-v02.pdf.

³⁰ *Summary of FISA Amendments Act FOIA Documents Released on November 29, 2010*, ACLU, <https://www.aclu.org/files/pdfs/natsec/faafoia20101129/20101129Summary.pdf>.

³¹ *Statistics on NSL's Produced by Department of Defense*, ACLU, <https://www.aclu.org/other/statistics-nsls-produced-dod>.

³² Nathan Freed Wessler, *FBI Documents Reveal New Information on Baltimore Surveillance Flights* (Oct. 30, 2015, 8:00 AM), <https://www.aclu.org/blog/free-future/fbi-documents-reveal-new-information-baltimore-surveillance-flights>.

These records are urgently needed to inform the public about actual or alleged government activity. *See* 5 U.S.C. § 552(a)(6)(E)(v)(II).³³ Specifically, the requested records relate to forthcoming cooperation between federal, state, and local law enforcement entities and between federal law enforcement entities and private security companies around preparations for protests against the Keystone XL pipeline. As discussed in Part I, *supra*, oil pipelines, protests against them, and law enforcements responses to these protests are the subject of widespread public controversy and media attention.³⁴ The records sought relate to a matter of widespread and exceptional media interest in planned oil pipelines, protests against them, and law enforcement responses to these protests.

Given the foregoing, the ACLU has satisfied the requirements for expedited processing of this Request.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

IV. Application for Waiver or Limitation of Fees

The ACLU requests a waiver of document search, review, and duplication fees on the grounds that disclosure of the requested records is in the public interest and because disclosure is “likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii).³⁵ The ACLU also requests a waiver of search fees on the grounds that the ACLU qualifies as a “representative of the news media” and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II).

A. *The Request is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the ACLU.*

As discussed above, credible media and other investigative accounts underscore the substantial public interest in the records sought through this Request. Given the ongoing and widespread media attention to this issue, the records sought will significantly contribute to public understanding of an issue of profound public importance. Because little specific information about cooperation between federal, state, and local law enforcement entities and between federal entities and private security companies around anticipated pipeline protests is publicly available, the records sought are certain to contribute significantly to the public’s understanding of what type of efforts the federal government is undertaking in preparation for protests against the Keystone XL pipeline.

³³ *See also* 28 C.F.R. 16.5(e)(1)(ii); 32 C.F.R. § 286.8(e)(1)(i)(B); 6 C.F.R. § 5.5(e)(1)(ii).

³⁴ *See supra* notes 4–7 and accompanying text.

³⁵ *See also* 28 C.F.R. § 16.10(k)(2); 32 C.F.R. § 286.12(l)(1); 6 C.F.R. § 5.11(k)(1).

The ACLU is not filing this Request to further its commercial interest. As described above, any information disclosed by the ACLU as a result of this FOIA Request will be available to the public at no cost. Thus, a fee waiver would fulfill Congress's legislative intent in amending FOIA. *See Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) ("Congress amended FOIA to ensure that it be liberally construed in favor of waivers for noncommercial requesters." (quotation marks omitted)).

B. The ACLU is a representative of the news media and the records are not sought for commercial use.

The ACLU also requests a waiver of search fees on the grounds that the ACLU qualifies as a "representative of the news media" and the records are not sought for commercial use. 5 U.S.C. § 552(a)(4)(A)(ii)(II).³⁶ The ACLU meets the statutory and regulatory definitions of a "representative of the news media" because it is an "entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5 U.S.C. § 552(a)(4)(A)(ii)(III)³⁷; *see also Nat'l Sec. Archive v. DOD*, 880 F.2d 1381, 1387 (D.C. Cir. 1989) (finding that an organization that gathers information, exercises editorial discretion in selecting and organizing documents, "devises indices and finding aids," and "distributes the resulting work to the public" is a "representative of the news media" for purposes of the FOIA); *Serv. Women's Action Network v. DOD*, 888 F. Supp. 2d 282 (D. Conn. 2012) (requesters, including ACLU, were representatives of the news media and thus qualified for fee waivers for FOIA requests to the Department of Defense and Department of Veterans Affairs); *ACLU of Wash. v. DOJ*, No. C09-0642RSL, 2011 WL 887731, at *10 (W.D. Wash. Mar. 10, 2011) (finding that the ACLU of Washington is an entity that "gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience"); *ACLU*, 321 F. Supp. 2d at 30 n.5 (finding non-profit public interest group to be "primarily engaged in disseminating information"). The ACLU is therefore a "representative of the news media" for the same reasons it is "primarily engaged in the dissemination of information."

Furthermore, courts have found other organizations whose mission, function, publishing, and public education activities are similar in kind to the ACLU's to be "representatives of the news media" as well. *See, e.g., Cause of Action v. IRS*, 125 F. Supp. 3d 145 (D.C. Cir. 2015); *Elec. Privacy Info. Ctr.*, 241 F. Supp. 2d at 10-15 (finding non-profit public interest group that

³⁶ *See also* 28 C.F.R. 16.10(k)(2)(ii)(B); 32 C.F.R. § 286.12 (l)(2)(ii)(b); 6 C.F.R. § 5.11(k)(2)(iii).

³⁷ *See also* 28 C.F.R. 16.10(b)(6); 32 C.F.R. § 286.12(b)(6); 6 C.F.R. § 5.11(b)(6).

disseminated an electronic newsletter and published books was a “representative of the news media” for purposes of the FOIA); *Nat’l Sec. Archive*, 880 F.2d at 1387; *Judicial Watch, Inc. v. DOJ*, 133 F. Supp. 2d 52, 53–54 (D.D.C. 2000) (finding Judicial Watch, self-described as a “public interest law firm,” a news media requester).³⁸

On account of these factors, fees associated with responding to FOIA requests are regularly waived for the ACLU as a “representative of the news media.”³⁹ As was true in those instances, the ACLU meets the requirements for a fee waiver here.

* * *

Pursuant to applicable statutes and regulations, the ACLU expects a determination regarding expedited processing within 10 days. *See* 5 U.S.C. § 552(a)(6)(E)(ii); 28 C.F.R. 16.5(e)(4); 32 C.F.R. § 286.8(e)(1); 6 C.F.R. § 5.5(e)(4).

If the Request is denied in whole or in part, the ACLU asks that you justify all deletions by reference to specific exemptions to FOIA. The ACLU expects the release of all segregable portions of otherwise exempt material. The ACLU reserves the right to appeal a decision to withhold any information or deny a waiver of fees.

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

³⁸ Courts have found these organizations to be “representatives of the news media” even though they engage in litigation and lobbying activities beyond their dissemination of information / public education activities. *See, e.g., Elec. Privacy Info. Ctr.*, 241 F. Supp. 2d 5; *Nat’l Sec. Archive*, 880 F.2d at 1387; *see also Leadership Conference on Civil Rights*, 404 F. Supp. 2d at 260; *Judicial Watch, Inc.*, 133 F. Supp. 2d at 53–54.

³⁹ In August 2017, CBP granted a fee-waiver request regarding a FOIA request for records relating to a muster sent by CBP in April 2017. In May 2017, CBP granted a fee-waiver request regarding a FOIA request for documents related to electronic device searches at the border. In April 2017, the CIA and the Department of State granted fee-waiver requests in relation to a FOIA request for records related to the legal authority for the use of military force in Syria. In March 2017, the Department of Defense Office of Inspector General, the CIA, and the Department of State granted fee-waiver requests regarding a FOIA request for documents related to the January 29, 2017 raid in al Ghayil, Yemen. In May 2016, the FBI granted a fee-waiver request regarding a FOIA request issued to the DOJ for documents related to Countering Violent Extremism Programs. In April 2013, the National Security Division of the DOJ granted a fee-waiver request with respect to a request for documents relating to the FISA Amendments Act. Also in April 2013, the DOJ granted a fee-waiver request regarding a FOIA request for documents related to “national security letters” issued under the Electronic Communications Privacy Act. In August 2013, the FBI granted the fee-waiver request related to the same FOIA request issued to the DOJ. In June 2011, the DOJ National Security Division granted a fee waiver to the ACLU with respect to a request for documents relating to the interpretation and implementation of a section of the PATRIOT Act. In March 2009, the State Department granted a fee waiver to the ACLU with regard to a FOIA request for documents relating to the detention, interrogation, treatment, or prosecution of suspected terrorists.

Thank you for your prompt attention to this matter. Please furnish the applicable records to:

Jacob Hutt
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, New York 10004
T: 212.519.7809
jhutt@aclu.org

I affirm that the information provided supporting the request for expedited processing is true and correct to the best of my knowledge and belief. *See* 5 U.S.C. § 552(a)(6)(E)(vi).

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION

Respectfully,

/s/ Jacob J. Hutt
Jacob J. Hutt
American Civil Liberties Union
Foundation
125 Broad Street, 18th Floor
New York, NY 10004
T: 212.519.7809
jhutt@aclu.org

Alex Rate
Legal Director
ACLU of Montana
P.O. Box 9138
Missoula, MT 59807
T: 406.224.1447
ratea@aclumontana.org

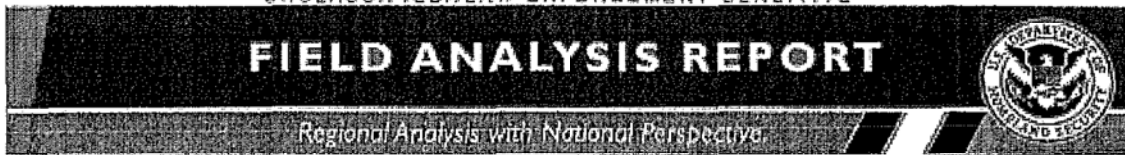
Courtney A. Bowie*
Legal Director
ACLU of North Dakota
P.O. Box 1190
Fargo, ND 58107
T: 201.284.9500
cbowie@aclu.org
*Admitted in MS, AL, and
MA (inactive)

Amy Miller
Legal Director
ACLU of Nebraska
134 S. 13th St. #1010
Lincoln, NE 68508
T: 402.476.8091 ext. 106
amiller@aclunbraska.org

Heather Smith
Executive Director
ACLU of South Dakota
P.O. Box 1170
Sioux Falls, SD 57101
T: 605.362.2661
heather.smith@aclu.org

EXHIBIT B

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE



2 May 2017

(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

(U//FOUO) Prepared by the Montana Analysis and Technical Information Center (MATIC), Minnesota Fusion Center (MNFC), North Dakota State and Local Intelligence Center (NDSLIC), South Dakota Fusion Center (SDFC), Washington State Fusion Center (WSFC), the Illinois Statewide Terrorism & Intelligence Center (STIC), and the Iowa Division of Intelligence and Fusion Center (DOI/FC) jointly with the DHS Office of Intelligence and Analysis (I&A) and coordinated with Transportation Security Administration (TSA).

(U) Scope: This Field Analysis Report (FAR) highlights recent criminal disruptions and violent incidents against pipeline projects in the Midwestern and Western United States in 2016, and shows how activities at these events compare with larger environmental rights extremist strategic trends—including those related to targeting, tactics and procedures (TTPs).[†] This product is intended to assist government and law enforcement security partners in identifying, deterring, preventing, and responding to potential threats against pipelines and related entities. It includes a discussion of drivers possibly affecting the future threat of pipeline-related violence from environmental rights extremist violence.

(U) Key Judgments

- (U//FOUO) We assess the October 2016 valve shutoff attacks against five pipelines along the US–Canada border by suspected environmental rights extremists showed a high level of pre-operational planning.
- (U//LES) We assess suspected environmental rights extremists exploited Native American causes in furtherance of their own violent agenda during a campaign to halt construction of the Dakota Access Pipeline (DAPL) in the Midwest and Western United States in 2016.[‡]
- (U//FOUO) We assess that while some characteristics of a series of arsons against Iowa pipeline construction sites in 2016 could be indicative of an environmental rights extremist attack, other factors could reasonably suggest a possible non-ideological motive. This assessment is subject to change if new information emerges. Additionally, environmental rights extremism is a plausible motivation behind multiple attacks against construction equipment in North Dakota during the same period.
- (U//LES) The TTPs observed during the 2016 incidents included but were not limited to: destroying property; using small teams for attacks; choosing remote and lightly guarded targets; wearing disguises; starting simple fires to create barricades; “doxing” government officials; using drones; using small improvised explosive devices (IEDs); and throwing projectiles and Molotov cocktails at officers.[§]

^{*} (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

[†] (U//FOUO) DHS defines **terrorism** as any activity that involves an act that is dangerous to human life or potentially destructive to critical infrastructure or key resources, and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

[‡] (U) For background information on DAPL, see Appendix A.

[§] (U) **Doxing** attacks often include posting on websites targeting individuals' personal background, associates or family, place of employment, home address, or contact information.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

PARRISH PRA_000122

USA_DHS-I&A_-000086

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- (U//FOUO) We assess environmental rights extremists are likely to use some of these same criminal and violent tactics in attempts to disrupt other energy projects elsewhere in the United States—including those related to pipeline construction—in the coming year.

(U) Significant Incidents in 2016

(U//FOUO) Pipelines and associated construction projects in the Midwestern and Western United States in 2016 were targeted with multiple criminal and violent acts designed to disrupt fossil fuel transportation infrastructure and impede or injure law enforcement. These include valve shutoffs along the northern border, destruction of construction equipment, and arson attacks against Iowa pipeline construction sites.

(U) Valve Shutoffs along Northern Border

(U//FOUO) We assess the October 2016 valve shutoff attacks against five pipelines along the US–Canada border by suspected environmental rights extremists showed a high level of pre-operational planning. Multiple teams—comprised of individuals who traveled from across the United States—conducted simultaneous attacks against remote valve sites, wore disguises, and executed contingency plans.^{7–12} The apparent ease with which these valve shutoff attacks were carried out and the heavy media coverage they attracted lead us to be concerned that other environmental rights extremists could also pursue coordinated attacks against the energy sector. Although these valve attacks did not result in any loss of life, manually shutting pipeline valves carries an inherent risk of death or serious injury if a pipeline ruptures.

(U) Environmental Rights Extremists

(U//LES) Environmental rights extremists have a long history of committing violent acts across the United States against entities they perceive are damaging the environment. Since the movement's inception in the 1980s, adherents have been responsible for many criminal acts and threats of violence, such as arson, as well as hundreds of other criminal acts resulting in damages in the tens of millions of dollars to targeted corporations and businesses, including energy and transportation industry targets.^{1,11} Motivations for violence tend to mirror those of the larger nonviolent environmentalist movement and include such factors as anger over perceived environmental destruction during the oil-drilling method known as "fracking," perceived environmental and habitat destruction during mining of Canadian tar sands oil that is shipped to the United States via pipelines, and by fears of contamination to water supplies in the event of future pipeline leaks.^{2,3,4} Environmental rights extremists often consider themselves to be nonviolent because their attacks tend to be against property and are intended to only inflict economic damage. However, the use of some tactics—such as shutting off pipeline valves or committing arson to construction equipment used in building pipelines—carry an inherent risk of death or serious injury, regardless of intent. For example, pipelines can rupture as a result of tampering, and fires started by arson can inadvertently spread to non-targeted areas and result in serious injuries. Although some recent and historical environmental rights extremist attacks and disrupted plots have involved use of IEDs, bombing attacks from the movement are uncommon.^{5,6}

- (U//LES) On 11 October 2016, suspected environmental rights extremists shut down five pipelines along the US–Canadian border in Minnesota, Montana, North Dakota, and Washington for over seven hours, resulting in estimated financial losses in the hundreds of thousands of dollars, according to DHS, court documents, law enforcement information, and press reporting.^{13–18} Nine individuals were subsequently arrested on charges related to tampering with pipeline valves and preventing the transportation of petroleum. The subjects claimed to have targeted the pipelines to show solidarity with actions against DAPL. They also called on the President to use emergency powers to keep the pipelines closed and requested a total ban on new fossil fuel extractions and an immediate end to use of tar sands and

¹ (U//FOUO) DHS recognizes that individuals associated with various groups and movements participated in criminal and violent acts against pipelines in 2016. For the purposes of this paper, these individuals are referred to as environmental rights extremists, as these campaigns were fundamentally about protecting the environment—whether that is opposing oil pipeline construction projects or protecting the indigenous water supply from pollution.

[†] (U) For other examples of environmental rights extremists attacks against the energy sector, see Appendix B.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 2 of 18

PARRISH PRA_000123

USA_DHS-I&A_-000087

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

coal, according to DHS reporting and an online press release from a group representing the individuals.^{19,20,*}

(U) OBSERVATIONS/TTPS

(U//LES) *Small Teams Used for Attacks:* In each of the valve shutoff incidents, there were at least three participants—one initiating the shutdown and the other two filming the event, according to US Department of Energy and law enforcement reporting.^{21,22,23,24}

(U//LES) *Many Attackers Traveled from Outside of State:* Many of the attackers were from outside the area—some from as far away as Vermont and New York, according to court documents and law enforcement reporting.^{26,27,28} One female participants arrested for filming the shutdown of one of the pipelines in North Dakota claimed to have little knowledge of the other attackers' plans to commit simultaneous pipeline attacks in the region. She, however, later admitted to law enforcement she had traveled by train from New York City with one of the individuals who planned to disrupt pipelines in Minnesota and stayed in the same motel with the two other individuals who disrupted another pipeline in North Dakota.²⁹



(U) Figure 1. Alleged pipeline attackers wore hard hats and reflective vests as disguises during the attacks. They used bolt cutters to bypass chain link fences surrounding pipeline property and to remove chains keeping valves from being turned off.²⁵

(U//LES) *Lightly Guarded Targets*

Selected: Pipeline valve sites—such as those targeted in the attack—are typically located every 10 to 15 miles along a pipeline and have minimal security, according to law enforcement reporting.³⁰

(U//LES) *Attackers Gave Advance Notice to Pipeline Companies:* Attackers made phone calls to pipeline operators in North Dakota and Minnesota to give advanced notice that a valve closure was imminent, according to media reporting.^{31,32}

(U//LES) *Disguises Worn During Attacks:* Pictures posted to websites supportive of the valve attackers indicate they disguised themselves as pipeline employees to carry out their attacks, donning hard hats and reflective safety vests.³³ According to law enforcement reporting, the hard hats and reflective vests had a red "X" on them—a known symbol of their campaign to halt fossil fuel production.³⁴

(U//LES) *Unsophisticated, Easily Acquired Tools Used During Attacks:* The subjects used bolt cutters to gain access to the aboveground maintenance facilities and removed chains protecting the valves from being turned off, according to websites supportive of the valve shutoff

* (U) For background information on tar sands, see Appendix C.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 3 of 18

PARRISH PRA_000124

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

action. The individuals then prevented others from regaining control of the valve by attaching their own locks.^{35,36,37}

(U//FOUO) **Contingency Plans Made:** During one of the attacks against the pipelines, the attackers were unable to close a valve and instead simply chained themselves to the pipeline, according to US Department of Energy reporting.³⁸

(U) Escalation to Violence at DAPL Occupation in North Dakota

(U//LES) We assess that starting in the summer of 2016, suspected environmental rights extremists exploited Native American anti-DAPL protests to attract new members to their movement, gain public sympathy, and justify their criminal and violent acts.^{39,40} Native American tribes claim the pipeline route crosses sacred sites and burial places, and they are concerned a future pipeline rupture could pollute tribal drinking water.⁴¹ We assess the significant media attention and public sympathy gained by the environmental rights extremists from this new alliance with Native American tribes makes it likely environmental rights extremists will attempt to exploit indigenous causes for their own ideological purposes in future environment-related events.⁴²⁻⁴⁷

- (U//LES) Since August 2016, suspected environmental rights extremists have engaged in multiple violent incidents in North Dakota at illegal encampments on DAPL and US Army Corps of Engineers property in an effort to halt pipeline construction, according to law enforcement reporting.^{48,*} The occupation, which ended on 24 March 2017, resulted in 761 arrests for various crimes—primarily on charges of criminal trespassing and engaging in a riot with individuals who traveled to the region from California, representing the largest number of arrests at 115, or 15.1 percent, according to law enforcement reporting.^{49,50} Individuals have engaged in physical assault and threats of physical assault, as well as use of Molotov cocktails and IEDs.

(U) OBSERVATIONS/TTPS:



(U//LES) **Use of Potentially Lethal Devices:** On 27 October 2016, during law enforcement clearing of an encampment, an individual shot a firearm at law enforcement officers who had confronted her while taking her into custody, according to law enforcement. No injuries were reported in that incident.⁵⁵ That same day, individuals threw three Molotov cocktails at officers during clearing operations, according to media reporting.⁵⁶ On 21 November 2016, an individual female involved in violent clashes with law enforcement threw small IEDs at officers, resulting in near amputation of her arm after one of the IEDs exploded prematurely, according to

* (U) The Dakota Access Pipeline is sometimes referred to as the Bakken Oil Pipeline.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

law enforcement and DHS reporting.⁵⁷ From 3 to 5 December, individuals, including suspected environmental rights extremists, plotted, but did not execute, a coordinated attack on a DAPL drill site from all directions. The individuals claimed they would stop the pipeline at all costs and were not opposed to using firearms.^{58,59,60}

(U//LES) **Suspicious Drone Use:** On 07 September 2016, three suspected environmental rights extremists in Bismarck approached the front gate of the Fraine Barracks—which houses several emergency services agencies, the National Guard, and the NDSLIC—stating they had crashed a drone on the property, according to law enforcement. After being informed they could not access the site, they asked questions about the barracks before leaving the area.⁶¹ On 23 October 2016, according to law enforcement, a suspected environmental rights extremist used an 18-inch-by-18 inch drone to disrupt law enforcement air operations by flying it within 50 feet of a law enforcement helicopter. The same drone was later encountered by law enforcement when it flew towards officers approximately 20–30 yards off the ground and then started hovering above them. Law enforcement, which attempted to disable the drone with nonlethal and lethal munitions due to officer safety concerns, believed the drone was surveilling them, according to DHS reporting. We judge this was likely an effort designed to provide advanced notice of enforcement operations protecting DAPL construction.^{62,63}

(U//LES) **Surveillance and Doxing:** Since the beginning of the anti-DAPL campaign in August 2016, there have been several incidents of suspected environmental rights extremists surveilling law enforcement facilities in cities near encampments. We judge these incidents—including reports of individuals being photographed entering and exiting a law enforcement facility in Mandan and officers being surveilled at their residences and followed by suspicious vehicles—were likely an attempt to intimidate officers for their role in protecting DAPL construction efforts.⁶⁴ Personal contact information for a senior North Dakota Emergency Services (NDDDES) official accused of removing water from encampments was posted online on 24 August 2016, resulting in a sharp increase in harassing phone calls to the NDSLIC against the NDDDES employee, according to law enforcement.⁶⁵ A private security guard for DAPL had her personal phone number and e-mail address posted on social media by supporters of the anti-DAPL campaign, apparently in reaction to a previous incident in which she used dogs against an aggressive crowd, according to law enforcement sources. Another security guard's children were identified on social media, and law enforcement officers reported their home addresses had also been posted online.⁶⁶

(U//LES) **Travel from Outside the State:** On 08 September 2016, members of Canadian indigenous tribes took multiple buses from three reservations/territories to participate in the US campaign to stop DAPL construction. Suspected violent extremists on these buses reportedly carried weapons and riot gear, according to law enforcement, indicating likely intent to commit violent acts.^{67,68} Indigenous travel from Canada has been confirmed by Canadian law enforcement.⁶⁹ As of 24 March 2017, only 51 of the 761 persons arrested for politically motivated criminal acts in opposition to DAPL were from North Dakota, according to law enforcement.⁷⁰

(U//LES) **Call to Arms from Hacking Movements:** An individual associating himself or herself with the hacking collective Anonymous posted a call for support online, listing the North Dakota Highway Patrol and National Guard as possible targets. However, there has been no evidence of unusual activity on their networks, according to law enforcement.⁷¹ Additionally, a movement called the "Anon Resistance Movement" posted a video on social media advocating for violence in solidarity with the anti-DAPL campaign, including further sabotage of pipelines and railroads.⁷²

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 5 of 18

PARRISH PRA_000126

USA_DHS-I&A_-000090

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//LES) **Possible Pre-Operational Surveillance:** On 14 November 2016, law enforcement received information regarding two suspicious subjects who were encountered twice by law enforcement on 11 November 2016 near DAPL drill sites in Patoka and Meredosia, Illinois. The individuals claimed to be birdwatchers looking for a local wildlife refuge, and stated they would either find a hotel or camp, although officers said they had no camping equipment and appeared to be surveilling the drill site. The individuals also appeared to be recording the encounter with the officer, and one of them had a mapping application open on a cellphone, possibly pinning their locations on the map.⁷³

(U//FOUO) **Vandalism against DAPL Financiers and Vague Online Threats:** On 18 November 2016, a suspected environmental rights extremist indicated the movement's intent to disrupt the financial operations of DAPL by posting a communiqué on an anarchist website claiming credit for vandalizing and "smashing" all the windows of a US bank in Chicago because it was "a key investor in the Dakota Access Pipeline." The individual warned other financiers with the threat that "it will remain open season on [their] offices, homes, and projects" unless they withdraw financial support for DAPL.⁷⁴ On 23 November, a suspected environmental rights extremist posted a statement to an anarchist website claiming credit for vandalism against a second branch of the Chicago bank in retaliation for "atrocities committed against" protestors in North Dakota, and blamed the bank for the loss of their "comrade's arm." The individual called for vandalism of the bank's branch offices, ATMs, security cameras, and signs, and then demanded that the bank and other DAPL supporters withdraw their support immediately, "otherwise you may expect a long night before the dawn."^{75,76}

(U//LES) **Disruption to Rail Transportation:** On 15 November, suspected environmental rights extremists placed debris and abandoned a vehicle with an accelerant-soaked rag hanging out of its gas tank on rail tracks near Mandan. Twenty-six individuals were arrested in relation to the incident. Delays from this attack cost the rail company \$2,071.94. On 09 January 2017, rail employees found jumper cables connected to tracks that were painted white and hidden under snow. The cables created a signal interruption to the conductor, causing delays that cost the business \$3,544.52. There have been no arrests. The affected rail line is one of two non-passenger lines that transport Bakken Oil out of North Dakota.^{78,79} Environmental rights extremist attacks against railways are typically designed to cause disruption rather than inflict mass casualties. However, such activity does introduce safety hazards that create the risk of injuries on the affected line.



(U) Figure 2. Use of jumper cables to disrupt rail signals in North Dakota in January 2017.⁷⁷

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

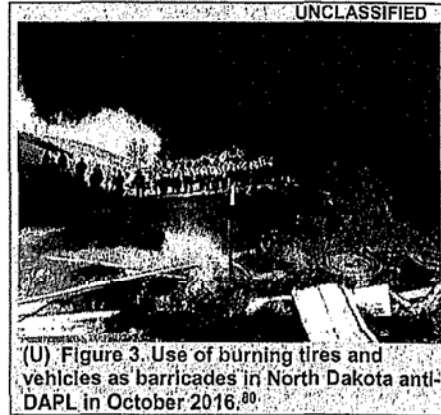
Page 6 of 18

PARRISH PRA_000127

USA_DHS-I&A_-000091

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//LES) **Directed-Energy Weapon:** In early to mid-November, suspected environmental rights extremists attempted to construct at least one directed-energy device designed to disrupt or shut down radio frequencies used by law enforcement, according to law enforcement sources. If properly configured and pointed at a communication network's antenna or repeater, such a device could disrupt transmissions or cause the system to reset itself, temporarily disrupting communications. If aimed at a communication network long enough, it could destroy internal components or cause them to catch fire. In addition to posing a threat to a communication network's antenna or repeater, handheld radio and vehicular units are also susceptible to electromagnetic interference from such a device.⁸¹



(U) Figure 3. Use of burning tires and vehicles as barricades in North Dakota anti-DAPL in October 2016.⁸⁰

(U) **Use of Fire to Create Barricades:** As law enforcement was breaking up encampments on 27 October, individuals lit debris and tires on fire to create barricades, according to media reporting.⁸²

(U) Construction Equipment and Pipelines Targeted in Iowa and the Dakotas

(U//FOUO) We assess that a series of arsons against Iowa pipeline construction sites in 2016 could be indicative of an environmental rights extremist attack—due to the targets' proximity and relationship with DAPL and because the use of arson attacks targeting construction sites is an established tactic of the movement. However, other factors—including a lack of graffiti at the crime scene, no claims of responsibility, a lack of historical activity in the region, and public controversy over the project's use of eminent domain—suggest a non-ideological motive.⁸³ This assessment is subject to change if new information emerges. Additionally, environmental rights extremism is a plausible motivation behind multiple attacks against construction equipment in North Dakota during the same period, as well as a series of attacks puncturing pipelines in Iowa and South Dakota in late February and March 2017.

- (U//LES) On 14 September, employees of a construction company reported an unknown individual(s) used firearms to shoot several rounds of ammunition into a portable toilet and a backhoe at a pipeline construction site near Alexander, North Dakota. According to law enforcement, two of the rounds were fired at, but did not penetrate, the backhoe's fuel tank, which could have sparked a fire. There were no injuries, and there have been no arrests or claims of responsibility for the attacks.⁸⁴
- (U//LES) On 13 September, law enforcement arrested individuals for criminal mischief and trespassing after they allegedly sabotaged an under-construction pipeline at a site near New Salem, North Dakota by placing a crate of miscellaneous items in the pipe. According to the pipeline's lead safety inspector, had the crate gone undetected, it could have made the pipeline into a "pipe bomb" capable of killing bystanders once a "pig" is run through the pipeline.* The individuals also broke the keys off in the ignition of machinery and spray-painted the messages "WATER IS LIFE," "NO DAPL," and "RISE UP!!! ILLINOIS + IOWA NO DAPL."⁸⁵ The individuals are awaiting trial.

* (U) A "pig" is a device used to check for pipeline leaks.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 7 of 18

PARRISH PRA_000128

USA_DHS-I&A_-000092

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- (U//LES) On 6 September, an unknown number of individuals damaged electrical wires of construction equipment at an oil pipeline construction site near St. Anthony, North Dakota, creating a threat to worker safety. Additionally, the attackers cut hoses, punctured a tire, filled a radiator with fire extinguisher suppressant, and filled fuel tanks with dirt. There have been no arrests or claims of responsibility for the attacks.⁸⁶
- (U//LES) During the early morning hours of 31 July, 1 August, and 15 October, an unknown individual(s) set fires targeting heavy machinery at three construction sites associated with DAPL in Mahaska and Jasper Counties, Iowa, resulting in over \$3 million in damage.⁸⁷ There have been no arrests or claims of responsibility for the attacks.^{88,89,90,91}
- (U//LES) On 09 November, an unknown number of individuals set fire to four pieces of heavy construction equipment in Buena Vista County, Iowa. According to law enforcement, two additional pieces of equipment were prepped for burning but not set on fire. There have been no claims of responsibility for the attack.⁹²
- (U//LES) Between 24 and 25 September, unidentified environmental extremists sabotaged five pieces of heavy equipment at DAPL site near Winfred, South Dakota. The sabotage included cutting brakes and electrical wiring, causing a potential threat to worker safety. Additionally, dirt was found in the motor, and rocks and gravel were found in swing boxes. Estimated damages are over \$50,000. Two individuals were identified as suspects and provisionally charged with first degree vandalism pending arrest.⁹³

(U) OBSERVATIONS/TTPS:

(U//LES) **Sabotaging Heavy Equipment:** The attackers targeted construction equipment at multiple sites—including bulldozers, a track hoe, excavators, and side-booms, according to law enforcement reporting.^{94,95} Some of the fires originated in the vehicles' cab compartments.⁹⁶

(U//LES) **Use of Simple Fires:** In all cases, the arsons committed against construction equipment did not involve use of complex improvised incendiary devices, such as those that employ a time-delay mechanism to initiate a fire, according to law enforcement.^{97,98}

(U//LES) **Possible Pre-Operational Surveillance:** A few days prior to the Mahaska County attack, construction workers reported seeing an individual in a vehicle slowly driving past one of the construction sites and taking photographs, according to law enforcement.⁹⁹

(U//FOUO) **Puncturing Pipelines:** Between 28 February and 17 March 2017, an unknown number of individuals at multiple DAPL-related aboveground valve stations in Iowa and South Dakota used a welding torch or similar tool to pierce segments of pipeline filled with nitrogen gas, which is pumped into pipelines to test for leaks. While nitrogen gas is non-flammable and poses no physical danger to the public, the hissing sound of gas escaping through puncture holes could lead to panic.^{100,101,102} Additionally, at an Iowa site that received a similar puncture attack, graffiti spray-painted on the control building declared "UR Children Need Water," "Oil is Death," and "Mni Wiconi"—a phrase that has recently become popular among opponents of DAPL campaign that means "water is life" in the Lakota Indian tribe language.¹⁰³

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 8 of 18
PARRISH PRA_000129

USA_DHS-I&A_-000093

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Outlook: Tactics and Drivers of Pipeline-Related Violence in Near Term

(U//FOUO) We assess environmental rights extremists are likely to use some of these same criminal and violent tactics in attempts to disrupt other US energy projects for the remainder of 2017. Most of these tactics, which are available online for all to see, are relatively easy to carry out have perceived utility among environmental rights extremists in the larger effort to halt DAPL construction.

(U//FOUO) We further assess the following developments, if observed, could lead to an *increased threat* of violence in the coming months from environmental rights extremists against pipeline-related entities in the Midwest and Western United States:

- (U//FOUO) High-profile instances or allegations of excessive use of force during law enforcement actions related to pipeline construction;
- (U//FOUO) Death or serious injury to occupiers at the hands of law enforcement, making "martyrs" for the cause; and
- (U//FOUO) New Canadian pipelines are constructed—such as the Canadian Trans Mountain pipeline—potentially creating new grievances and resulting in enhanced sharing of violent TTPs between US and Canadian environmental rights extremists.

(U//FOUO) We assess the following developments, if observed, could lead to a *decreased threat* of violence:

- (U//FOUO) Law enforcement blockades prevent resupply of remaining occupiers; and
- (U//FOUO) Indigenous leaders involved in anti-pipeline campaigns ask remaining occupiers to leave out of concerns about the impending spring floods along the Missouri River and tributaries.

(U) Intelligence Gaps

- (U//FOUO) Which camps house individuals who have an interest in using lethal weapons such as IEDs against law enforcement or pipeline entities in the future?
- (U//FOUO) Were training camps established to teach violent tactics to environmental rights extremists prior to their arrival in the region?
- (U//FOUO) Why are individuals conducting surveillance on law enforcement personnel and member of their family?
- (U//FOUO) What coordinated resourcing and funding is available to environmental rights extremists?

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 9 of 18
PARRISH PRA_000130

USA_DHS-I&A_-000094

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Comments, requests, or shareable intelligence may be directed to: STIC at 877-455-7842 or STIC@isp.state.il.us; DOI/FC at 515-725-6310 or intca@dps.state.ia.us; MNFC at 651-793-3730 or mn.fc@state.mn.us; MATIC at 406-444-1330 or DOJintel@mt.gov; NDSLIC at 701-328-8172 or ndsllic@nd.gov; SDFC at 866-466-5263 or sdfusioncenter@state.sd.us; WSFC at 877-843-9522 or intake@wsfc.wa.gov.

(U) Source Summary Statement

(U) The information used in this FAR is drawn from open source reporting, court documents, and DHS and other law enforcement intelligence reports. We have **high confidence** in the information obtained from DHS, court, other US Government and law enforcement agencies. We have **medium confidence** in the information obtained from open sources, which includes reports from the news media, NGOs, and Internet websites whose information is credibly sourced and plausible but may contain biases or unintentional inaccuracies. When possible, open source information has been corroborated through other law enforcement and government sources.

(U//FOUO) We have **medium confidence** in our assessment that the October 2016 simultaneous valve shutoff attacks against five pipelines along the US-Canada border by suspected environmental rights extremists showed a higher level of coordination than members of the movement typically exhibit, as our judgment is based on our review of TTPs used in historical environmental rights extremist attacks.

(U//LES) We have **high confidence** in our assessment that suspected environmental rights extremists exploited Native American causes in furtherance of their own violent agenda during a campaign to halt construction of the DAPL in the Midwest and Western United States in 2016. Our judgment is based on press reporting indicating alliances by the larger environmental movement and indigenous entities, as well as by environmental rights extremists issuing communiqués in support of indigenous causes.

(U//FOUO) We have **low-to-medium confidence** in our assessment that while some characteristics of 2016 arson attacks against Iowa pipeline construction could be indicative of an environmental rights extremist attack, other factors could reasonably suggest a possible non-ideological motive. Our assessment is influenced by the following factors: the targets' proximity and relationship with DAPL; arson attacks targeting construction sites are an established tactic of the movement; a lack of graffiti and communiqués claiming responsibility for the attack; and a lack of attacks from the movement in Iowa. Our confidence in this assessment is lessened by the possibility that new information emerges related to the incident.

(U//FOUO) We have **medium confidence** in our assessment that environmental rights extremists are likely to use some of these same criminal and violent tactics in attempts to disrupt other US energy projects in the coming year. Our judgment is based on the fact that most of these tactics being easy to carry out, widely available online, and their perceived utility in halting DAPL construction efforts in the remainder of 2017.

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsl.ncirc.gov/resources.aspx>.

(U//LES) Tracked by: PIR-IA-CVE.2.2.2; PIR-IA-CVE.2.2.3 DHS-NFCA-2016/17-KIQ-24 HSEC-8.1, HSEC 8.2; HSEC-8.3; HSEC-8.5; HSEC-8.6; HSEC-8.8; HSEC-8.10; HSEC-10.1; HSEC-10.2; HSEC-10.5; HSEC-10.6; HSEC-10.8; HSEC-10.10; IADOIFC-17-IRT1; IADOIFC-17-IRK1; IADOIFC-17-IRV6; MATIC-05.5.2015; MN01.3; MN07.1; ND-HSEC 8.1; ND-HSEC 8.2; ND-HSEC 8.3; ND-HSEC 8.5; ND-HSEC 8.6; ND-HSEC 8.8; ND-HSEC 8.10; ND-HSEC 10.1; ND-HSEC10.2; ND-HSEC 10.5; ND-HSEC 10.6; ND-HSEC 10.8; ND-HSEC 10.10; HSEC-02-02000-P1-SD-2010; HSEC-02-03000-P1-SD-2010; STIC-SIN-8.1; STIC-SIN-12.1; STIC-SIN-12.7; STIC-SIN-12.11; WSFC-1.11 WSFC-1.3.1; WSFC-1.5; WSFC-1.6; WSFC-1.8.1; WSFC-1.8.2; WSFC-1.8.3; WSFC-1.9.5; WSFC-1.10.1.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

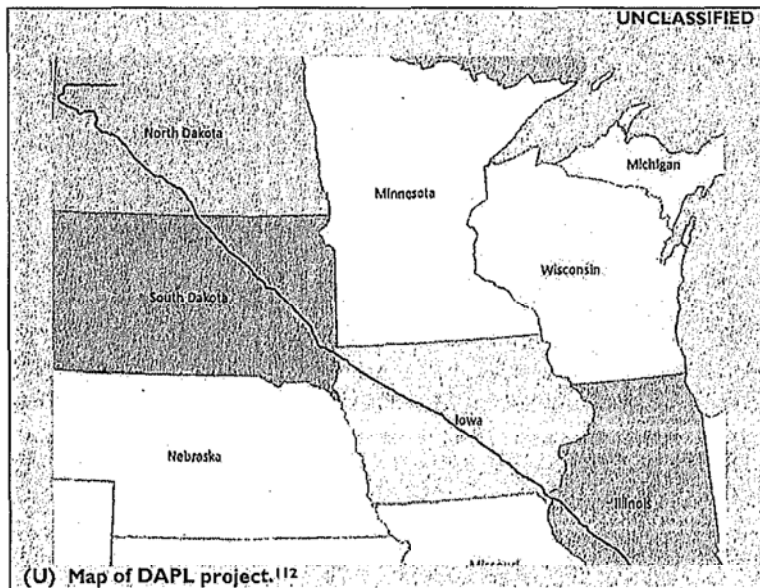
Page 10 of 18
PARRISH PRA_000131

USA_DHS-I&A_-000095

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix A: The Dakota Access Pipeline

(U//LES) The Dakota Access Pipeline project is an underway \$3.78 billion construction project to build a 1,172-mile, 30-inch diameter pipeline for transporting US light sweet crude oil from the Bakken and Three Forks production areas of North Dakota to existing pipelines in Patoka, Illinois for further distribution to refining markets.¹⁰⁴ DAPL construction attracted controversy as a result of a North Dakota-based indigenous tribe's claims that pipeline leaks would contaminate the water supply of their reservation.¹⁰⁵ In July 2016, the tribe filed a lawsuit against the US Army Corps of Engineers for its role in granting permits to build the pipeline.¹⁰⁶ The lawsuit spurred a series of protests and demonstrations near the reservation.¹⁰⁷ Members of other Indian tribes—as well as environmental rights extremists who share the tribes' underlying goal of halting construction of the pipeline—have traveled from across the United States and Canada to join the occupation.^{108,109} Since August 2016, there have been hundreds of arrests for criminal and violent incidents at encampments set up by anti-pipeline groups and nearby DAPL-related sites in an effort to stymie construction efforts.^{110,111}



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 11 of 18
PARRISH PRA_000132

USA_DHS-I&A_-000096

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix B: Prior Energy Sector Attacks by Environmental Rights Extremists

(U//FOUO) The pipeline attacks in the Midwest and Western United States in the latter half of 2016 were the first significant environmental rights extremist attacks targeting the transportation and energy sectors since September 2015. The last known attack specifically targeting a pipeline occurred in Texas in 2012.

- (U//LES) On 16 September 2015, environmental rights extremist Rory Lynn Gunderman exchanged gunfire with South Dakota law enforcement officers and then fatally shot himself. Subsequently, law enforcement officers located Gunderman's remote campsite in Custer County, South Dakota, where they discovered a stolen weapon, digital media, and the components necessary to manufacture numerous IEDs.¹¹³ According to recovered evidence, Gunderman purchased numerous IED components in Spearfish, South Dakota on 8 September 2015.¹¹⁴ Analysis of digital media in Gunderman's possession revealed recently accessed copies of al-Qa'ida in the Arabian Peninsula's *Inspire* magazine, including editions 1, 10, and 12.¹¹⁵ Though the exact targets and timing of Gunderman's plot remain unknown, his behavior and statements indicated a fixation on the energy sector.¹¹⁶ Gunderman additionally claimed membership in the Crescent City, California-based Deep Green Resistance^{USPER}. Though the group maintains it only engages in nonviolent activities, the organization promotes the belief that a separate "underground" is needed to conduct violent "direct action" in order to save humanity and other life on earth from environmental disaster. This violent direct action would include attacks against critical infrastructure "to disrupt and dismantle industrial civilization."¹¹⁷
- (U//LES) In September 2014, a suspected environmental rights extremist(s) in Washington stole a bulldozer and drove it into the base of a US Department of Energy 500-kilovolt powerline tower in an apparent attempt to knock the tower down. The incident did not result in any significant damage. Graffiti associated with anti-capitalism and environmental rights extremism was spray-painted at the scene and on nearby structures. Graffiti included the phrase "#killcap" ("Kill Capitalism"), "Corrupt Society," and "ELF," the acronym for the environmental rights extremist movement Earth Liberation Front. The case is currently under investigation.^{118,119}
- (U) From 17 to 18 June 2012, environmental rights extremist Anson Chi^{USPER} set off a series of explosive devices on top of an Atmos^{USPER} gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flow. He was sentenced to 20 years in prison without parole on 30 June 2014.^{120,121} Chi pled guilty to a charge of attempting to destroy a natural gas pipeline used in interstate commerce, and to a charge of possessing an explosive device not registered with the National Firearms Registration and Transfer Record.¹²² Chi also contacted well known convicted bomber Theodore Kaczynski^{USPER} to be a mentor; Kaczynski eventually broke off contact and told Chi to seek professional help.¹²³

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

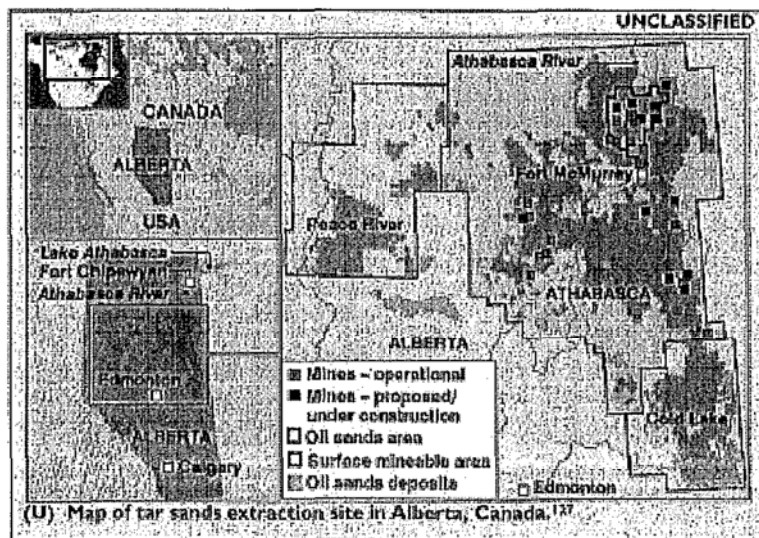
Page 12 of 18
PARRISH PRA_000133

USA_DHS-I&A_-000097

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix C: Tar Sands

(U) Several pipelines along the US–Canadian border carry crude oil into the United States for refinement and distribution.¹²⁴ Alberta, Canada has one of the world’s largest deposits of a particularly thick and heavy form of crude oil known as tar sands oil. Tar sands oil is controversial because of perceived negative impacts to the environment that occur during mining, processing, and transporting the oil—such as large CO₂ emissions contributing to climate change, contamination of groundwater during extraction, and destruction of natural resources used by indigenous tribes.¹²⁵ In October 2016, US environmental rights extremists engaged in coordinated attacks to disrupt five border pipelines perceived to be transporting tar sands oil from Canada into the United States.¹²⁶



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Appendix D: Behavioral Indicators of Planned Criminal or Violent Activities Targeting Pipelines

(U//FOUO) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.

- (U//FOUO) Planning of violent activities related to major protests on message boards, social networking sites, or in Internet chat rooms;
- (U//FOUO) Reports of rhetoric indicating a desire to manually close pipeline valves or engage in violence targeting pipelines and associated entities;
- (U//FOUO) Possession of bolt cutters to cut security fencing or locks and homemade devices to chain oneself to pipeline valves or construction equipment;
- (U//FOUO) Reports of graffiti threatening violence related to a pipeline;
- (U//FOUO) Threatening phone calls or e-mails to corporate executives, businesses, or contractors associated with pipeline construction efforts;
- (U//FOUO) Signs of trespassing or suspicious persons in construction areas—possibly indicating pre-incident surveillance;
- (U//FOUO) Reports of individuals wearing all dark or black clothing and masks or bandanas without a reasonable explanation;
- (U//FOUO) Possession of sharp or blunt objects (knives, axes, machetes, dowels, tire irons) or illegal firearms during protests;
- (U//FOUO) Reports of attacks on opposition vehicles, possibly involving lighting them on fire or using them as roadblocks;
- (U//FOUO) Reports of individuals acquiring materials that could be used to build improvised incendiary devices (e.g., propane gas canisters) or IEDs without a reasonable explanation;
- (U//FOUO) Reports of individuals moving heavy materials (e.g., fences, tires, trashcans, or dumpsters) to make barricades during protests, possibly with the intention to light them on fire;
- (U//FOUO) Reports of individuals pilfering bricks, rebar, or pipes from construction sites for use as potential projectiles;
- (U//FOUO) Pre-staging of bricks, rocks, or debris near protest sites for possible use as weapons;
- (U//FOUO) Reports of individuals carpooling from other locations to engage in planned criminal or violent acts during protests; and
- (U//FOUO) Reports of drivers not obeying law enforcement directions at traffic control checkpoints.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 14 of 18
PARRISH PRA_000135

USA_DHS-I&A_-000099

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- ¹ (U); James F. Jarboe, Domestic Terrorism Section Chief, FBI Counterterrorism Division; Testimony before the House Resources Committee, Subcommittee on Forests and Forest Health; 12 FEB 2002; (U); "The Threat of Eco-Terrorism"; <https://archives.fbi.gov/archives/news/testimony/the-threat-of-eco-terrorism/>; accessed on 26 APR 2016.
- ² (U); *The Washington Post*; "The Big Fight over the Dakota Access Pipeline, Explained"; 20 SEP 2016; <https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/>; accessed on 17 NOV 2016.
- ³ (U); Sources Available Upon Request.
- ⁴ (U); GreenMedInfo.com; "A Special Report on Standing Rock: The Environmental and Social Justice Consequences of the Dakota Access Pipeline"; 28 OCT 2016; <http://www.greenmedinfo.com/blog/special-report-standing-rock-environmental-and-social-justice-consequences-dakota>; accessed on 30 NOV 2016; (U); Environmental protection website.
- ⁵ (U); KXAS-TV; "Anson Chi Given 20 Years in Plano Pipeline Bombing"; 30 JUN 2014; <http://www.nbcdfw.com/news/local/Anson-Chi-Given-20-Years-in-Plano-Pipeline-Bombing-305731811.html>; accessed on 18 OCT 2016; (U); Dallas-Fort Worth NBC affiliate news website.
- ⁶ (U); South Dakota Attorney General's Office; Press release; "Lawrence County Officer Involved Shooting Summary Released"; 08 OCT 2015; <http://atg.sd.gov/LinkClick.aspx?fileticket=F-Ronn36MEg%3d&tabid=442>; accessed on 03 DEC 2015.
- ⁷ (U); Sources Available Upon Request.
- ⁸ (U); Sources Available Upon Request.
- ⁹ (U); State of North Dakota District Court; CRIMINAL COMPLAINT; 13 OCT 2016; (U); "ND vs. Michael Eric Foster^{USPER} File No. 34-2016-CR-187"; Extracted information is UNCLASSIFIED; Overall document classification is UNCLASSIFIED.
- ¹⁰ (U); Sources Available Upon Request.
- ¹¹ (U); Sources Available Upon Request.
- ¹² (U); Sources Available Upon Request.
- ¹³ (U); Sources Available Upon Request.
- ¹⁴ (U); Rebecca Hersher; NPR; "Protesters Disrupt Pipelines Across the Northern US"; 12 OCT 2016; <http://www.npr.org/sections/thetwo-way/2016/10/12/497673866/protests-disrupt-pipelines-across-the-west>; accessed on 17 NOV 2016.
- ¹⁵ (U); Sources Available Upon Request.
- ¹⁶ (U); Sources Available Upon Request.
- ¹⁷ (U); Sources Available Upon Request.
- ¹⁸ (U); Sources Available Upon Request.
- ¹⁹ (U); Sources Available Upon Request.
- ²⁰ (U); Sources Available Upon Request.
- ²¹ (U); Sources Available Upon Request.
- ²² (U); Sources Available Upon Request.
- ²³ (U); Sources Available Upon Request.
- ²⁴ (U); Sources Available Upon Request.
- ²⁵ (U); Raw Story (Reuters); "Daring US Pipeline Sabotage Spawned by Lobster Boat Coal Protest"; 13 OCT 2016; <http://www.rawstory.com/2016/10/daring-us-pipeline-sabotage-spawned-by-lobster-boat-coal-protest/>; accessed on 17 NOV 2016; (U); National news website.
- ²⁶ (U); Sources Available Upon Request.
- ²⁷ (U); Sources Available Upon Request.
- ²⁸ (U); Sources Available Upon Request.
- ²⁹ (U); Sources Available Upon Request.
- ³⁰ (U); Sources Available Upon Request.
- ³¹ (U); Rebecca Hersher; NPR; "Protesters Disrupt Pipelines Across the Northern US"; 12 OCT 2016; <http://www.npr.org/sections/thetwo-way/2016/10/12/497673866/protests-disrupt-pipelines-across-the-west>; accessed on 17 NOV 2016.
- ³² (U); Sources Available Upon Request.
- ³³ (U); Sources Available Upon Request.
- ³⁴ (U); Sources Available Upon Request.
- ³⁵ (U); Sources Available Upon Request.
- ³⁶ (U); Sources Available Upon Request.
- ³⁷ (U); Sources Available Upon Request.
- ³⁸ (U); Sources Available Upon Request.
- ³⁹ (U); *The Washington Post*; "The Big Fight over the Dakota Access Pipeline, Explained"; 20 SEP 2016; <https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/>; accessed on 17 NOV 2016.
- ⁴⁰ (U); Sources Available Upon Request.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- ⁴¹ (U); Rebecca Hersher; NPR; "Protesters Disrupt Pipelines Across the Northern US"; 12 OCT 2016; <http://www.npr.org/sections/thetwo-way/2016/10/12/497673866/protests-disrupt-pipelines-across-the-west>; accessed on 17 NOV 2016.
- ⁴² (U); Holly Yan; CNN; "Dakota Access Pipeline: What's At Stake"; 28 OCT 2016; <http://www.cnn.com/2016/09/07/us/dakota-access-pipeline-visual-guide/index.html>; accessed on 04 JAN 2017.
- ⁴³ (U); Fox News (AP); "Feds Block Controversial Dakota Access Pipeline Route"; 04 DEC 2016; <http://www.foxnews.com/us/2016/12/04/feds-block-route-dakota-access-pipeline.html>; accessed on 04 JAN 2017.
- ⁴⁴ (U); MSNBC; "Dakota Access Pipeline Protest Update"; 22 OCT 2016; <http://www.msnbc.com/am-joy/watch/dakota-access-pipeline-protest-update-791551043506>; accessed on 04 JAN 2017; (U); Update by Amy Goodman of Democracy Now on the MSNOC show AM JOY.
- ⁴⁵ (U); Nives Dolsak, Aseem Prakash, Maggie Allen; *The Washington Post*; "The Big Fight Over the Dakota Access Pipeline, Explained"; 20 SEPT 2016; https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/?utm_term=.e93e5659923d; accessed on 04 JAN 2017.
- ⁴⁶ (U); Jack Healy and Nicholas Fandos; *The New York Times*; "Protesters Gain Victory in Fight Over Dakota Access Pipeline"; 04 DEC 2016; <http://www.nytimes.com/2016/12/04/us/federal-officials-to-explore-different-route-for-dakota-pipeline.html>; accessed on 04 JAN 2017.
- ⁴⁷ (U); Merrit Kennedy; NPR; "More than 1 Million Check-In to Support the Standing Rock Sioux"; 01 NOV 2016; <http://www.npr.org/sections/thetwo-way/2016/11/01/500268879/more-than-a-million-check-in-on-facebook-to-support-the-standing-rock-sioux>; accessed on 04 JAN 2017.
- ⁴⁸ (U); Sources Available Upon Request.
- ⁴⁹ (U); Sources Available Upon Request.
- ⁵⁰ (U); Sources Available Upon Request.
- ⁵¹ (U); Sources Available Upon Request.
- ⁵² (U); Sources Available Upon Request.
- ⁵³ (U); Caroline Grueskin and Lauren Donovan; *The Bismarck Tribune*; "Protesters, Law Enforcement Clash as Camp Cleared"; 27 OCT 2016; http://bismarcktribune.com/news/local/mandan/protesters-law-enforcement-clash-as-camp-cleared/article_d8170cb7-66f9-5f34-916a-35d40097e07c.html; accessed on 17 NOV 2016..
- ⁵⁴ (U); Sources Available Upon Request.
- ⁵⁵ (U); Sources Available Upon Request.
- ⁵⁶ (U) CNN; "Dakota Access Pipeline: Police Remove Protesters—Scores Arrested"; 27 OCT 2016; <http://www.cnn.com/2016/10/27/us/dakota-access-pipeline-protests/index.html>; accessed on 17 NOV 2016.
- ⁵⁷ (U); Sources Available Upon Request.
- ⁵⁸ (U); Sources Available Upon Request.
- ⁵⁹ (U); Sources Available Upon Request.
- ⁶⁰ (U); Sources Available Upon Request.
- ⁶¹ (U); Sources Available Upon Request.
- ⁶² (U); Sources Available Upon Request.
- ⁶³ (U); Sources Available Upon Request.
- ⁶⁴ (U); Sources Available Upon Request.
- ⁶⁵ (U); Sources Available Upon Request.
- ⁶⁶ (U); Sources Available Upon Request.
- ⁶⁷ (U); Mark Rendell; CBC News; "Denendeh to Dakota: N.W.T. Activists Head to Standing Rock to Join Pipeline Protests"; 01 NOV 2016; <http://www.cbc.ca/news/canada/north/denendeh-against-dapl-nwt-activists-to-standing-rock-1.3830987>; accessed on 17 NOV 2016; (U); Canadian national news website.
- ⁶⁸ (U); Sources Available Upon Request.
- ⁶⁹ (U); Sources Available Upon Request.
- ⁷⁰ (U); Sources Available Upon Request..
- ⁷¹ (U); Sources Available Upon Request.
- ⁷² (U); Sources Available Upon Request.
- ⁷³ (U//LES); STIC; Vital Dbase Entry 239207; 14 NOV 2016; DOI 14 NOV 2016;(U//LES); "Possible Surveillance of Dakota Access Pipeline in Illinois"; Extracted Information is U//LES; Overall document classification is U//LES.
- ⁷⁴ (U); Sources Available Upon Request.
- ⁷⁵ (U); Sources Available Upon Request.
- ⁷⁶ (U); Sources Available Upon Request.
- ⁷⁷ (U); Sources Available Upon Request.
- ⁷⁸ (U); Sources Available Upon Request.
- ⁷⁹ (U); Sources Available Upon Request.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

- ⁸⁰ (U); *Billings Gazette*; "Gallatin County May not Help at DAPL Protest"; 09 NOV 2016; http://billingsgazette.com/news/state-and-regional/montana/gallatin-county-may-not-help-at-dapl-protest/article_9891a5ce-0788-5244-a392-3c5030f2ac29.html; accessed on 17 NOV 2016.
- ⁸¹ (U); Sources Available Upon Request.
- ⁸² (U); CNN; "Dakota Access Pipeline: Police Remove Protesters—Scores Arrested"; 27 OCT 2016; <http://www.cnn.com/2016/10/27/us/dakota-access-pipeline-protests/index.html>; accessed on 17 NOV 2016.
- ⁸³ (U); William Petroski; *The Des Moines Register*; "Dakota Access Pipeline Approval Disputed in Iowa Court"; 15 DEC 2016; <http://www.desmoinesregister.com/story/news/politics/2016/12/15/dakota-access-pipeline-approval-disputed-iowa-court/95420126>; accessed on 02 MAR 2017.
- ⁸⁴ (U); Sources Available Upon Request.
- ⁸⁵ (U); Sources Available Upon Request.
- ⁸⁶ (U); Sources Available Upon Request.
- ⁸⁷ (U); *Newton Daily News*; "Arson Investigation Underway on Three Bakken Pipeline Sites"; 01 AUG 2016; <http://www.newtondailynews.com/2016/08/01/arson-investigation-underway-on-three-bakken-pipeline-sites/a71c0hy/>; accessed on 17 NOV 2016.
- ⁸⁸ (U); Mike Mendenhall; *Newton Daily News*; "Arson Investigation Underway on Three Bakken Pipeline Sites"; 1 AUG 2016; <http://www.newtondailynews.com/2016/08/01/arson-investigation-underway-on-three-bakken-pipeline-sites/a71c0hy/>; accessed on 17 NOV 2016.
- ⁸⁹ (U); Sources Available Upon Request.
- ⁹⁰ (U); Radio Iowa; "More Pipeline Construction Equipment Burned in Jasper County"; 17 OCT 2016; <http://www.radioiowa.com/2016/10/17/more-pipeline-construction-equipment-burned-in-jasper-county/>; accessed on 17 NOV 2016; (U); Local radio news blog.
- ⁹¹ (U); Josh Morgan; Reuters; "Fire Near North Dakota Pipeline Protests Is Under Investigation"; 30 OCT 2016; <http://www.reuters.com/article/us-usa-pipeline-idUSKBN12U0VM>; accessed on 17 NOV 2016; (U); National news website.
- ⁹² (U); Sources Available Upon Request.
- ⁹³ (U); Sources Available Upon Request.
- ⁹⁴ (U); Sources Available Upon Request.
- ⁹⁵ (U); Sources Available Upon Request.
- ⁹⁶ (U); Sources Available Upon Request.
- ⁹⁷ (U); Sources Available Upon Request.
- ⁹⁸ (U); Sources Available Upon Request.
- ⁹⁹ (U); Sources Available Upon Request.
- ¹⁰⁰ (U); Sources Available Upon Request.
- ¹⁰¹ (U); Sources Available Upon Request.
- ¹⁰² (U); Sources Available Upon Request.
- ¹⁰³ (U); Sources Available Upon Request.
- ¹⁰⁴ (U); Energy Daplpipelinefacts, LLP; "Dakota Access Pipeline Fact Sheet"; 24 DEC 2016; <http://www.daplpipelinefacts.com/about/fact-sheet.html>; accessed on 17 NOV 2016; (U); Pipeline company website.
- ¹⁰⁵ (U); Sources Available Upon Request.
- ¹⁰⁶ (U); Catherine Thorbecke; ABC News; "Timeline of the Dakota Access Protests"; 28 OCT 2016; <http://abcnews.go.com/US/timeline-dakota-access-pipeline-protests/story?id=43131355>; accessed on 17 NOV 2016.
- ¹⁰⁷ (U); Catherine Thorbecke; ABC News; "Timeline of the Dakota Access Protests"; 28 OCT 2016; <http://abcnews.go.com/US/timeline-dakota-access-pipeline-protests/story?id=43131355>; accessed on 17 NOV 2016.
- ¹⁰⁸ (U); Sources Available Upon Request.
- ¹⁰⁹ (U); *The Washington Post*; "The Big Fight over the Dakota Access Pipeline, Explained"; 20 SEP 2016; <https://www.washingtonpost.com/news/monkey-cage/wp/2016/09/20/this-is-why-environmentalists-are-targeting-energy-pipelines-like-the-north-dakota-project/>; accessed on 17 NOV 2016.
- ¹¹⁰ (U); Sources Available Upon Request.
- ¹¹¹ (U); Fortune.com (Reuters); "Police Have Arrested at Least 141 North Dakota Protesters"; 28 OCT 2016; <http://fortune.com/2016/10/28/north-dakota-pipeline-protest-arrests/>; accessed on 17 NOV 2016.
- ¹¹² (U); 93.7 FM Radio; "County Sees Population Increase Due to Pipeline Construction"; 04 JUL 2016; <http://y94.com/news/articles/2016/jul/04/county-sees-population-increase-due-to-pipeline-construction/>; accessed on 17 NOV 2016; (U); Radio news blog.
- ¹¹³ (U); Sources Available Upon Request.
- ¹¹⁴ (U); Sources Available Upon Request.
- ¹¹⁵ (U); Sources Available Upon Request.
- ¹¹⁶ (U); Sources Available Upon Request.
- ¹¹⁷ (U); Sources Available Upon Request.
- ¹¹⁸ (U); Sources Available Upon Request.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 17 of 18
PARRISH PRA_000138

USA_DHS-I&A_-000102

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

-
- ¹¹⁹ (U); *The Seattle Times* (AP); "2 Radio Towers in Everett Toppled"; 04 SEP 2016; <http://www.seattletimes.com/seattle-news/2-radio-towers-in-everett-toppled/>; accessed on 17 NOV 2016.
- ¹²⁰ (U); KXAS-TV; "Anson Chi Given 20 Years in Plano Pipeline Bombing"; 30 JUN 2014; <http://www.nbcdfw.com/news/local/Anson-Chi-Given-20-Years-in-Plano-Pipeline-Bombing-305731811.html>; accessed on 18 OCT 2016.
- ¹²¹ (U); US Department of Justice; Press Release; "Plano Man Guilty in Pipeline Bombing Incident"; 03 JUN 2013; <https://www.justice.gov/usao-edtx/pr/plano-man-guilty-pipeline-bombing-incident>; accessed on 18 OCT 2016.
- ¹²² (U); Valerie Wigglesworth; *The Dallas Morning News*; "Plano Pipeline Bomber Given 20 Year Sentence"; 30 JUN 2014; <http://www.dallasnews.com/news/crime/2015/06/01/plano-pipeline-bomber-given-20-year-sentence>; accessed on 18 OCT 2016.
- ¹²³ (U); KXAS-TV; "Anson Chi Given 20 Years in Plano Pipeline Bombing"; 30 JUN 2014; <http://www.nbcdfw.com/news/local/Anson-Chi-Given-20-Years-in-Plano-Pipeline-Bombing-305731811.html>; accessed on 18 OCT 2016.
- ¹²⁴ (U); Canadian Energy Pipeline Association; "FACT SHEET: What are the Different Types of Crude Oil Transported by Transmission Pipelines?"; 01 JUL 2016; https://www.aboutpipelines.com/wp-content/uploads/2016/07/CEPA_FactSheet_Crude-Oil_Web-1.pdf; accessed on 17 NOV 2016; (U); Canadian petroleum agency.
- ¹²⁵ (U); DeSmogBlog; "Top 10 Facts About the Alberta Oil Sands"; 21 SEP 2015; <http://www.desmogblog.com/top-10-facts-canada-alberta-oil-sands-information>; accessed on 17 NOV 2016; (U); Environmental blog focusing on air pollution issues.
- ¹²⁶ (U); Jesse Ferreras; *The Huffington Post*; "Canada-US Pipelines Shut Off by Activists"; 12 NOV 2016; http://www.huffingtonpost.ca/2016/10/12/canada-oil-pipelines-shut-off_n_12457358.html; accessed on 17 NOV 2016.
- ¹²⁷ (U); BBC News; "Canada's Black Gold Oil Rush"; 10 DEC 2008; <http://news.bbc.co.uk/2/hi/americas/7762226.stm>; accessed on 17 NOV 2016.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 18 of 18
PARRISH PRA_000139

USA_DHS-I&A_-000103

EXHIBIT C

U.S. Department of Homeland Security
 Intelligence and Analysis
 Washington, DC 20528



**Homeland
 Security**

June 25, 2018

SENT BY ELECTRONIC MAIL TO: jhutt@aclu.org

Mr. Jacob J. Hutt
 ACLU 125 Broad St., 18th FL
 New York, NY 10004

Re: Freedom of Information Act Request 2018-IAFO-00149

Dear Mr. Hutt:

This letter is the final response to your electronic Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Office of Headquarters Privacy (HQ PRIV), dated January 23, 2018, and subsequently transferred to the Office of Intelligence and Analysis (I&A). Your request was received in this office on February 16, 2018. You are seeking records regarding

:

1. Travel of federal employees to speaking engagements, private and public meetings, panels, etc. on the subject of preparation for oil pipeline protests and/or cooperation with private corporations in furtherance thereof;
2. Meeting agendas, pamphlets and other distributed material at such gatherings;
3. Communications between federal employees and state or local law enforcement entities, etc, and between federal employees and private security companies, discussing this subject.

(Date Range for Record Search: From 1/27/2017 To 2/16/2018)

A search of I&A records for documents responsive to your request produced a total of twenty (20) pages. Based on the review of these documents, I&A is providing the following:

 (20) pages are being released in part (RIP).

Freedom of Information Act, 5 U.S.C. § 552			Privacy Act, 5 U.S.C. § 552a
<input type="checkbox"/> 552(b)(1)	<input type="checkbox"/> 552(b)(5)	<input type="checkbox"/> 552(b)(7)(C)	<input type="checkbox"/> 552a(j)(2)
<input type="checkbox"/> 552(b)(2)	<input checked="" type="checkbox"/> 552(b)(6)	<input type="checkbox"/> 552(b)(7)(D)	<input type="checkbox"/> 552a(k)(2)
<input checked="" type="checkbox"/> 552(b)(3)	<input type="checkbox"/> 552(b)(7)(A)	<input checked="" type="checkbox"/> 552(b)(7)(E)	<input type="checkbox"/> 552a(k)(5)

<input type="checkbox"/> 552(b)(4)	<input type="checkbox"/> 552(b)(7)(B)	<input type="checkbox"/> 552(b)(7)(F)	<input type="checkbox"/> Other:
------------------------------------	---------------------------------------	---------------------------------------	---------------------------------

FOIA Exemption 3, 5 U.S.C. § 552(b)(3)

Exemption 3 protects “information specifically exempted from disclosure by [another] statute.” *See* 5 U.S.C. § 552(b)(3). In this instance, 50 U.S.C. § 3024(i) and 6 U.S.C. § 121(d)(11) exempt(s) information regarding intelligence sources and methods from unauthorized disclosure. I&A is withholding information which would lead to the revelation of intelligence sources and methods.

FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution, if such disclosure could reasonably be expected to risk circumvention of the law.” *See* 5 U.S.C. § 552(b)(7)(E). DHS I&A is withholding from disclosure specific information which could reasonably be expected to risk circumvention of the law.

You have a right to appeal this response.¹ Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to:

The Privacy Office
U.S. Department of Homeland Security
Attn: FOIA Appeals
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655
Phone: 202-343-1743 or 866-431-0486
E-mail: foia@hq.dhs.gov

Please follow the procedures outlined in the DHS regulations at 6 C.F.R. § 5.8. Your envelope and letter should be marked “FOIA Appeal.” Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email that entity at ogis@nara.gov or call 877-684-6448.

¹ For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Your request has been assigned reference number 2018-IAFO-00149. Please refer to this identifier in any future correspondence. You may contact this office at 202-282-8826 if you have any questions.

Sincerely,

Priscilla Waters

Priscilla Waters

Assistant FOIA Officer

EXHIBIT D

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

FIELD ANALYSIS REPORT



(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

per DHS I&A

(b)(7)(E)

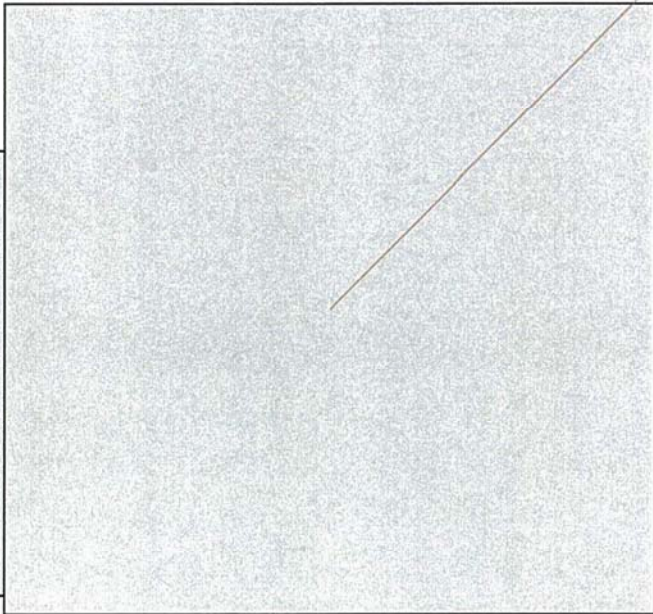
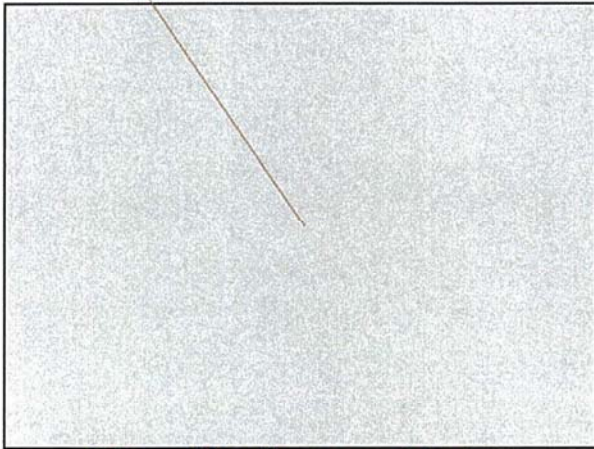
2 May 2017

per DHS I&A

(b)(7)(E)



Homeland Security



Office of Intelligence and Analysis

(b)(7)(E)

per DHS I&A

(U) **LAW ENFORCEMENT SENSITIVE.** The information marked (U//LES) in this document is the property of MATIC, MNFC, NDSLIC, SDFC, WSFC, STIC, DOI/FC, and DHS and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials, and individuals with a need to know. Distribution beyond these entities without MATIC, MNFC, NDSLIC, SDFC, WSFC, STIC, DOI/FC, or DHS authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

(U) **Warning:** This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label USPER and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the minimized US person information, please contact the I&A Production Branch at IAPM@hq.dhs.gov, IAPM@dhs.gov, or IAPM@dhs.ic.gov.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

FIELD ANALYSIS REPORT



Regional Analysis with National Perspective.

2 May 2017

(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

(b)(7)(E)

(b)(7)(E)

(U//FOUO) Prepared by the

(U) **Scope:** This Field Analysis Report (FAR) highlights recent criminal disruptions and violent incidents against pipeline projects in the Midwestern and Western United States in 2016, and (b)(7)(E),(b)(3) 50 U.S.C. § 3024(i),(b)(3) 6 U.S.C. § 121(d)(11) (b)(7)(E),(b)(3) 50 U.S.C. § 3024(i),(b)(3) 6 U.S.C. § 121(d)(11)

per DHS I&A

This product is intended to assist government and law enforcement security partners in identifying, deterring, preventing, and responding to potential threats against pipelines and related entities. It includes a discussion of drivers possibly affecting the future threat of pipeline-related violence from environmental rights extremist violence.

(U) Key Judgments

(b)(7)(E),(b)(3) 50 U.S.C. §

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

per DHS I&A

- (U//FOUO) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

- (U//LES) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

- (U//FOUO) [Redacted]

(b)(7)(E),(b)(3) 50 U.S.C. §

per DHS I&A

- (U//LES) [Redacted]

¹ (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

[†] (U//FOUO) DHS defines **terrorism** as any activity that involves an act that is dangerous to human life or potentially destructive to critical infrastructure or key resources, and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

[‡] (U) For background information on DAPL, see Appendix A.

[§] (U) **Doxing** attacks often include posting on websites targeting individuals' personal background, associates or family, place of employment, home address, or contact information.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C.S.

- (U//FOUO) [Redacted]

per DHS I&A

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C.S.

(U) Significant Incidents in 2016

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

(U) Environmental Rights Extremists

(U//LES) Environmental rights extremists have a long history of committing violent acts across the United States against entities they perceive are damaging the environment. Since the movement's inception in the 1980s, adherents have been responsible for many criminal acts and threats of violence, such as arson, as well as hundreds of other criminal acts resulting in damages in the tens of millions of dollars to targeted corporations and businesses, including energy and transportation industry targets.^{10†}

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C.S.

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C.S.

(U) Valve Shutoffs along Northern Border

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

[Redacted]

per DHS I&A

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C.S.

- (U//LES) On 11 [Redacted]
- [Redacted]

per DHS I&A

¹⁰ (U//FOUO) DHS recognizes that individuals associated with various groups and movements participated in criminal and violent acts against pipelines in 2016. For the purposes of this paper, these individuals are referred to as environmental rights extremists, as these campaigns were fundamentally about protecting the environment—whether that is opposing oil pipeline construction projects or protecting the indigenous water supply from pollution.

[†] (U) For other examples of environmental rights extremists attacks against the energy sector, see Appendix B.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50 U.S.C. §

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3)50 U.S.C. §

(b)(7)(E),(b)(3)50 U.S.C. §

(U) OBSERVATIONS/TTPS

(U//LES)

[Redacted]

per DHS I&A

[Redacted]

(U//LES)

(b)(7)(E),(b)(3)50 U.S.C. § 3024(i),(b)(3)6 U.S.C. § 121(d)(11)

per DHS I&A

[Redacted]



per DHS I&A

(b)(7)(E),(b)(3)50 U.S.C. §

(b)(7)(E),(b)(3)50 U.S.C. §

(U) Figure 1. Alleged pipeline a

[Redacted]

(U//LES)

[Redacted]

(b)(7)(E),(b)(3)50 U.S.C. § 3024(i),(b)(3)6 U.S.C. § 121(d)(11)

(b)(7)(E),(b)(3)50 U.S.C. §

(b)(7)(E),(b)(3)50 U.S.C. §

(U//LES)

[Redacted]

(b)(7)(E),(b)(3)50 U.S.C. §

per DHS I&A

(U//LES)

[Redacted]

(b)(7)(E),(b)(3)50 U.S.C. § 3024(i),(b)(3)6 U.S.C. § 121(d)(11)

(b)(7)(E),(b)(3)50 U.S.C. §

(b)(7)(E),(b)(3)50 U.S.C. §

(U//LES)

[Redacted]

[Redacted]

⁴ (U) For background information on tar sands, see Appendix C.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50
U.S.C.S.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50
U.S.C.S.

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C.S.

(U) Escalation to Violence at DAPL Occupation in North Dakota

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

[Redacted]

per DHS
&A

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C.S.

• (U//LES)

[Redacted]

per DHS
&A

(b)(7)(E),(b)(3)50
U.S.C.S.

(U) OBSERVATIONS/TTPS:

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

[Redacted]

per DHS
&A

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

[Redacted]

(U) The Dakota Access Pipeline is sometimes referred to as the Bakken Oil Pipeline.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50
U.S.C.S.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

per DHS
I&A

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C.S.

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

per DHS
I&A

[Redacted]

per DHS
I&A

(b)(7)(E),(b)(3)50
U.S.C.S.

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

per DHS
I&A

(b)(7)(E),(b)(3)50
U.S.C.S.

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

per DHS
I&A

(b)(7)(E),(b)(3)50
U.S.C.S.

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

per DHS
I&A

[Redacted]

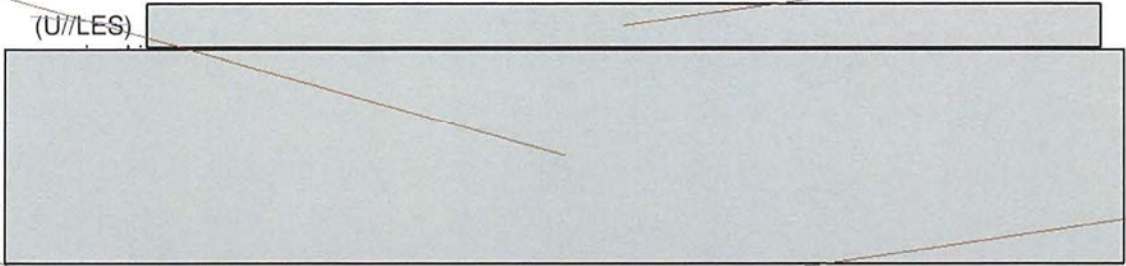
~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50
U.S.C.S.

(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)

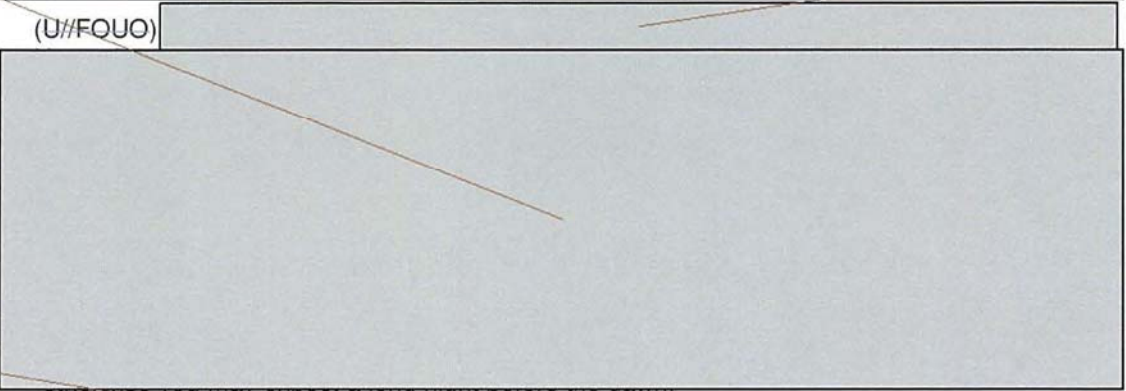


per DHS I&A

(b)(7)(E),(b)(3)50
U.S.C.S.

(b)(7)(E),(b)(3)50
U.S.C.S.

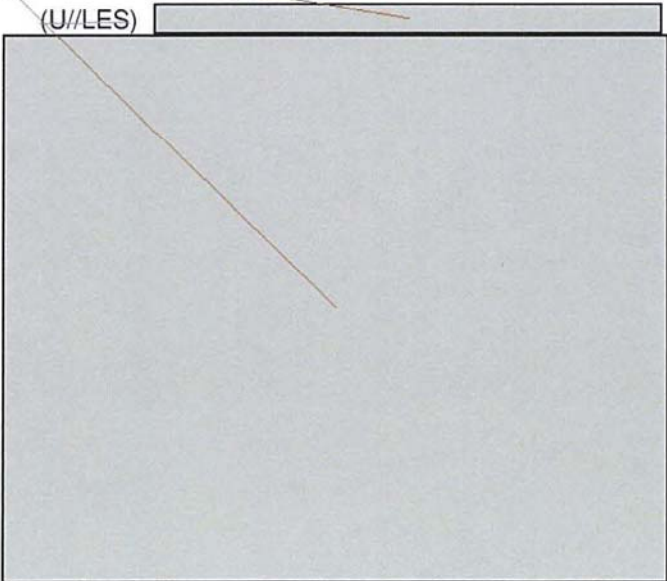
(U//FOUO)



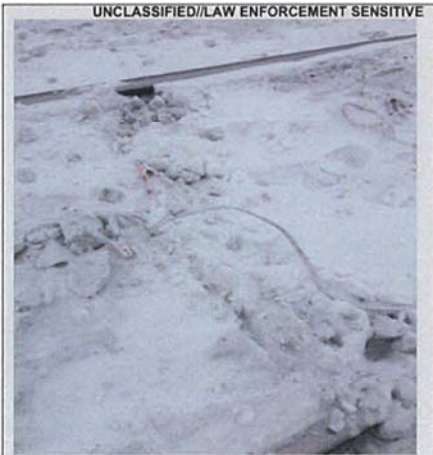
per DHS I&A

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C.S.

(U//LES)



per DHS I&A



(U) Figure 2. Use of jumper cables to disrupt rail signals in North Dakota in January 2017.⁷⁷

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C. §

(b)(7)(E),(b)(3) 50
U.S.C. §

(U//LES)

per DHS I&A

[Redacted text block]



UNCLASSIFIED

per DHS I&A

(U) Figure 3. Use of burning tires and vehicles as barricades in North Dakota anti-DAPL in October 2016.⁸⁰

per DHS I&A

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C. §

(U)

[Redacted text block]

(b)(7)(E),(b)(3) 50
U.S.C. §

(b)(7)(E),(b)(3) 50
U.S.C. §

(U)

[Redacted text block]

(U//FOUO)

per DHS I&A

per DHS I&A

[Redacted text block]

(b)(7)(E),(b)(3) 50
(b)(7)(E),(b)(3) 50
U.S.C. §

• (U//LES)

[Redacted text block]

(b)(7)(E),(b)(3) 50
U.S.C. §

per DHS I&A

(b)(7)(E),(b)(3) 50
U.S.C. §

• (U//LES)

[Redacted text block]

per DHS I&A

* (U) A "pig" is a device used to check for pipeline leaks.

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C. §

- (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C. §

- (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C. §

- (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3)50
(b)(7)(E),(b)(3)50
U.S.C. §

- (U//LES) [Redacted]

per DHS I&A

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(U) OBSERVATIONS/TTPS:

- (U//LES) [Redacted]

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

- (U//LES) [Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

- (U//LES) [Redacted]

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

- (U//FOUO) [Redacted]

[Redacted]

per DHS I&A

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(E),(b)(3)50
U.S.C. §

(U//FOUO) Outlook: Tactics and Drivers of Pipeline-Related Violence in Near Term

(b)(7)(E),(b)(3)50
U.S.C. §

(U//FOUO)

per DHS I&A

(b)(7)(E),(b)(3)50
U.S.C. §

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

per DHS I&A

(U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

per DHS I&A

(U//FOUO) We assess the following developments, if observed, could lead to a *decreased threat* of violence:

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

per DHS I&A

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(U) Intelligence Gaps

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

per DHS I&A

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

• (U//FOUO)

[Redacted]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(b)(7)(C)
(b)(7)(C)

(b)(7)(C)

(U//FOUO) Comments, requests, or shareable intelligence may be directed to: [redacted] or [redacted]

per DHS I&A

[redacted]

(U) Source Summary Statement

(U) The information used in this FAR is drawn from open source reporting, court documents, and DHS and other law enforcement intelligence reports. We have **high confidence** in the information obtained from DHS, court, other US Government and law enforcement agencies. We have **medium confidence** in the information obtained from open sources, which includes reports from the news media, NGOs, and Internet websites whose information is credibly sourced and plausible but may contain biases or unintentional inaccuracies. When possible, open source information has been corroborated through other law enforcement and government sources.

per DHS I&A

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(U//FOUO) [redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(U//LES) [redacted]

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

per DHS I&A

(U//FOUO) [redacted]

per DHS I&A

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(U//FOUO) [redacted]

per DHS I&A

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsi.ncirc.gov/resources.aspx>.

(b)(7)(E)

(b)(7)(E)

(U//LES) Tracked by: F [redacted]

per DHS I&A

[redacted]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

per DHS I&A

per DHS I&A

(U) Appendix A: The Dakota Access Pipeline

(b)(7)(E),(b)(3) 50 U.S.C. §

(U//LES) The Dakota Access Pipeline project is an underway \$3.78 billion construction project to build a 1,172-mile, 30-inch diameter pipeline for transporting US light sweet crude oil from the Bakken and Three Forks production areas of North Dakota to existing pipelines in Patoka, Illinois for further distribution to refining markets.¹⁰⁴

(b)(7)(E),(b)(3) 50 U.S.C. §

(b)(7)(E),(b)(3) 50 U.S.C. §

[Redacted]

(b)(7)(E)

(b)(7)(E),(b)(3) 50 U.S.C. §

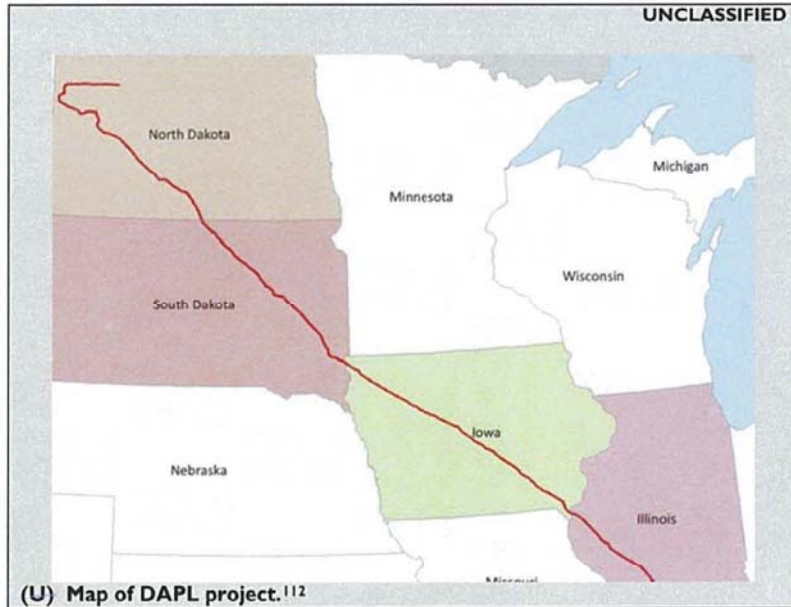
In July 2016, the tribe filed a lawsuit against the US Army Corps of Engineers for its role in granting permits to build the pipeline.¹⁰⁶

(b)(7)(E)

(b)(7)(E),(b)(3) 50 U.S.C. §

The lawsuit spurred a series of protests and demonstrations near the reservation.¹⁰⁷

[Redacted]



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(U) Appendix B: Prior Energy Sector Attacks by Environmental Rights Extremists

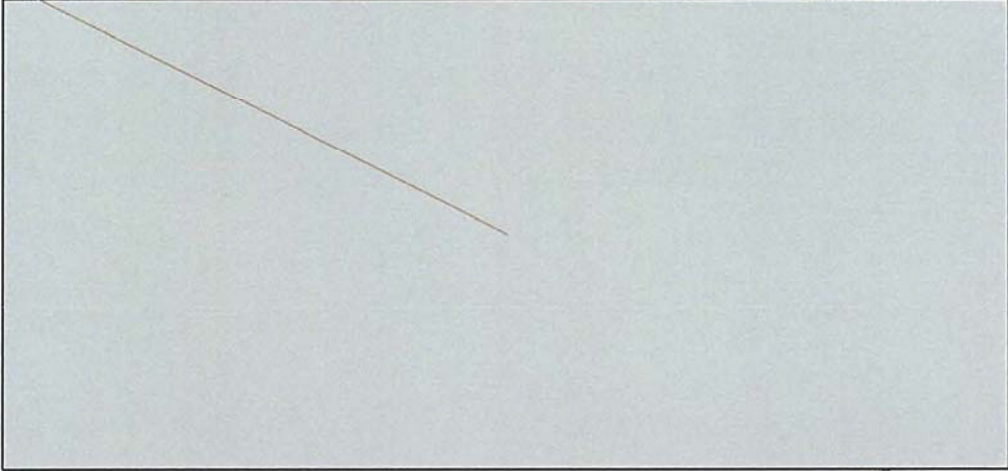
(U//FOUO) The pipeline attacks in the Midwest and Western United States in the latter half of 2016 were the first significant environmental rights extremist attacks targeting the transportation and energy sectors since September 2015. The last known attack specifically targeting a pipeline occurred in Texas in 2012.

(b)(7)(E);(b)(3) 50
U.S.C. §

(b)(7)(E);(b)(3) 50
U.S.C. §

- (U//LES) 

per I&A FOIA

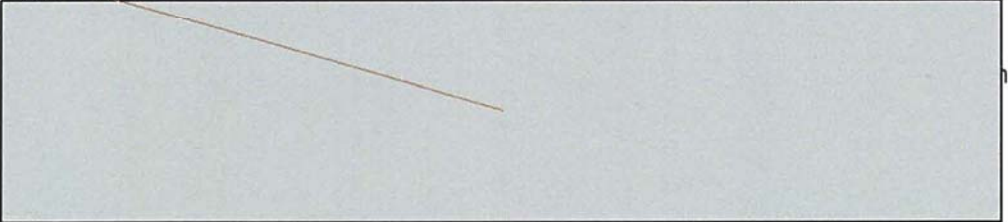


per I&A FOIA

(b)(7)(E);(b)(3) 50
U.S.C. §

(b)(7)(E);(b)(3) 50
U.S.C. §

- (U//LES) 



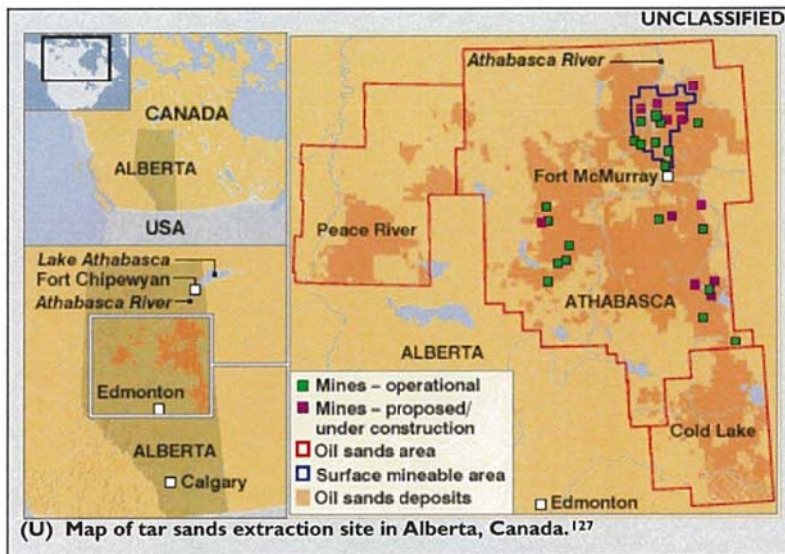
- (U). From 17 to 18 June 2012, environmental rights extremist Anson Chi^{USPER} set off a series of explosive devices on top of an Atmos^{USPER} gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flow. He was sentenced to 20 years in prison without parole on 30 June 2014.^{120,121} Chi pled guilty to a charge of attempting to destroy a natural gas pipeline used in interstate commerce, and to a charge of possessing an explosive device not registered with the National Firearms Registration and Transfer Record.¹²² Chi also contacted well known convicted bomber Theodore Kaczynski^{USPER} to be a mentor; Kaczynski eventually broke off contact and told Chi to seek professional help.¹²³

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix C: Tar Sands

(U) Several pipelines along the US–Canadian border carry crude oil into the United States for refinement and distribution.¹²⁴ Alberta, Canada has one of the world’s largest deposits of a particularly thick and heavy form of crude oil known as tar sands oil. Tar sands oil is controversial because of perceived negative impacts to the environment that occur during mining, processing, and transporting the oil—such as large CO₂ emissions contributing to climate change, contamination of groundwater during extraction, and destruction of natural resources used by indigenous tribes.¹²⁵ In October 2016, US environmental rights extremists engaged in coordinated attacks to disrupt five border pipelines perceived to be transporting tar sands oil from Canada into the United States.¹²⁶



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Appendix D: Behavioral Indicators of Planned Criminal or Violent Activities Targeting Pipelines

per DHS I&A

per DHS I&A

(U//FOUO) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

(b)(7)(E),(b)(3)50
U.S.C. §

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Page 16 of 20

Withheld pursuant to exemption

(b)(7)(E),(b)(3) 50 U.S.C. § 3024(i),(b)(3) 6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 17 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3) 50 U.S.C. § 3024(i);(b)(3) 6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 18 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3) 50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 19 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3) 50 U.S.C. § 3024(i);(b)(3) 6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

CLASSIFICATION: UNCLASSIFIED//FOR OFFICIAL USE ONLY



Homeland Security

Office of Intelligence and Analysis

Customer Feedback Form

Product Title: (U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

All survey responses are completely anonymous. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

1. Please select partner type: and function:

2. What is the highest level of intelligence information that you receive?

3. Please complete the following sentence: "I focus most of my time on:"

4. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Product's overall usefulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's relevance to your mission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's responsiveness to your intelligence needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. How do you plan to use this product in support of your mission? (Check all that apply.)

- Drive planning and preparedness efforts, training, and/or emergency response operations
- Observe, identify, and/or disrupt threats
- Share with partners
- Allocate resources (e.g. equipment and personnel)
- Reprioritize organizational focus
- Author or adjust policies and guidelines
- Initiate a law enforcement investigation
- Intiate your own regional-specific analysis
- Intiate your own topic-specific analysis
- Develop long-term homeland security strategies
- Do not plan to use
- Other:

6. To further understand your response to question #5, please provide specific details about situations in which you might use this product.

7. What did this product *not* address that you anticipated it would?

8. To what extent do you agree with the following two statements?

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	N/A
This product will enable me to make better decisions regarding this topic.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This product provided me with intelligence information I did not find elsewhere.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. How did you obtain this product?

10. Would you be willing to participate in a follow-up conversation about your feedback?

To help us understand more about your organization so we can better tailor future products, please provide:

Name: Position:
 Organization: State:
 Contact Number: Email:



[Privacy Act Statement](#)

CLASSIFICATION: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Henry, Brendan

From: I&A_PB
Sent: Tuesday, May 2, 2017 4:31 PM
Cc: I&A_PB
Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Attachments: (U--LES) FAR - TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists 05022017.pdf.pdf

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)



FIELD ANALYSIS REPORT



(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

per DHS I&A

(b)(7)(E)

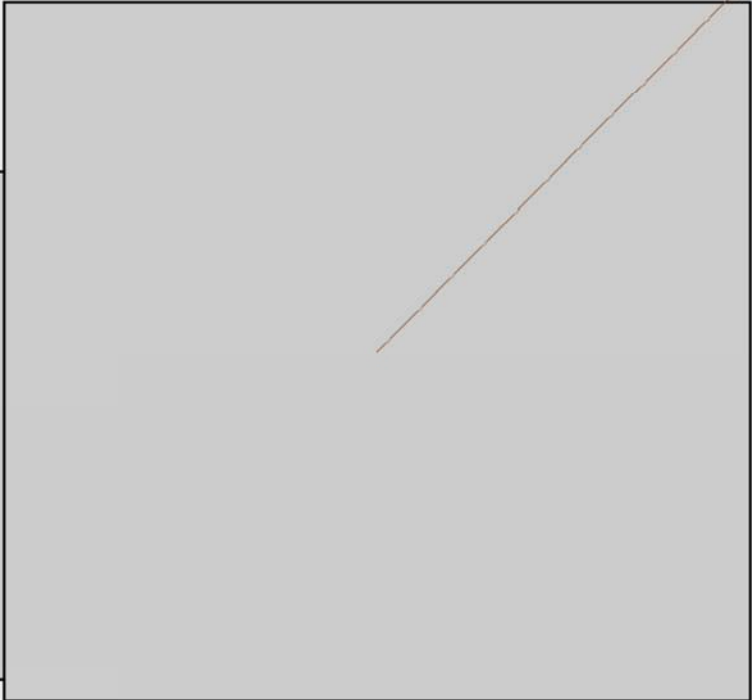
2 May 2017

per DHS I&A

(b)(7)(E)



Homeland Security



Office of Intelligence and Analysis

(b)(7)(E)

per DHS I&A

(U) **LAW ENFORCEMENT SENSITIVE:** The information marked (U//LES) in this document is the property of MATIC, MNFC, NDSLIC, SDFC, WSFC, STIC, DOI/FC, and DHS and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials, and individuals with a need to know. Distribution beyond these entities without MATIC, MNFC, NDSLIC, SDFC, WSFC, STIC, DOI/FC, or DHS authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

(U) **Warning:** This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label USPER and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the minimized US person information, please contact the I&A Production Branch at (b) (6)

USA_DHS-I&A_000130

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

FIELD ANALYSIS REPORT



Regional Analysis with National Perspective.

2 May 2017

(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

(b)(7)(E)

(b)(7)(E)

(U//FOUO) Prepared by the [redacted]

(U) **Scope:** This Field Analysis Report (FAR) highlights recent criminal disruptions and violent incidents against pipeline projects in the Midwestern and Western United States in 2016, and (b)(7)(E);(b)(3):50 U.S.C. § 3024(i);(b)(3):6 U.S.C. § 121(d)(11) (b)(7)(E);(b)(3):50 U.S.C. § 3024(i);(b)(3):6 U.S.C. § 121(d)(11)

per DHS I&A

This product is intended to assist government and law enforcement security partners in identifying, deterring, preventing, and responding to potential threats against pipelines and related entities. It includes a discussion of drivers possibly affecting the future threat of pipeline-related violence from environmental rights extremist violence.

(b)(7)(E);(b)(3):50 U.S.C. §

(b)(7)(E);(b)(3):50 U.S.C. §

(U) Key Judgments

per DHS I&A

per DHS I&A

• (U//FOUO) [redacted]

(b)(7)(E);(b)(3):50 U.S.C. §

per DHS I&A

• (U//LES) [redacted]

(b)(7)(E);(b)(3):50 U.S.C. §

per DHS I&A

• (U//FOUO) [redacted]

(b)(7)(E);(b)(3):50 U.S.C. §

per DHS I&A

• (U//LES) [redacted]

* (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

† (U//FOUO) DHS defines **terrorism** as any activity that involves an act that is dangerous to human life or potentially destructive to critical infrastructure or key resources, and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

‡ (U) For background information on DAPL, see Appendix A.

§ (U) **Doxing** attacks often include posting on websites targeting individuals' personal background, associates or family, place of employment, home address, or contact information.

(b)(7)(E);(b)(3);50
U.S.C.S

- (U//FOUO) [Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(U) Significant Incidents in 2016

(U//FOUO) [Redacted]

per DHS I&A

(U) Environmental Rights Extremists

(U//LES) Environmental rights extremists have a long history of committing violent acts across the United States against entities they perceive are damaging the environment. Since the movement's inception in the 1980s, adherents have been responsible for many criminal acts and threats of violence, such as arson, as well as hundreds of other criminal acts resulting in damages in the tens of millions of dollars to targeted corporations and businesses, including energy and transportation industry targets.^{1,†} [Redacted]

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U) Valve Shutoffs along Northern Border

(U//FOUO) [Redacted]

per DHS I&A

per DHS I&A

- (U//LES) On 11 [Redacted]

(b)(7)(E);(b)(3);50
U.S.C.S

per DHS I&A

^{*} (U//FOUO) DHS recognizes that individuals associated with various groups and movements participated in criminal and violent acts against pipelines in 2016. For the purposes of this paper, these individuals are referred to as environmental rights extremists, as these campaigns were fundamentally about protecting the environment—whether that is opposing oil pipeline construction projects or protecting the indigenous water supply from pollution.

[†] (U) For other examples of environmental rights extremists attacks against the energy sector, see Appendix B.

(b)(7)(E);(b)(3);50 U.S.C. §

per DHS I&A

(b)(7)(E);(b)(3);50 U.S.C. §

(U) OBSERVATIONS/TTPS

(b)(7)(E);(b)(3);50 U.S.C. §

(U//LES)

per DHS I&A

(U//LES)

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

per DHS I&A



per DHS I&A

(b)(7)(E);(b)(3);50 U.S.C. §

(U) Figure 1. Alleged pipeline a

(b)(7)(E);(b)(3);50 U.S.C. §

(U//LES)

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

(b)(7)(E);(b)(3);50 U.S.C. §

(b)(7)(E);(b)(3);50 U.S.C. §

(U//LES)

(b)(7)(E);(b)(3);50 U.S.C. §

per DHS I&A

(U//LES)

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

(b)(7)(E);(b)(3);50 U.S.C. §

(b)(7)(E);(b)(3);50 U.S.C. §

(U//LES)

(U) For background information on tar sands, see Appendix C.

(b)(7)(E);(b)(3);50
U.S.C.S

[Redacted]

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U//FOUO)

[Redacted]

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U) Escalation to Violence at DAPL Occupation in North Dakota

(U//LES)

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C.S

• (U//LES)

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U) OBSERVATIONS/TTPS:

(U//LES)

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C.S

(U//LES)

[Redacted]

^(U) The Dakota Access Pipeline is sometimes referred to as the Bakken Oil Pipeline.

(b)(7)(E);(b)(3);50
U.S.C.S

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U//LES)

[Redacted]

per DHS I&A

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U//LES)

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U//LES)

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(U//LES)

[Redacted]

per DHS I&A

~~UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE~~

(b)(7)(E);(b)(3);50
U.S.C.S.

(b)(7)(E);(b)(3);50
U.S.C.S.

(U//LES)

per DHS
I&A

(b)(7)(E);(b)(3);50
U.S.C.S.

(b)(7)(E);(b)(3);50
U.S.C.S.

(U//FOUO)

per DHS
I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C.S.

(U//LES)

per DHS
I&A



(U) Figure 2. Use of jumper cables to disrupt rail signals in North Dakota in January 2017.⁷⁷

(b)(7)(E);(b)(3);50
U.S.C. §

(b)(7)(E);(b)(3);50
U.S.C. §

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C. §

(b)(7)(E);(b)(3);50
U.S.C. §

(b)(7)(E);(b)(3);50
U.S.C. §

per DHS I&A

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C. §

per DHS I&A

(U//LES) [Redacted]

[Redacted]



per DHS I&A

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C. §

(U) [Redacted]

(U) [Redacted]

(U//FOUO) [Redacted]

[Redacted]

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C. §

• (U//LES) [Redacted]

[Redacted]

(b)(7)(E);(b)(3);50
U.S.C. §

• (U//LES) [Redacted]

[Redacted]

per DHS I&A

*-(U)- A "pig" is a device used to check for pipeline leaks.

(b)(7)(E);(b)(3);50
U.S.C. &

• (U//LES)

per DHS I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C. &

• (U//LES)

per DHS I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C. &

• (U//LES)

per DHS I&A

(b)(7)(E);(b)(3);50
(b)(7)(E);(b)(3);50
U.S.C. &

• (U//LES)

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C. &

(U) OBSERVATIONS/TTPS:

(b)(7)(E);(b)(3);50
U.S.C. &

(U//LES)

(b)(7)(E);(b)(3);50
per DHS I&A
(b)(7)(E);(b)(3);50
U.S.C. &

(U//LES)

(b)(7)(E);(b)(3);50
U.S.C. &

(b)(7)(E);(b)(3);50
U.S.C. &

(U//LES)

(b)(7)(E);(b)(3);50
per DHS I&A
(b)(7)(E);(b)(3);50
U.S.C. &

(U//FOUO)

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(U//FOUO) Outlook: Tactics and Drivers of Pipeline-Related Violence in Near Term

(b)(7)(E);(b)(3);50
U.S.C.S

(U//FOUO)

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

per DHS I&A

(U//FOUO)

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

per DHS I&A

• (U//FOUO)

(U//FOUO) We assess the following developments, if observed, could lead to a *decreased threat* of violence:

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

(U) Intelligence Gaps

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

(b)(7)(E);(b)(3);50
U.S.C.S

per DHS I&A

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

• (U//FOUO)

• (U//FOUO)

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

(U//FOUO) Comments, requests, or shareable intelligence may be directed to: [redacted] or [redacted]

per DHS I&A

(U) Source Summary Statement

per DHS I&A

(U) The information used in this FAR is drawn from (b) (3) (A), (b) (3) (B) (b) (3) (A), (b) [redacted] and [redacted] and other [redacted] (b) (3) (A), (b) (3) (B) We have (b) (3) (A), (b) (3) (B) Government and law enforcement agencies. We have (b) (3) (A), (b) (3) (B)

(b)(7)(E);(b)(3);50 USC §

(b)(7)(E);(b)(3);50 USC §

(b) (3) (A), (b) (3) (B)

(U//FOUO)

(b)(7)(E);(b)(3);50 USC §

(b)(7)(E);(b)(3);50 USC §

(U//LES)

(b)(7)(E);(b)(3);50 USC §

(b)(7)(E);(b)(3);50 USC §

per DHS I&A

(U//FOUO)

per DHS I&A

(b)(7)(E);(b)(3);50 USC §

(b)(7)(E);(b)(3);50 USC §

(U//FOUO)

per DHS I&A

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsi.ncirc.gov/resources.aspx>.

(b)(7)(E)

(b)(7)(E)

(U//LES) Tracked by: [redacted]

per DHS I&A

per DHS I&A

per DHS I&A

(U) Appendix A: The Dakota Access Pipeline

(U//LES) The Dakota Access Pipeline project is an underway \$3.78 billion construction project to build a 1,172-mile, 30-inch diameter pipeline for transporting US light sweet crude oil from the Bakken and Three Forks production areas of North Dakota to existing pipelines in Patoka, Illinois for further distribution to refining markets.¹⁰⁴

In July 2016, the tribe filed a lawsuit against the US Army Corps of Engineers for its role in granting permits to build the pipeline.¹⁰⁶ The lawsuit spurred a series of protests and demonstrations near the reservation.¹⁰⁷

(b)(7)(E);(b)(3);50 USC 8

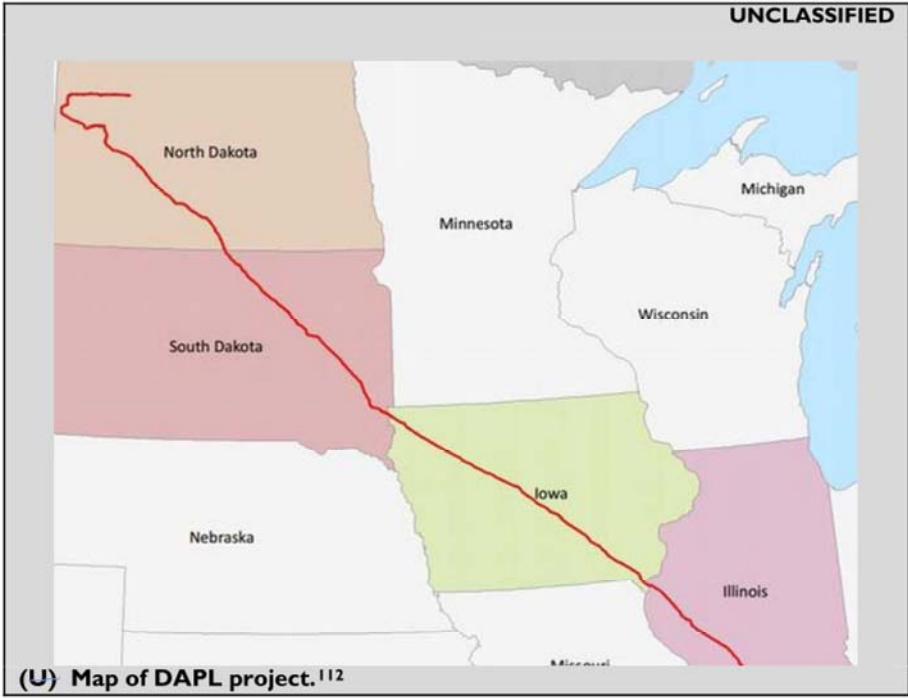
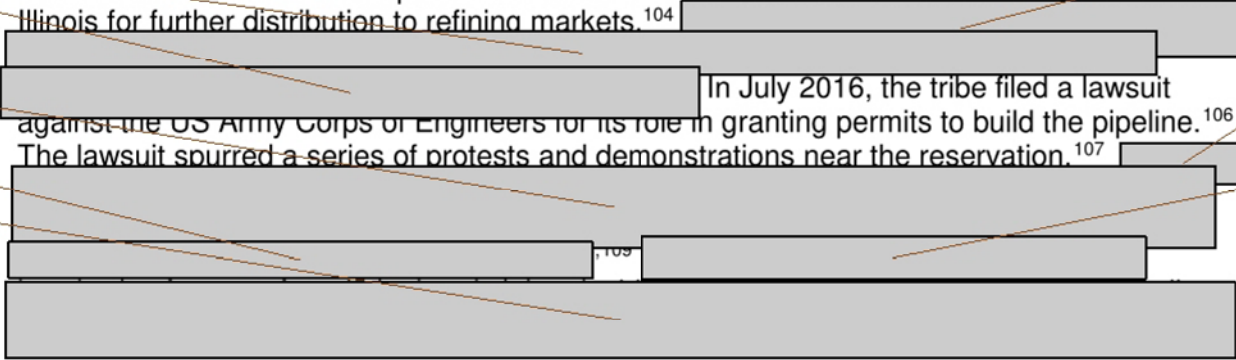
(b)(7)(E);(b)(3);50 USC 8

(b)(7)(E);(b)(3);50 USC 8

(b)(7)(E)

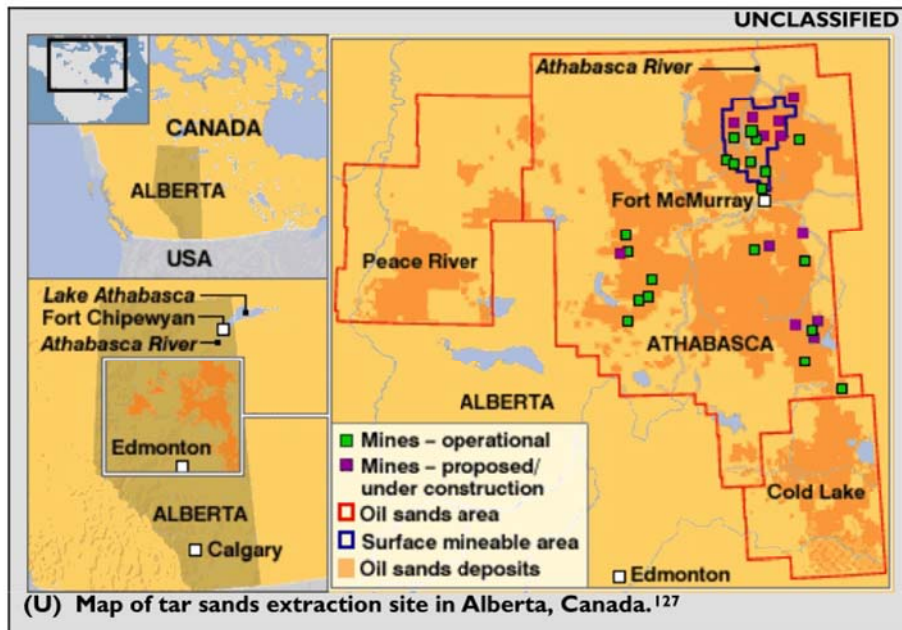
(b)(7)(E);(b)(3);50 USC 8

(b)(7)(E)



(U) Appendix C: Tar Sands

(U) Several pipelines along the US–Canadian border carry crude oil into the United States for refinement and distribution.¹²⁴ Alberta, Canada has one of the world’s largest deposits of a particularly thick and heavy form of crude oil known as tar sands oil. Tar sands oil is controversial because of perceived negative impacts to the environment that occur during mining, processing, and transporting the oil—such as large CO₂ emissions contributing to climate change, contamination of groundwater during extraction, and destruction of natural resources used by indigenous tribes.¹²⁵ In October 2016, US environmental rights extremists engaged in coordinated attacks to disrupt five border pipelines perceived to be transporting tar sands oil from Canada into the United States.¹²⁶



(U//FOUO) Appendix D: Behavioral Indicators of Planned Criminal or Violent Activities Targeting Pipelines

per DHS I&A

per DHS I&A

(U//FOUO) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

(b)(7)(E);(b)(3);50
U.S.C.S

Page 16 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 17 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 18 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act

Page 19 of 20

Withheld pursuant to exemption

(b)(7)(E);(b)(3);50 U.S.C. § 3024(i);(b)(3);6 U.S.C. § 121(d)(11)

of the Freedom of Information and Privacy Act



Homeland Security

Office of Intelligence and Analysis

Customer Feedback Form

Product Title: (U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists

All survey responses are completely anonymous. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

1. Please select partner type: and function:

2. What is the highest level of intelligence information that you receive?

3. Please complete the following sentence: "I focus most of my time on:"

4. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Product's overall usefulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's relevance to your mission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's responsiveness to your intelligence needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. How do you plan to use this product in support of your mission? (Check all that apply.)

- | | |
|--|---|
| <input type="checkbox"/> Drive planning and preparedness efforts, training, and/or emergency response operations | <input type="checkbox"/> Initiate a law enforcement investigation |
| <input type="checkbox"/> Observe, identify, and/or disrupt threats | <input type="checkbox"/> Intiate your own regional-specific analysis |
| <input type="checkbox"/> Share with partners | <input type="checkbox"/> Intiate your own topic-specific analysis |
| <input type="checkbox"/> Allocate resources (e.g. equipment and personnel) | <input type="checkbox"/> Develop long-term homeland security strategies |
| <input type="checkbox"/> Reprioritize organizational focus | <input type="checkbox"/> Do not plan to use |
| <input type="checkbox"/> Author or adjust policies and guidelines | <input type="checkbox"/> Other: <input type="text"/> |

6. To further understand your response to question #5, please provide specific details about situations in which you might use this product.

7. What did this product *not* address that you anticipated it would?

8. To what extent do you agree with the following two statements?

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	N/A
This product will enable me to make better decisions regarding this topic.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This product provided me with intelligence information I did not find elsewhere.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. How did you obtain this product?

10. Would you be willing to participate in a follow-up conversation about your feedback?

To help us understand more about your organization so we can better tailor future products, please provide:

Name: <input type="text"/>	Position: <input type="text"/>
Organization: <input type="text"/>	State: <input type="text"/>
Contact Number: <input type="text"/>	Email: <input type="text"/>



[Privacy Act Statement](#)



7 April 2017

(U//FOUO) Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project

(U//FOUO) Prepared by the Arkansas State Fusion Center (ASFC), Oklahoma Information Fusion Center (OIFC), Tennessee Fusion Center (TFC), and the DHS Office of Intelligence & Analysis (I&A).

(U) **Scope:** This Field Analysis Report (FAR) addresses potential threats to the construction of the Diamond Pipeline across Oklahoma, Arkansas, and Tennessee in the coming months. It highlights violent incidents and threats against similar projects; considers potential domestic terrorist targeting, tactics, and weapons; and provides a list of indicators of possible planned violence against this pipeline.* This product is intended to assist government, law enforcement, emergency managers, and private sector security partners in preventing and responding to potential threats during construction of the pipeline.

(U) Key Judgments

- (U//FOUO) DHS and the authoring fusion centers assess the most likely potential domestic terrorist threat to the Diamond Pipeline construction project or associated entities is from environmental rights extremists motivated by resentment over perceived environmental destruction.[†] While environmental rights extremists have a history of targeting the energy sector, we do not currently possess any credible information regarding possible threats against the Diamond Pipeline or related entities from such actors.
- (U//FOUO) We assess that the second most likely potential domestic terrorist threat to the Diamond Pipeline or associated entities—including law enforcement and private contract security guards—is from militia extremists opposed to government enforcement of eminent domain policies.[‡] We do not currently have any credible information regarding possible threats against the Diamond Pipeline or related entities from militia extremists.
- (U//FOUO) We assess that potential attacks against the Diamond Pipeline or related entities would most likely be simple and designed to damage physical infrastructure or equipment by sabotage or arson. Previous attacks against pipelines or related targets have included assaults on law enforcement, private contract security guards, or construction personnel during otherwise lawful

* (U//FOUO) DHS defines **domestic terrorism** as any act of unlawful violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources committed by a group or individual based and operating entirely within the United States or its territories without direction or inspiration from a foreign terrorist group. This act is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping. A domestic terrorist differs from a homegrown violent extremist in that the former is not inspired by and does not take direction from a foreign terrorist group or other foreign power.

[†] (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

[‡] (U//FOUO) DHS defines **militia extremists** as groups or individuals who facilitate or engage in acts of unlawful violence directed at federal, state, or local government officials or infrastructure in response to their belief that the government deliberately is stripping Americans of their freedoms and is attempting to establish a totalitarian regime. These individuals consequently oppose many federal and state authorities' laws and regulations (particularly those related to firearms ownership), and often belong to armed paramilitary groups. They often conduct paramilitary training designed to violently resist perceived government oppression or to violently overthrow the US Government.

(U) Warning: This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). State and local homeland security officials may share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label USPER and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the

^d US person information, please contact the I&A Production Branch at (b) (6)

(b) (5)

protests or criminal trespassing. More complex attacks against pipelines, including those involving improvised explosive devices (IEDs), have historically been rare. We have also seen suspicious photography of critical facilities or personnel associated with pipelines other than Diamond.

(U) The Diamond Pipeline

(U) The 440-mile-long Diamond Pipeline will carry sweet crude oil from ground wells in Cushing, Oklahoma across Arkansas to refineries in Memphis, Tennessee to help increase gasoline, diesel, and jet fuel production in the region. Construction efforts, including land clearing, began in late 2016, with the pipeline anticipated to go operational in late Fall 2017.



(U) Figure 1. Map of planned Diamond Pipeline route.¹

(U//FOUO) Domestic Terrorist Actors and Grievances

(U//FOUO) Environmental Rights Extremists: Most Likely Potential Threat

(U//FOUO) We assess the primary potential threat of violence against the Diamond Pipeline and related entities is from lone offenders who adhere to environmental rights extremist beliefs and believe violence is justified against such projects due to their perceived harm to the environment.* (b) (3) (A), (b) (3) (B), (b) (5)

suggest that the pipeline and associated entities could be attractive targets for an attack by lone environmental rights extremists. We do not have information indicating environmental rights extremists are planning to attack or violently disrupt the Diamond Pipeline.

- (U//FOUO) Environmental rights extremist attacks tend to be designed to inflict economic damage—rather than to cause physical casualties—against targets perceived as exploiting or harming the environment. Environmental rights extremist actors often claim their actions are morally justifiable in the cause of protecting the environment and condone the use of violent tactics in meeting this objective.^{2,3} Environmental rights extremists' motivations for attacks against the Diamond Pipeline construction project would likely be related to concerns that potential fuel spills could result in habitat destruction and pollution of groundwater, according to (b) (3) (A), (b) (3) (B).⁴

(U//FOUO) Suspected environmental rights extremist attacks targeting pipelines in 2016 have included arson attacks against construction equipment and manually shutting pipeline valves, resulting in millions of dollars in estimated damages, according to a (b) (3) (A), (b) (3) (B) and (b) (3) (A), (b) (3) (B).^{5,6,7}

(U//FOUO) Militia Extremists: Second Most Likely Potential Threat

(U//FOUO) We assess the next most likely potential threat of violence against the Diamond Pipeline and related entities is from militia extremists. Although militia extremists have only occasionally targeted energy-related

* (U//FOUO) DHS defines a **lone offender** as an individual motivated by one or more violent extremist ideologies who, operating alone, supports or engages in acts of unlawful violence in furtherance of that ideology or ideologies that may involve influence from a larger terrorist organization or foreign actor.

targets, government enforcement efforts related to land use disputes have increasingly become a driver of violence among militia extremists in the past three years.⁸ We assess, based on (b) (3) (A), (b) (3) (B), (b) (5) [REDACTED], militia extremists could potentially view limited government enforcement of eminent domain laws in the Diamond Pipeline case with similar animosity, creating a flashpoint for violence targeting law enforcement or other entities associated with pipeline construction, such as private contract security guards. However, we do not have information indicating militia extremists are planning to attack or violently disrupt the Diamond Pipeline.

- (U) Militia extremists have engaged in armed standoffs, threats, and disrupted IED plots targeting law enforcement entities perceived to be enforcers of oppressive government land-use policies, according to (b) (3) (A), (b) [REDACTED]^{9,10}.
- (U) Although their capabilities vary, some militia extremists have well-rehearsed paramilitary skills, as well as access to and proficiency using firearms and explosives.¹¹ As a result, successful violent attacks have the potential to cause mass casualties.

(U//FOUO) Tactics, Techniques, and Procedures

(U//FOUO) No Diamond Pipeline-Related Violence Reported So Far; Suspected Domestic Terrorist Activities Against Similar Projects Offer Potential Lessons

(U//FOUO) Natural energy development efforts have long been the focus of peaceful protests. More recently, however, these protest movements have been supported by environmental rights extremists from outside the affected regions, resulting in some instances of violence. While the protests against the Diamond Pipeline project have thus far been peaceful, environmental rights extremists could take advantage of these demonstrations to incite or commit acts of violence.

- (U//FOUO) Since the route-clearing phase of the pipeline project began in Arkansas in fall 2016, crews have reported three incidents involving altercations between land occupants and construction crews, according to (b) (3) (A), (b) (3) (B) [REDACTED].¹² In all three incidents, which occurred over the span of several weeks, an armed individual was reported to have verbally threatened crewmembers. While one of the incidents did involve a landowner, the other reported incidents involved disputes with individuals who occupied the property by lease agreement with the landowner. These types of incidents have the potential for escalating into violent clashes with either the crew or law enforcement.

(U//FOUO) We assess potential domestic terrorist attacks against the Diamond Pipeline or related entities would likely be simple and primarily aimed at damaging physical infrastructure or equipment by sabotage or arson. Violent acts against similar types of targets have included assaults on law enforcement, private contract security guards, and construction personnel during otherwise lawful protests or criminal trespassing. More complex attacks, including those using IEDs, have historically been rare. We have also seen suspicious photography of critical facilities or personnel associated with pipelines other than Diamond.

(U//FOUO) Environmental Rights Extremist Threats to Worksite Personnel and Facilities

(U//FOUO) Historical incidents involving physical standoffs between the government and groups of individuals who oppose certain policies represent possible actions that domestic terrorists could take to disrupt development of the Diamond Pipeline. Perceived instances of government overreach, eminent domain enforcement actions, and newly designated federal lands have all been confrontation catalysts for violent extremist groups. Highly visible, dramatic episodes involving criminal trespassing events resulting in violence or threats of violence against worksite personnel and law enforcement, as well as tactics to occupy construction facilities, may be incorporated into the future operational plans of groups opposed to the Diamond Pipeline project.

- (U//FOUO) In mid-December 2016, two individuals entered property used for storing construction equipment for the Diamond Pipeline, forcing the equipment operator to vacate the property fearing for his safety and the safety of the trespassers; the individuals then secured themselves to the equipment, according to (b) (3) (A) [REDACTED].

(b) (3) .^{13,14} Both individuals were arrested and charged with criminal trespassing and pled not guilty, according to (b) (3) (A), (b) . The cases are pending in criminal court.

- (U) On 21 June 2016, William Keebler^{USPER}, the violent extremist leader of a Utah militia group, was arrested after allegedly attempting to blow up a Bureau of Land Management (BLM) cabin in Mt. Trumbull, Arizona. Keebler traveled to Arizona with other militia members and undercover FBI agents. Keebler reportedly attempted to detonate an inactive IED placed in front of the cabin's door, according to (b) (3) (A), (b) .¹⁶ Keebler also participated in the 2014 standoff against the BLM in Bunkerville, Nevada. He is currently awaiting trial in federal court for charges of attempted damage to federal property by means of fire or explosive and possessing a firearm during a violent crime, according to (b) (3) (A), (b) .¹⁷
- (U) In August 2015, individuals attempted to instigate an armed standoff with federal authorities by occupying the grounds of White Hope Mine^{USPER} in Lewis and Clark County, Montana following legal requests from the US Forest Service that the owner address compliance issues.^{18,19} While the incident concluded peacefully, the actions of the participants had the potential to escalate to violence as seen in Arizona in mid-2016.

(U) Elicitation and Suspicious Photography of Critical Facilities

(U//FOUO) Nodes of critical infrastructure and natural energy development sites—including the Diamond Pipeline project—have been the subject of intense public interest. Suspicious activity reporting about unusual photography of energy sector infrastructure potentially related to the Diamond Pipeline—while nonviolent to date—may be indicative of preoperational surveillance by those opposed to the operations and planned expansion of the fossil fuels industry.

- (U//FOUO) A (b) (3) (A), (b) (3) (B) reported to the Oklahoma Information Fusion Center that on 9 November 2015 an unidentified individual in a vehicle was observed photographing a gate to a commercial natural energy terminal in Cushing. After slowing down to take the photographs, the vehicle's sole occupant departed the area. Subsequent vehicle identification checks revealed the vehicle belonged to a construction supply company; however, additional contact with personnel assigned to the energy terminal revealed no construction or maintenance scheduled for the gate in question, according to (b) (3) (A), (b) .²⁰
- (U//FOUO) On 8 March 2015, a fixed-base operator at an airfield in Oklahoma received a telephone call from an individual who reportedly spoke broken English and inquired about renting an aircraft to take aerial photographs of an energy facility located in Cushing. The caller claimed to be an employee of a company that provides "midstream support services" to oil and gas company clients—a claim subsequently disproven by a company representative contacted by state officials, according to (b) (3) (A), (b) (3) (B) .²¹
- (U//FOUO) On 15 March 2013, security personnel employed by a private sector refinery located in north central Oklahoma observed a group of five individuals taking photographs at the employee entrance to the facility. When approached by a security officer, the individuals refused to identify themselves. Once the security officer contacted local law enforcement, the individuals appeared to delete the photographs. Before law enforcement arrived, the group departed the area in a vehicle with an out-of-state license plate, according to the (b) (3) (A), (b) (3) .²²

(U) Sabotage and Disruption of Critical Infrastructure

(U//FOUO) While the Diamond Pipeline project has not seen the same level of disruption as the Dakota Access Pipeline, we are concerned that negative perceptions related to enforcement efforts against DAPL opponents could inspire likeminded individuals to seek out reprisal violence against similar targets, including the Diamond Pipeline.

- (U) On 11 October 2016, five pipelines spanning the US–Canadian border in Montana, North Dakota, Minnesota, and Washington were shut down. The coordinated shutdown resulted in the arrests of nine individuals on charges related to tampering with pipeline valves, according to (b) (3) (A), (b) .^{23,24} (b) (3) stated the subjects used bolt cutters to gain access to aboveground maintenance (b) (3) (A), (b) (3) (B) .

(U) Environmental rights extremists have a long history of using arson attacks to inflict economic damage and disrupt projects or infrastructure they believe presents a danger to the environment. Some environmental rights extremists claim arson attacks are nonviolent due to precautions they take to avoid human casualties; however, such acts carry a risk of death or serious injury. Historical examples include the \$12 million Colorado ski resort arson in 1998 and the \$50 million California housing complex construction site arson in 2003.³⁵ According to a (b) (3) (A), (b) (3) (B), there were approximately 90 arson attacks perpetrated by environmental and animal rights extremists between 1995 and 2010.^{36,*} Most of these attacks took place in the western United States; however, more recent arson activity believed to have been committed by environmental rights extremists has been reported in areas much closer to the Diamond Pipeline construction project.³⁷

- (U) On 1 August 2016, unknown individual(s) set fires in Iowa's Jasper County targeting heavy machinery at three construction sites associated with DAPL, resulting in over \$1 million in damages to equipment, including a bulldozer and a track hoe, according to (b) (3) (A), (b) (3) (B).³⁸ According to (b) (3) (A), (b) (3) (B), the fire damaged the vehicles' engine and cab compartments, likely resulting in a total loss of the equipment.³⁹ There have been no arrests or claims of responsibility for the attacks, which are the first local criminal incidents related to the project.⁴⁰
- (U) On 15 October 2016, unknown individual(s) committed a fourth arson against DAPL construction equipment in Jasper County, according to (b) (3).⁴¹ According to (b) (3) (A), (b) (3) (B), there have been no arrests. The attack occurred in the same area as one of the August arsons and involved similar tactics, possibly suggesting (b) (3) (A), (b) (3) (B), (b) (7)(E).⁴² The arson resulted in over \$2 million worth of damage.⁴³ In both the August and October attacks, the (b) (3) (A), (b) (3) (B), used suggests this incident was plausibly carried out by environmental rights extremists. However, we acknowledge that other factors (b) (3) (A), (b) (3) (B), (b) (5), —could suggest the attack was committed by actors with other motives.⁴⁴

(U) Improvised Explosive Devices

(U//FOUO) Environmental rights extremists have a history of targeting critical infrastructure and energy sector construction sites they deem as dangerous or harmful to the environment; however, these actors have infrequently employed IEDs against such targets. The Diamond Pipeline construction project area and neighboring region cover great distances of sparsely populated lands, making it vulnerable to sabotage by groups and individuals who could use IEDs with reduced risk of detection.

- (U) On 17 and 18 June 2012, environmental rights extremist Anson Chi^{USPER} set off a series of explosive devices on top of an Atmos^{USPER} gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flows. He was sentenced to 20 years without parole on 30 June 2014, according to (b) (3) and (b) (3) (A), (b) (3) (B).^{45,46} Chi pled guilty to attempting to destroy a natural gas pipeline used in interstate commerce and possessing an explosive device not registered with the National Firearms Registration and Transfer Record.⁴⁷
- (U) In the early morning hours of 23 January 2012, three explosions took place at a private sector energy company facility in Stillwell, Oklahoma, according to (b) (3) (A), (b) (3) (B). The first two explosions occurred concurrently prior to the arrival of first responders. The third explosion took place just after the first law enforcement officer arrived, and reportedly sent shrapnel into the officer's patrol vehicle. No injuries were associated with the events, and damage reportedly was minor. The FBI, which believes the explosions were intentional, has not identified any suspects in connection with the case.⁴⁸

* (U//FOUO) DHS defines animal rights extremists as groups or individuals who facilitate or engage in acts of unlawful violence directed against people, businesses, or government entities perceived to be exploiting or abusing animals.

(b)
)
(3
)
(A
)
(b
)
(3
)
(B
)
(b
)
(7
)
(

[REDACTED]

(U//FOUO) Comments, requests, or shareable intelligence may be directed to the Arkansas State Fusion Center at 501-618-8001 or arfusioncenter@asp.arkansas.gov, the Oklahoma Information Fusion Center at 405-842-8547 or fusion@osbi.ok.gov, or the Tennessee Fusion Center at 877-250-2333 or tfc@tn.gov.

(U) Source Summary Statement

(U) The information used in this FAR is drawn from (b) (3) (A), (b) (3) (A), (b) (3) (A), and (b) (3) (A), (b) (3) (A). We have (b) (3) (A), (b) (3) (B), (b) (5)

(U//FOUO) We have (b) (3) (A), (b) (3) (B), (b) (5)

(U//FOUO) We have (b) (3) (A), (b) (3) (B), (b) (5)

(U//FOUO) We have (b) (3) (A), (b) (3) (B), (b) (5)

(b) (3) (A), (b) (5), (b) (3) (B)

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsi.ncirc.gov/resources.aspx>.

(U) Tracked by: HSEC 8.1, HSEC 8.2, HSEC 8.3, HSEC 8.4, HSEC 8.5, HSEC 8.6, HSEC 8.8, HSEC 8.10

1 (b) (3) (A), (b) (3) (B)

[Redacted content]

17 (b) (3) (A), (b) (3) (B)

[REDACTED]

39 (b) (3) (A), (b) (3) (B)

[REDACTED]

(U//FOUO) Domestic Terrorism Lexicon³

(U//FOUO) Anarchist Extremists (AE). Groups or individuals who facilitate or engage in acts of violence as a means of changing the government and society in support of the belief that all forms of capitalism and corporate globalization should be opposed and that governing institutions are unnecessary and harmful to society.

(U//FOUO) Animal Rights Extremists (ARE). Groups or individuals who facilitate or engage in acts of violence directed against people, businesses, or government entities perceived to be exploiting or abusing animals.

(U//FOUO) Black Supremacist Extremists (BSE). Groups or individuals who facilitate or engage in acts of violence as a means to oppose racial integration and/or to eliminate non-black people and Jewish people.

(U//FOUO) Domestic Terrorism (DT). Any act of violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources committed by a group or individual based and operating entirely within the United States or its territories without direction or inspiration from a foreign terrorist group. The act is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping. A domestic terrorist differs from a homegrown violent extremist in that the former is not inspired by and does not take direction from a foreign terrorist group or other foreign power.

(U//FOUO) Environmental Rights Extremists. Groups or individuals who facilitate or engage in acts of violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

(U//FOUO) Militia Extremists (ME). Groups or individuals who facilitate or engage in acts of violence directed at federal, state, or local government officials or infrastructure in response to their belief that the government deliberately is stripping Americans of their freedoms and is attempting to establish a totalitarian regime. These individuals consequently oppose many federal and state authorities' laws and regulations, (particularly those related to firearms ownership), and often belong to armed paramilitary groups. They often conduct paramilitary training designed to violently resist perceived government oppression or to violently overthrow the US Government.

(U//FOUO) Racist Skinhead Extremists (RSE). Groups or individuals who are a sub-category of white supremacist extremists that facilitate, support, or engage in acts of violence directed towards the federal government, ethnic minorities, or Jewish persons in support of their belief that Caucasians are intellectually and morally superior to other races and their perception that the government is controlled by Jewish persons. Racist skinheads consider themselves to be the frontline soldiers of white supremacist extremists, and frequently distinguish themselves from other violent white supremacist extremists by a distinctive style of dress.

(U//FOUO) Sovereign Citizen Extremists (SCE). Groups or individuals who facilitate or engage in acts of violence directed at public officials, financial institutions, and government facilities in support of their belief that the legitimacy of US citizenship should be rejected; almost all forms of established government, authority, and institutions are illegitimate; and that they are immune from federal, state, and local laws.

(U//FOUO) White Supremacist Extremists (WSE). Groups or individuals who facilitate or engage in acts of violence directed at the federal government, ethnic minorities, or Jewish persons in support of their belief that Caucasians are intellectually and morally superior to other races and their perception that the government is controlled by Jewish persons.

³ (U//FOUO) Extracted from DHS Office of Intelligence and Analysis Domestic Terrorism and Homegrown Violent Extremism Lexicon, 10 November 2011.

From:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
CC:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Subject:	(U//FOUO) Advanced Notification of Pending U//LES Field Analysis Report Release: "(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists"
Date:	2017/04/28 14:06:21
Priority:	Normal
Type:	Note

(U) The Office of Intelligence and Analysis provides the Offices of Public Affairs and Legislative Affairs with notice of the pending release of unclassified products to allow time to draft public affairs guidance.

(U//FOUO) The attached is a draft of the U//LES Field Analysis Report titled "(U//FOUO) TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists." The intended audience is federal, state, and local authorities. We plan to publish the final version of this Field Analysis Report on Tuesday, 2 May 2017.

(U) If we can be of any further assistance or answer any questions, please contact the I&A Planning, Production, & Standards Division at (b) (6) or (b) (6) @HQ.DHS.GOV.

V/R,

Production, Media Services & Dissemination Branch
 Planning, Production & Standards Division
 Office of Intelligence and Analysis
 US Department of Homeland Security

(b) (6)

Sender:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
Recipient:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Sent Date:	2017/04/28 14:06:20
Delivered Date:	2017/04/28 14:06:21

From:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
CC:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Subject:	(U//FOUO) FAR: Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project, dated 7 April 2017
Date:	2017/04/07 15:59:07
Priority:	Normal
Type:	Note

Colleagues,

(U//FOUO) The attached Field Analysis Report: Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project, dated 7 April 2017 has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Government, law enforcement, emergency managers, and private sector security partners

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
 Planning, Production, and Standards Division
 Department of Homeland Security

(b) (6)



Sender:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
Recipient:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Sent Date:	2017/04/07 15:59:06
Delivered Date:	2017/04/07 15:59:07

From:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
CC:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Subject:	(U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 16:32:08
Priority:	Normal
Type:	Note

(U//FOUO) This e-mail is a notification that the Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been posted to HSIN at <https://hsin.dhs.gov> and will also be available via NCTC Current; the I&A websites on HSDN and HTSN (JWICS); and CapNet.

(U) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN please go to one of the following Communities of Interest (COI) at <https://hsin.dhs.gov>:

HSIN-Intel

HSIN-Law Enforcement (LE)

(U//FOUO) Please note there may be a delay in posting to some of the COIs.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
 Planning, Production, and Standards Division
 Department of Homeland Security

(b) (6)

Sender:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
Recipient:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Sent Date:	2017/05/02 16:32:07
Delivered Date:	2017/05/02 16:32:08

From:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
CC:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Subject:	(U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 16:31:10
Priority:	Normal
Type:	Note

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
 Planning, Production, and Standards Division
 Department of Homeland Security

(b) (6)

Sender:	I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>
Recipient:	"I&A_PB </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1EF4A84C95C7454F9C7D8888242E9E59-0000000B7E61>"
Sent Date:	2017/05/02 16:31:10

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

(U//FOUO) 2017: Current Trends on Domestic Terrorism

- **WHAT I'LL BE TALKING ABOUT:** Today I'll be giving you a quick overview of some larger trends we're seeing from all the different of Domestic Terrorism (DT) that we focus on at DHS: White Supremacist Extremists, Militia Extremists, Sovereign Citizen Extremists, Black Supremacist Extremists, Animal and Environmental Rights Extremists, and Anarchist Extremists.
- **DHS vs. FBI on DT:**
 - Before I begin the presentation, I should clarify a couple points. We are often asked how DHS's DT mission differs from the FBI. DHS I&A does not have a law enforcement arm **[with general federal criminal jurisdiction,]** like the FBI.
 - Our DT team only looks at strategic level trends and patterns. We aren't building cases for prosecution.
- **CONSTITUTIONALLY PROTECTED ACTIVITIES:**
 - Additionally, I should discuss DHS I&A's legal limitations. Like the FBI, we can't write on these groups based solely on their first amendment-protected activities (i.e. free speech). So, we focus our analysis on potential unlawful actions and violent tactics, rather than beliefs or ideas.
 - And when we use the term "extremist" it specifically means that the person is connected to violent action, not any type of belief, no matter how unconventional it may be, **and not any protest activity—even civil disobedience that may be illegal.** We focus our analysis on those who commit illegal actions **and** use violent tactics, rather than any beliefs or ideas.

(U//FOUO) There are a few major themes we're looking on the DT side of the house at the moment...

1) (U//FOUO) DT Threat Highest from Small Cells, Lone Offenders—across all DT Ideologies:

(U//FOUO) DT plots in recent years tend to be carried out by individuals or small groups acting on the fringes of extremist movements who act independently, without communication with or direction from more organized groups.

- (U//FOUO) Factors such as a lack of charismatic leadership, infighting over ideological disagreements, fears of law enforcement infiltration, and the proliferation of the Internet and social media have driven this shift away from plotting by larger, more organized groups towards smaller cells and lone actors.

2) (U//FOUO) DT Violence is Often Cyclical:

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

- (U//FOUO) Attacks from disparate DT ideologies may vary dramatically from year-to-year—for example, animal rights extremist violent acts may occur several times in one year and not occur at all the following year. Spikes or declines in DT attacks often occur in reaction to major media stories, political events, passage of new legislation, or high-profile convictions.

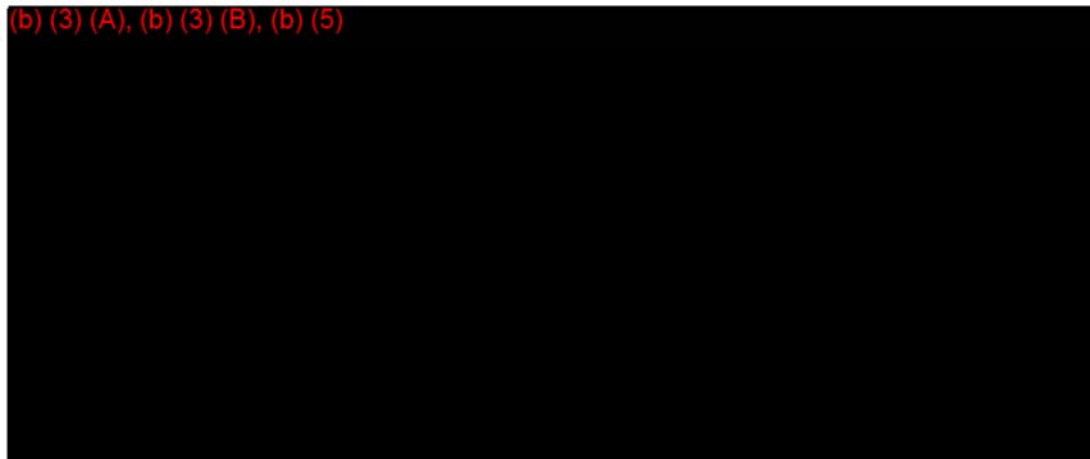
3) (U//FOUO) BREAKING DOWN TRENDS BY MOVEMENT:

- **ANARCHIST EXTREMISTS:**

1. **TYPICAL ATTACKS:** Typical attacks from anarchists are SPORADIC and LOW LEVEL--a lot of rioting and property destruction with occasional arsons, small bombings, and IIDs. Most physical assaults occur against LEOs during rioting; and targeted assaults have been extremely rare.

2. **TYPICAL TARGETS:** Typical targets are: Symbols of capitalism and globalization (b) (b) (5), (b) (7)(E), government, LEOs, and some critical infrastructure such as railways and highways.

3. (b) (3) (A), (b) (3) (B), (b) (5)



i. (U//FOUO) Anarchist extremists co-opted 2 lawful **white supremacist rallies in CA** this year to commit attack white supremacists—whom they deem as an oppressive entity—resulting in several assaults and stabbings. We’re concerned that planned white supremacist events such as a concerts or rallies—or any other event deemed “racist” by them the coming months could result in more violent clashes.

4. **MAY DAY:** We saw May Day rioting/property destruction in several US states in 5 of the last 6 years. We saw 6 arrests in Seattle this year for May Day rioting.

5. **TRAVEL:** One of the other trends that we see related to event disruptions is that Anarchist Extremists are willing to travel long distances to disrupt major events; often

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

we see them carpool and we've seen them illegally steal rides on freight trains in recent years.

6. **GENTRIFICATION:** We've also been seeing recent violent incidents related to gentrification of neighborhoods (i.e. rich people moving into a neighborhood, driving up rent costs, and forcing poor people out). Notably, in incidents in Seattle and Vancouver there was a pattern low level criminal activity such as theft and vandalism that proceeded the arsons.
7. **RAIL TARGETING:** With regards to rail targeting, in the last couple of years we've seen several incidents of rail sabotage from anarchist **extremists**; they use a simple tactic of wrapping copper wire around railroad ties to complete a circuit and send the false signal that there is an obstruction on the tracks, causing the train to stop.
8. **NOT TARGETING INDIVIDUALS:** And last, our most important current trend with regards to anarchists, is that US anarchists have not engaged in targeted violence like their European and Latin American counterparts—where anarchists sent mailbombs and assassinated CEOs and government officials.

ANIMAL/ENVIRONMENTAL RIGHTS EXTREMISTS:

- **ALF/ELF:** When we talk about animal and environmental rights extremism, mostly we're talking about activity from ALF and ELF, the Animal Liberation Front and the Earth Liberation Front.
- **SELF-IDENTIFYING INDIVIDUALS:** An important thing to remember with regards to both ALF and ELF is that they are not groups per se, but rather are collections of individuals that self-identify with the movement. So, there's no hierarchy or anybody giving out orders to members, but rather a website that is legally operated by a Press Office, and has a list of guidelines and you can go carry out your own attacks.
- **ECONOMIC DAMAGE:** It's also important to realize that, primarily, the goals of ALF and ELF are to cause economic damage (PROPERTY DESTRUCTION) to their targets rather than causing casualties. The idea is to take the profit out of exploiting animals or the environment.
- **ARSON:** However, where this gets problematic is that they tend to use arson as a tactic—which is obviously troubling for us because the potential for death and serious injury are there, regardless of the precautions they may take.
- **TYPICAL ATTACKS (ER):** On the Environmental Rights extremist side, attacks occur sporadically, and are smaller in scale; mostly these are criminal actions such as roadblocks, trespassing, tree sitting, vandalism, property destruction; however, we occasionally see arson.
- **TYPICAL ATTACKS (AR):** On the animal rights side, attacks are also typically sporadic and smaller in scale—a lot of animal releases and theft, property destruction, and vandalism—with occasional arsons. One thing tactic we see from Animal Rights extremists but not from Environmental Rights extremists are threats towards perceived abusers of animals.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

- **SECONDARY/TERTIARY TARGETING (AR):** One key trend we see from animal rights extremists is secondary or tertiary targeting—for example, they target pharmaceutical companies that are associated with (b) (3) (A), (b) (3) (B), (b) (7)(E)—an animal testing company; these targets are harassed to make them drop HLS—destroying the company economically
- **ARSONS DOWN IN RECENT YEARS (ER/AR):** Arsons have decreased in recent years in both movements--likely this is due to an aging extremist population;
 - for example, “The Family”—a hybrid ELF/ALF cell of 20 people that was responsible for over 40 criminal acts on from 1996-2001—has been arrested over several years, reducing the number of extremists to carry out attacks.
- **ELF REPORTING DOWN:** We haven’t seen ELF-related reporting in a while—possibly also as a result of “The Family” arrests.
- **PIPELINE ATTACKS:**

(U//FOUO) Environmental rights extremists co-opting otherwise lawful anti-oil campaigns in the Midwest and Western US have in recent months engaged in criminal acts shutting down oil flow through pipelines and disrupting pipeline construction projects with rioting, violent acts of property destruction, and threats and attacks against law enforcement and security personnel. Additionally, environmental rights extremists have exploited anger over pipeline infringement on Native American lands to bring more supporters to their cause.

WHITE SUPREMACIST EXTREMISTS:

BACKGROUND:

- I don’t need to go into much description about what white supremacist extremists are, but there are four **distinct sub groups we focus on**—Neo-Nazis, KKK, Racist Skinheads, and CI (we don’t focus on the prison gangs), and we now recently had the emergence of the Alt Right as well.

TYPICAL ATTACKS: are smaller, unsophisticated, and opportunistic—a lot of assaults and stabbings—and occasional shootings;

HOUSES OF WORSHIP: Minority-related houses of worship, in particular, are favored targets for the movements. So often see plotting targeting synagogues, and African-American or Latino churches. Although we occasionally see shooting attacks-- as in Charleston or in Oak Creek, Wisconsin—mostly what we see are arson attacks against religious facilities.

TRENDS:

1. **INFIGHTING/LONE OFFENDERS:** Currently—OVERALL-- the movement is plagued by a lack of unification and infighting—some of the larger, stronger groups that dominated in previous decades like Aryan Nations/National Alliance lost their leadership to death or arrest—and we

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

haven't had any competent leadership to step in and unify the movement. As a result of this infighting, we see most violence coming from splinter factions and lone offenders.

- So, it's individuals such as the Kansas City shooter—Glen Miller, or Dylann Roof that we're most concerned about.
2. **KLAN PAST ITS PRIME:** The Klan is just a shadow of its former self; we occasionally see Lone Offender violence from individuals in the Klan, but group violence is extremely rare in recent years. Mostly what we're seeing now are BBQs, meet & greets, and leafletting campaigns
 9. **NEO-NAZIS:** As far as Neo-Nazi's go, the strongest Neo-Nazi group in the US today, NSM, has only a couple hundred members and chapters in several states (this sounds significant, but is really just a drop in the bucket when you consider that some of the larger groups from the 90's had up to 1400 dues-paying members.
 - **POLITICAL-PARTY-ESQUE:** Some of these neo-nazi groups view themselves as a legitimate political party, so much of the activity we see from them is constitutionally protected—such as rallies and protests. As a result, most of the violence you see surrounding them is coming from counter-protesters (ANARCHISTS/ANTIFA) at their rallies rather than from the neo-nazi groups themselves.
 1. **2016 RALLY VIOLENCE:** We've had a couple recent incidences highlighting the public safety threat associated with these rallies—this year we had a Klan Rally in Anaheim and a Neo-Nazi rally in Sacramento that resulted in violence clashes between white supremacists and anarchists/antifa.
 1. Bottom-line is these guys are showing up to these rallies expecting a confrontation—so they bring knives, guns, or makeshift weapons such as flagpoles or sharpened sticks to use in fights.
 10. **RACIST SKINHEAD EXTREMISTS:** They are undoubtedly the most violent category of the white supremacist movement. Racist skinheads see themselves as the frontline soldiers of the movement.
 - Most of the violence comes from members of smaller, unaffiliated groups—that are also short-lived.
 - For example a couple years ago we had a mostly online group known as Crew 41 that emerged primarily in the Midwest and East Coast. Within a year of being created leaders of the group were arrested for murdering sex offenders at random in NC, a boot-stomping attack in KS, and stabbing in CA. The group doesn't really have much of a presence any more since most of its members were arrested.
 - Obviously, there are still some larger racist skinhead groups that are known for their for violence. Probably the most well-known at the moment are the (b) (3) (A), (b) (3) (B), (b) (7)

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

(nationally dominant—with chapters overseas), and the Vinlanders (dominant in Midwest, based out of Indianapolis).

Hammerskins are known for holding their yearly concerts known as Hammerfest. The concert draws individuals from all across the US and overseas. We often see violent incidents surrounding the event such as hate-crimes against minorities outside of bars and beat-downs of rival groups or disaffected members.

1. (b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)



RECENT VIOLENCE:

OPPORTUNISTIC ATTACKS ON AFRICAN-AMERICANS: Of the 8 violent incidents/disrupted plots we saw from white supremacists in 2016, 4 of those were opportunistic attacks targeting African-Americans.

- Just to give you an example, in May, a white supremacist and his friend in Columbus, Ohio assaulted an African American on the street at random with a broom handle while shouting racial slurs. The only reason the attack was stopped was that an off-duty cop just happened to be eating at a diner across the street from the crime scene. One of the attackers later posted to (b) (3) that the attack was “in the name of the White Race.”

SPIKE IN AUGUST: It also was significant that (3 of 4) of these attacks occurred in August—a period of heightened racial tension over officer-involved shootings (as you’ll recall the Black

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

Supremacist attacks against police in Dallas and Baton Rouge occurred the month prior, in July).

MILITIA EXTREMISTS:

BACKGROUND:

- Violent groups and individuals belonging to paramilitary groups that believe the government is stripping away their freedoms in order to establish a totalitarian regime.
- An important thing to realize is that they believe they are performing a legitimate role in society of protecting the US people from tyranny or government overreach
- **EVENT DRIVEN:** So, as a result, they are a very “reactive” movement—they are always looking for another Waco -type event to mobilize against (recent examples include the Bundy Ranch and Oregon Wildlife Refuge standoffs)
- (b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)

TYPES OF ATTACKS: Attacks have historically been sporadic, but militia extremists are the greatest DT threat for a mass casualty attack--these are actual armed groups that undergo paramilitary training, and some of their members are trained in the use of explosives.

TRENDS:

1. **CONSPIRACY THEORIES:** Militia extremists are also driven by conspiracy theories—the government is about confiscate firearms, or declare martial law, their going to herd us all into concentration camps, etc. Much of the plotting we see is in reaction, or in preparation for these eventualities.
 - For example, last year we had a group of extremists in North Carolina arrested for building bombs and defensive positions to use in an attack against members of the military involved in the JADE HELM exercise—they believed JADE HELM was part of a larger campaign by the USG to declare martial law and begin herding up dissidents
2. **LAND USE:** The issue of federal land use continues to be a flashpoint for violence from militia/anti-government extremists in the Western US. We continue to be concerned about the possibility of another armed standoff—similar to those in Nevada and Oregon in the last 2 years.

(b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

- **NEW MONUMENTS:** The big story at the moment related to the land use issue at the moment is Obama's recent creation of 2 new National Monuments in UT and NV. The militia crowd views this as a federal "land grab". The new monument in NV actually borders the Bundy Ranch. So far we've seen protests and heated rhetoric, but no plotting or attacks that we're aware of...
3. **GUN CONFISCATION:** Historically, probably the biggest concern of militias is that the federal government is going to enact some form of "gun ban" and confiscate Americans' weapons.
 - For example, SARs we've been seeing a lot of discussion of individuals starting their own militias, and stockpiling both legal and illegal weapons in response to fears that there is an impending gun ban
 1. **SW BORDER MOBILIZATION:** One of the bigger stories we've been tracking over the last few years is the mobilization of Militia Extremists to the SW Border (AZ, and TX) to stop a perceived influx of illegal immigrants and drug cartels into the US. Thus far, we've seen militia extremists mobilize from all across the country to the border region
 - Our primary concerns with this mobilization are that they will result in: attacks against Hispanics perceived to be involved in illegal activities, and threats or interference against law enforcement operations on the border.
 1. **MUSLIM TARGETING:** Importantly, we've also seen an increase in threats against Muslims in reprisal for the Paris and San Bernardino jihadist attacks
 - for example, we've seen a lot of social media threats against muslims, doxxing of local muslims, armed patrols in Muslim neighborhoods, and surveillance of perceived "terrorist training camps"...
 - And some of this anti-Muslim sentiment has resulted in plotting—for example, last year, we had a TN militia extremist convicted for a plot to attack a mosque, cafeteria, and a school in a Muslim community in New York—which he thought was one of these "terrorist training camps".

SOVEREIGN CITIZEN EXTREMISTS

BACKGROUND:

- Just to give you a little background on Sovereigns; they are essentially violent individuals that follow an anti-government ideology and believe that US citizenship is illegitimate, the government's authority is illegitimate, and that they are immune from the law.
2. **VIOLENT HISTORY:** Sovereigns **Individuals holding Sovereign Citizen beliefs have engaged in numerous acts of violence against government officials over the years.** Sovereigns have a proven track record of violent individuals within their movement. While the vast majority of activity you see from sovereigns individuals espousing this belief system is non-violent, such as

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

refusing to pay their taxes or a traffic citation—these criminal activities have in the past quickly escalated to violence.

TYPICAL ATTACKS: Violence from sovereign **citizen extremists** is sporadic and low-level—mostly assault; sometimes you see firearm attacks; most violence occurs as an escalation from minor law enforcement encounters.

TRENDS:

1. **FRAUDULANT ILLEGITIMATE IDs:** Sovereign citizen adherents often attempt to use **identification they have generated** on their own fraudulent IDs to bypass legal authorities, for example, they often present them at traffic stops to avoid having to pay traffic tickets—claiming diplomatic immunity (i.e. claiming to be a member of their own country); Although most encounters with sovereigns remain peaceful, some SCEs have lashed out violently in reaction to LE not respecting the claims of their sovereign status.
 - In the last few years we began to see sovereign **citizen adherents** attempting to bypass **through** airport security using sovereign IDs—and there has been at least one instance where a sovereign has succeeded in using their fake **self-generated** ID to board a commercial airliner
 - **DOD PROBING:** We have been seeing a lot of Sovereign **citizen adherent** encounters at the gates of military bases in the last year. Sovereign **citizen adherents** are attempting to present their fraudulent **self-generated** IDs to bypass **through** security, or they argue that they don't need ID at all as a result of their sovereign status.
2. **FLASHPOINTS:** Presently, with regards to violence, it is the traffic stops and domestic disturbances that are the real flashpoints—we frequently see assaults against police while they are resisting arrest.
3. **LEO IMPERSONATION:** We have historically seen **some** sovereign **citizen** groups implementing “Ranger” programs, in which they act as armed enforcers of their sovereign laws and impersonate law enforcement. They believe they have arrest powers, and in some cases that they are authorized to use deadly force.
4. **SQUATTING:** One trend we've seen increasingly over the last few years is sovereign **citizen adherents engaged in** property takeovers (squatting), where they move into a foreclosed house and put their sovereign documents in the window, change the locks, and refuse to leave—often leading to a “barricade” situation—which can include shootouts with police during eviction efforts.
5. **PRISONS:** In recent years we've been seeing sovereign tradecraft spread through the prison system—including with individuals who aren't “true” actual adherents of sovereign citizen ideology.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY
NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

1. **CITIZEN'S GRAND JURIES:** In the last 2 years we've seen several instances of SCEs attempting to use Citizen's Grand Juries to enforce their own laws; this is really nothing new from Sovereign **citizen adherents**—we saw Posse Comitatus (now defunct) do this back in the 1980s.

- Most of the activity we're seeing from the group at present is harassment of government officials that are not taking their decisions seriously; but we have seen several threats of violence as a result of Citizen's Grand Jury decisions

BLACK SUPREMACIST EXTREMISTS:

(b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)



TYPICAL ATTACKS: Mostly firearm attacks (ambushes)—and their primary target at the moment are law enforcement, which they deem as being oppressive towards African-Americans. We occasionally see attacks against random white people, but that's not as common.

TRENDS:

(b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)



MOORISH IDEOLOGICAL CROSSOVER: Both the Baton Rouge and Phoenix attacks were carried out by Moorish sovereign citizens. (b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)

Moorish ideology has a black power component to it, so it's not totally surprising that we'd see attacks against police in reaction to officer-involved shootings. As noted previously, sovereign citizens are inherently confrontational with police (although it's mostly escalatory violence)—so at the moment having this hybrid ideology is doubly dangerous for encounters with police.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

(b) (3) (A), (b) (3) (B), (b) (5), (b) (7)(E)



UPCOMING CONCERNS—OFFICER INVOLVED SHOOTINGS, TRIALS, RALLIES: Looking forward, our primary concerns are BSE reactions to more officer-involved shootings or trials related to them, and also we're worried about them showing up to counter KKK, Neo-Nazi, or other rallies they perceive as being racist (anti-Immigration, or anti-Muslim events) to commit violence.

ANTI-ABORTION EXTREMISTS:

- (U//FOUO) **Anti-Abortion Violence Against Reproductive Healthcare Facilities Remains a Concern**
- (U//FOUO) There was a dramatic spike in Anti-Abortion Extremist violence in reaction to the release of the "undercover" **Planned Parenthood videos** in July 2015 summer (4 violent incidents compared to 0 the previous year). The attacks included **arsons against Planned Parenthood facilities in LA, WA, and IL** as well as a shooting spree targeting Planned Parenthood in Nov. 2015 in CO. Violence has cooled since the **CO shooting**—with only **a single arson targeted a CA Planned Parenthood in May 2016**; however, we remain concerned that in the coming months renewed media attention on Abortion-related topics such as controversy over Roe. vs. Wade and POTUS' Supreme Court appointments could foment further attacks.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

DHS SENIOR LEADERSHIP ONLY

NOT FOR EXTERNAL DISSEMINATION

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Domestic Terrorism



USA, DHS-IA, 000238

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Disclaimer

This presentation addresses a variety of Homeland security issues and provides operational and intelligence advice and assistance to federal, state, local, and tribal Homeland security and law enforcement officials, as well as private partners so they may deter, prevent, preempt, or respond to terrorist attacks against the United States.

This product contains U.S. person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted with the label ^{USPER} and should be handled in accordance with intelligence oversight and/or information handling procedures. Other U.S. person information has been minimized. Should you require the minimized U.S. person information please contact the DHS/I&A Production Management Division at

(b) (6)

USA_DHS-I&A_000238

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Outline

- Definitions
- Why do we care?
- Major Themes
 - i. Active Cyclical Violence**
 - i. Anarchist Extremism and *some* White Supremacist Extremism
 - ii. Environmental Rights Extremism
 - ii. Dormant Cyclical Violence**
 - i. Black Supremacist Extremism
 - ii. Anti-Abortion Extremism
 - iii. Persistent Threats/Concerns**
 - i. White Supremacist Extremism
 - ii. Sovereign Citizen Extremism
 - iii. Militia Extremism

USA, DHS-IA, 000240

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Definitions

•DHS defines domestic terrorism as **any act of unlawful violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources** committed by a group or individual based and operating **entirely within the United States or its territories without direction or inspiration from a foreign terrorist group**. This act is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

•A domestic terrorist differs from a homegrown violent extremist in that the former is not inspired by and does not take direction from a foreign terrorist group or other foreign power.

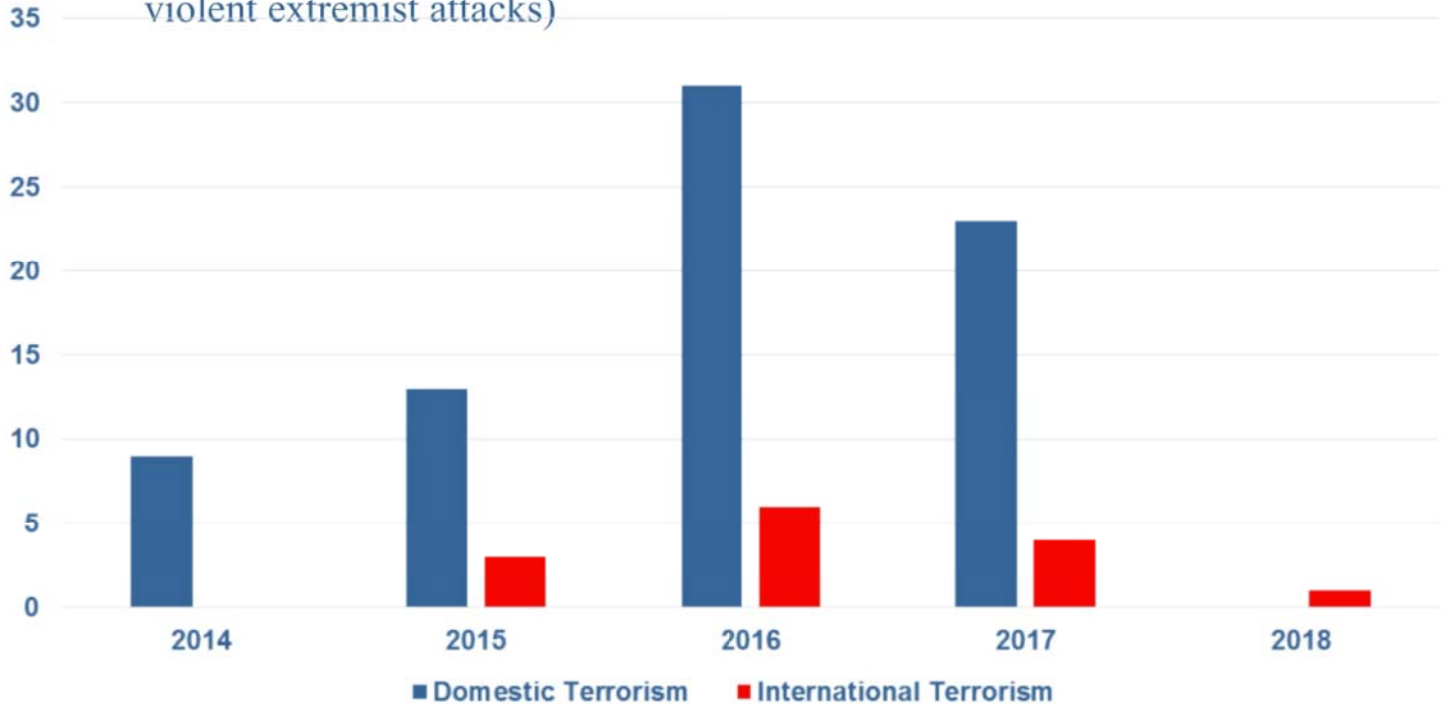
USA_DHS-IA_000241

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Domestic Terrorism Since mid-2014

- Since ISIS declared its caliphate on 29 June 2014:
- 76 domestic terrorism attacks in the United States
- 14 international terrorism attacks in the United States (including homegrown violent extremist attacks)



USA_DHS-IA_000242

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Active: Violent Clashes

- Anarchist extremists targeting perceived ideological and political opponents
- White supremacist extremists targeting their perceived ideological opponents
- Escalation to lethal violence
- Private sector impact
- Traditional anarchist extremist targeting of critical infrastructure



(U) Violence at an April 2016 white supremacist rally in Sacramento, California



(U) Vehicle ramming targeting peaceful protestors marching in August 2017 in Charlottesville, Virginia



(U) USPER who allegedly murdered two individuals in May 2017 on a Portland, Oregon train

USA, DHS-IA, 000243

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Active: Pipeline-Affiliated Targeting

- Sabotage and arson acts
- Threatens critical infrastructure AND public safety
- Financial and business costs
- Targets include pipeline operating systems; associated construction equipment; associated infrastructure
- Construction of Dakota Access Pipeline as a catalyst for domestic terrorist violence
- Unsubstantiated claims of extremist “activity”



(U) October 2016 arson of Dakota Access Pipeline construction equipment in Jasper County, Iowa

USA, DHS-IA, 000244

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Dormant: Lethal Targeting of Police

- Black supremacist extremist activity in 2016
 - Event-driven targeting of police, associated with otherwise peaceful protests related to officer-involved shootings
- Other black supremacist extremist targeting
 - Caucasians
 - Private sector impact
 - Tangential impact



(U) Micah Johnson (above) killed five police officers in Dallas, Texas and injured nine others at a peaceful protest in July 2016.



(U) Kori Muhammad^{USPER} (above) allegedly killed three Caucasian men in Fresno, California in April 2017.

USA_DHS-IA_000248

UNCLASSIFIED//FOR OFFICIAL USE ONLY

*

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Dormant: Anti-Abortion Extremism

- Event-driven targeting of Planned Parenthood^{USPER} facilities
- Four arsons and one shooting within five months of controversial videos
- Future potential flashpoints
- Legislation



(U) Firefighters respond to a September 2015 arson of a Planned Parenthood^{USPER} facility in Pullman, Washington.

USA_DHS-IA_000246

UNCLASSIFIED//FOR OFFICIAL USE ONLY

*

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Persistent White Supremacist Extremist Activity

- Most lethal domestic terrorism threat
- Opportunistic, targeted attacks
- Lone offenders, small groups

- Private sector impact
- Tangential impact



(U) James Jackson^{USPER} traveled from Baltimore, Maryland to New York City to allegedly kill an African-American man in March 2017.



(U) Dylann Roof^{USPER} killed nine African-Americans during a bible study at a Charleston, South Carolina church in June 2015.

USA_DHS-IAA_000247

UNCLASSIFIED//FOR OFFICIAL USE ONLY

*

UNCLASSIFIED//FOR OFFICIAL USE ONLY

Militia and Sovereign Citizen Extremism Concerns

- Militia extremism
- Plots against Muslim communities
- Conspiracy theories
- Sovereign citizen extremism
- Violent law enforcement encounters
- Private sector impact



(U) Robert Doggart^{USPER} sentenced to 20 years for plotting a 2015 attack against a Muslim community he thought hosted a terrorist training camp.



(U) Image from a conspiracy theory website depicting the conspiracy theory behind Doggart's plot.

USA, DHS-IA, 000248

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY



Homeland
Security

Questions?

USA, DHS-IA, 000248

UNCLASSIFIED//FOR OFFICIAL USE ONLY

From:	(b) (6)
To:	
CC:	
Subject:	FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 16:47:57
Priority:	Normal
Type:	Note

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR

(b) (6)

From: I&A_PB
Sent: Tuesday, May 02, 2017 4:31 PM
Cc: I&A_PB (b) (6) @hq.dhs.gov>
Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been

released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

Sender:	(b) (6)
Recipient:	(b) (6)
Sent Date:	2017/05/02 16:47:56
Delivered Date:	2017/05/02 16:47:57

From:	(b) (6)
To:	
CC:	
Subject:	FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 16:48:18
Priority:	Normal
Type:	Note

Wow!!! Not exactly sure of all the player who contributed to this document but Great Work. (b) (6)

From: I&A_PB
Sent: Tuesday, May 2, 2017 4:31 PM
Cc: I&A_PB (b) (6) @hq.dhs.gov>
Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

Sender:	(b) (6)
Recipient:	(b) (6)
Sent Date:	2017/05/02 16:48:17
Delivered Date:	2017/05/02 16:48:18

From:	(b) (6)
To:	(b) (6)
CC:	(b) (6)
Subject:	RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 21:00:08
Priority:	Normal
Type:	Note

Great job team!

(b) (6)

Rocky Mountain Regional Director
DHS / I&A / Field Operations

From: (b) (6)

Sent: Tuesday, May 02, 2017 2:47:56 PM

To: (b) (6)

Cc: (b) (6)

Subject: FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR,

(b) (6)

Department of Homeland Security

(b) (6)

From: I&A_PB

Sent: Tuesday, May 02, 2017 4:31 PM

Cc: I&A_PB (b) (6) @hq.dhs.gov>

Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

Sender:	(b) (6)	
Recipient:		

	(b) (6)
Sent Date:	2017/05/02 21:00:07
Delivered Date:	2017/05/02 21:00:08

From:	(b) (6)
To:	(b) (6)
CC:	(b) (6)
Subject:	Re: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 18:06:22
Type:	Note

Great job folks - appreciate the coordination and effort!

(b) (6)
Deputy Director, Field Operations
Intelligence Operations
Office of Intelligence & Analysis

(b) (6)

From: (b) (6)
Sent: Tuesday, May 02, 2017 05:50 PM
(b) (6)
Subject: RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Awesome!

Special thanks to (b) (6) and (b) (6) for coordinating this one.

(b) (6)

From: (b) (6)
Sent: Tuesday, May 02, 2017 9:47:56 PM

(b) (6)

Subject: FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR,

(b) (6)

Department of Homeland Security

(b) (6)

From: I&A_PB
Sent: Tuesday, May 02, 2017 4:31 PM
Cc: I&A_PB (b) (6) @hq.dhs.gov>
Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)



Sender:	(b) (6)
Recipient:	(b) (6)
Sent Date:	2017/05/02 18:06:22

From:	(b) (6)
To:	(b) (6)
CC:	(b) (6)
Subject:	RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/23 13:18:59
Priority:	Normal
Type:	Note

Just returning to the U.S.A!

Alot of hard work went into this FAR by everyone on the team; including the SROs/FRAs for saying "yes" to fast-tracking several IIRs for inclusion into our FAR. Thanks (b) (6)

(b) (6)

DHS/Field Ops/IO - Montana

BlackBerry: (b) (6)

From: (b) (6)

Sent: Tuesday, May 2, 2017 9:00 PM

(b) (6)

(b) (6)

Subject: RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Great job team!

(b) (6)

Rocky Mountain Regional Director
DHS / I&A / Field Operations

From: (b) (6)

Sent: Tuesday, May 02, 2017 2:47:56 PM

(b) (6)

Subject: FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR,

(b) (6)

(b) (6)

From: I&A_PB

Sent: Tuesday, May 02, 2017 4:31 PM

Cc: I&A_PB (b) (3) @hq.dhs.gov>

Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

Sender:	(b) (6)
Recipient:	(b) (6)
Sent Date:	2017/05/23 13:18:58
Delivered Date:	2017/05/23 13:18:59

From:	(b) (6)
To:	(b) (6)
CC:	(b) (6)
Subject:	RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/05/02 16:49:30
Priority:	Normal
Type:	Note

Agree. Great job. Thank you all for your effort on this. (b) (6)

From: (b) (6)

Sent: Tuesday, May 2, 2017 4:48 PM

(b) (6)

Subject: FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR,

(b) (6)

(b) (6)

From: I&A_PB
Sent: Tuesday, May 02, 2017 4:31 PM
Cc: I&A_PB (b) (6) @hq.dhs.gov>
Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

Sender:	(b) (6)	
Recipient:		



From:	(b) (6)
To:	(b) (6)
CC:	(b) (6)
Subject:	RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/06/07 21:04:09
Priority:	Normal
Type:	Note

(b) (6)

Good news – in case you were not already aware, your FAR is featured in this week’s Homeland Intelligence Enterprise Weekly (HIEW), which went out this afternoon on HSDN. Congratulations!

VR,

(b) (6)

From (b) (6)

Sent: Tuesday, May 02, 2017 4:48 PM

(b) (6)

Subject: FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR,

(b) (6)

From: I&A_PB

Sent: Tuesday, May 02, 2017 4:31 PM

Cc: I&A_PB (b) (6) <[redacted]@hq.dhs.gov>

Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

(b) (6)

Sender:	(b) (6)
Recipient:	(b) (6)
Sent Date:	2017/06/07 21:04:08
Delivered Date:	2017/06/07 21:04:09

From:	(b) (6)
To:	(b) (6)
CC:	(b) (6)
Subject:	RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017
Date:	2017/06/07 22:56:12
Priority:	Normal
Type:	Note

Awesome – thanks (b) (6)

(b) (6)

*Rocky Mountain Regional Director
Department of Homeland Security
Office of Intelligence & Analysis
Supporting CO, ID, MN, MT, NM, ND, SD, UT & WY*

(b) (6)

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official.

From: (b) (6)
Sent: Wednesday, June 7, 2017 7:04 PM
To: (b) (6)

(b) (6)

Subject: RE: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Good news – in case you were not already aware, your FAR is featured in this week’s Homeland Intelligence Enterprise Weekly (HIEW), which went out this afternoon on HSDN. Congratulations!

VR,

(b) (6)

From: (b) (6)

Sent: Tuesday, May 02, 2017 4:48 PM

(b) (6)

Subject: FW: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

(b) (6)

Congratulations on the publication of your FAR! Fantastic work!

VR,

(b) (6)

Ann C. Wessel
Department of Homeland Security

(b) (6)

From: I&A_PB

Sent: Tuesday, May 02, 2017 4:31 PM

Cc: I&A_PB (b) (6) <[@hq.dhs.gov](mailto:(b) (6)@hq.dhs.gov)>

Subject: (U//LES) FAR: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017

Colleagues,

(U//FOUO) The attached Field Analysis Report: TTPs Used in Recent US Pipeline Attacks by Suspected Environmental Rights Extremists, dated 2 May 2017, has been released. CTAB members, Field Operations, IGA, OPA, and OLA are receiving this message and attachment to ensure uninterrupted access to I&A's finished analytic products.

(U) This product will also be available via NCTC Current and the I&A websites on HSDN and HTSN (JWICS); HSIN; and CapNet.

(U//FOUO) **Intended Audience:** Federal, State, Local, Tribal & Territorial Government Agencies & Authorities

(U//FOUO) To locate the product on HSIN, go to HSIN Central page at <https://hsin.dhs.gov>, and copy and place the title in the search bar.

(U//FOUO) For more information regarding HSIN please visit http://www.dhs.gov/files/programs/gc_1156888108137.shtm or contact HSIN.Helpdesk@dhs.gov for access.

Very Respectfully,
Planning, Production, and Standards Division
Department of Homeland Security

(b) (6)

Sender:	(b) (6)	
Recipient:	(b) (6)	

	(b) (6)
Sent Date:	2017/06/07 22:56:10
Delivered Date:	2017/06/07 22:56:12

Henry, Brendan

From: (b) (6)
Sent: Wednesday, October 17, 2018 12:59 PM
To: (b) (6)
Subject: Fwd: (U//FOUO) OSIR-04001-0139-19 - Plans to blockade pipeline project through the Great Plains. CORRECTED
Attachments: (U--FOUO) OSIR-04001-0139-19.pdf; ATT00001.htm

(b) (6)
DHS/IA/MT
(b) (6) cell
(b) (6)

Begin forwarded message:

From: (b) (6)
Date: October 17, 2018 at 10:45:25 AM MDT
To: (b) (6)
Subject: (U//FOUO) OSIR-04001-0139-19 - Plans to blockade pipeline project through the Great Plains. CORRECTED

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U//FOUO) DHS/OSIR-04001-0139-19 - Plans to blockade pipeline project through the Great Plains.

(U//FOUO) The attached Open Source Intelligence Report (OSIR) is provided for your situational awareness. You are responsible for determining any further release of this product to personnel in your Intelligence, Information, or Fusion Center or your Area of Responsibility (AOR) that have a need to know.

(U//FOUO) This OSIR contains NO US Persons data or PII; however, it is attached and encrypted. Security password will follow in second email message.

(U//FOUO) Direct feedback, evaluations, comments, and follow on collection requests related to this DHS Open Source Intelligence Report (OSIR) to DHS I&A Current and Emerging Threats Center (CETC), Open Source Collection Operations (OSCO) by accessing the OSIR evaluation link at Intelink-U (<https://intelshare.intelink.gov/sites/dhs-osco/>) or Intelink-S (<http://intelshare.intelink.sgov.gov/sites/dhs-osco/>).

Regards,

(b) (6)
Department of Homeland Security
Current & Emerging Threats Center (CETC)
Open Source Collection Operations (OSCO)
(b) (6)

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Henry, Brendan

From: (b) (6)
Sent: Wednesday, February 7, 2018 11:54 AM
To: (b) (6); IA.INTELOPS.HTD.TTB
Subject: Activist sentenced to prison for targeting North Dakota oil pipeline

Activist sentenced to prison for targeting North Dakota oil pipeline

Environment Associated Press · Feb 6, 2018



Pipe is stacked at the southern site of the Keystone XL pipeline. Tom Pennington | Getty Images 2012

An environmental activist **from Seattle** has been sentenced to serve one year in prison for targeting an oil pipeline in North Dakota.

Michael Foster in October 2016 cut **through a chain link fence and turned a shut-off valve on the Keystone Pipeline as part of a four-state protest to draw attention to climate change and support demonstrations against the Dakota Access pipeline.**

He was convicted last October of conspiracy, criminal mischief and trespass but acquitted of reckless endangerment. He was sentenced in Cavalier Tuesday.

Samuel Jessup of Vermont, who filmed Foster's protest, was sentenced Tuesday to two years of probation for conspiracy.

Foster and Jessup were among 11 activists with the group Climate Direct Action who were arrested in North Dakota, Minnesota, Montana and Washington state the day of the protest.

Stay Informed

The news on your schedule from MPR News Update

(b) (6)

Senior Intelligence Officer

DHS I&A Homeland Threats Division

(b) (6)

From: (b) (6)
To: (b) (6)
Subject: Fwd: (U//FOUO) OSIR-04001-0139-19 - Plans to blockade pipeline project through the Great Plains. CORRECTED
Date: Wednesday, October 17, 2018 12:58:39 PM
Attachments: (U--FOUO) OSIR-04001-0139-19.pdf
ATT00001.htm

(b) (6)

DHS/IA/MT

(b) (6)

Begin forwarded message:

From: (b) (6)
Date: October 17, 2018 at 10:45:25 AM MDT
To: (b) (6)
Subject: (U//FOUO) OSIR-04001-0139-19 - Plans to blockade pipeline project through the Great Plains. CORRECTED

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U//FOUO) DHS/OSIR-04001-0139-19 - Plans to blockade pipeline project through the Great Plains.

(U//FOUO) The attached Open Source Intelligence Report (OSIR) is provided for your situational awareness. You are responsible for determining any further release of this product to personnel in your Intelligence, Information, or Fusion Center or your Area of Responsibility (AOR) that have a need to know.

(U//FOUO) This OSIR contains NO US Persons data or PII; however, it is attached and encrypted. Security password will follow in second email message.

(U//FOUO) Direct feedback, evaluations, comments, and follow on collection requests related to this DHS Open Source Intelligence Report (OSIR) to DHS I&A Current and Emerging Threats Center (CETC), Open Source Collection Operations (OSCO) by accessing the OSIR evaluation link at Intelink-U (<https://intelshare.intelink.gov/sites/dhs-osco/>) or Intelink-S (<http://intelshare.intelink.sgov.gov/sites/dhs-osco/>).

Regards,

(b) (6)

Department of Homeland Security
Current & Emerging Threats Center (CETC)
Open Source Collection Operations (OSCO)

(b) (6)

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U//FOUO) OPEN SOURCE INTELLIGENCE REPORT (OSIR)

DEPARTMENT OF HOMELAND SECURITY
OPEN SOURCE INTELLIGENCE REPORT
NOT FINALLY EVALUATED INTELLIGENCE

(U//FOUO) WARNING: THIS IS AN INFORMATION REPORT THAT CONTAINS RAW UNEVALUATED INFORMATION. THIS REPORT IS UNCLASSIFIED//FOR OFFICIAL USE ONLY.

(U//FOUO) SERIAL: OSIR-04001-0704-18

(U//FOUO) SUBJECT: Environmental extremists call for week of action against fossil fuel infrastructure starting 12 May 2018.

(U//FOUO) SUMMARY: Source praises recent actions taken to sabotage fossil fuel infrastructure and asks individuals to increase the number of actions against extractive industries between 12-19 May 2018.

(U//FOUO) DATE OF ACQUISITION: 04 MAY 2018

(U//FOUO) ACQUISITION CODE: P0014

(U//FOUO) U.S. PERSONS INFORMATION (Y/N): NO

(U//FOUO) REQUIREMENT: 902644352; EEI-82572; 902641498; EEI-77810

(U//FOUO) TOPIC: DHS-IA-CVE.2; HSEC-8.1, HSEC-8.10, HSEC-8.3, HSEC-8.5, HSEC-8.6, HSEC-8.8

(U//FOUO) COUNTRY OR NONSTATE ENTITY: USA; NGA

(U//FOUO) DATE OF INFORMATION: 03 MAY 2018

(U//FOUO) SOURCE NUMBER: DHS-04001-01147

(U//FOUO) SOURCE DESCRIPTION: [REDACTED]

(U//FOUO) SOURCE CONTEXT: (b) (3) (A), (b) (3) (B) promotes interfering with extractive industry infrastructure to include pipelines.

(U//FOUO) TEXT:

1. (U//FOUO) Source [USPER] published on an (b) (3) (A) [REDACTED] an article calling for a week of action against extractive industries beginning (b) (3) (A), (b) (3) (B). Source specifically calls for actions "(b) (3) (A), (b) (3) (B)". Source calls extractive industry "(b) (3) (A), (b) (3) (B)" and states that because of this vulnerability, "[REDACTED]".

2. (U//FOUO) Source then raises five points that individuals should consider. In the first point, Source asks individuals to consider the (b) (3) (A), (b) (3) (B) in their area such as (b) (3) (A), (b) (3) (B). In the second point, Source asks individuals to consider the location of (b) (3) (A), (b) (3) (B) and ways (b) (3) (A), (b) (3) (B). In the fourth point, Source asks individuals to consider a variety of tactics. Several of

UNCLASSIFIED//FOR OFFICIAL USE ONLY

USA_DHS-I&A_000279

UNCLASSIFIED//FOR OFFICIAL USE ONLY

these tactics include protected First Amendment activities; however, Source also asks individuals to consider (b) (3) (A), (b) [REDACTED]. In the third and fifth points, Source focuses on (b) (3) [REDACTED] (A), (b) [REDACTED].

3. (U//FOUO) In the article, Source praises recent actions such as protests in the (b) (3) [REDACTED] (A). Source claims that "(b) [REDACTED]" resisting the state.

(U//FOUO) COMMENTS:

1. (U//FOUO) Collector Comment: Anarchist extremist media amplifies and promotes sabotage to extractive industry infrastructure and its development. Recent publications claim that direct actions have resulted in delays in construction or sabotage of equipment in (b) (3) (A), [REDACTED] (b) (3) (B).

2. (U//FOUO) Collector Comment: For recent reporting on anarchist and environmental extremist actions taken against extractive industries, see OSIR-04001-0218-18, OSIR-04001-0242-18, OSIR-04001-0325-18, and OSIR-04001-0621-18.

(U//FOUO) PREP: OSRN-014

(U//FOUO) POC: Direct feedback, evaluations, comments, and follow on collection requests to the Current and Emerging Threats Center (CETC), Open Source Collection Operations (OSCO) by accessing the OSIR evaluation link at Intelink-U (<https://intelshare.intelink.gov/sites/dhs-osco/>), Intelink-S (<http://intelshare.intelink.sgov.gov/sites/dhs-osco/>), or Intelink-TS (<http://intelshare.intelink.ic.gov/sites/dhs-osco/>). Contact CETC OSCO at (b) (6) [REDACTED] or via e-mail at: (b) (6) [REDACTED].

=====DISSEMINATION=====

(U//FOUO) AGENCY: ATF; CIA; DEA; DHS; DIA; DNI; Energy; FBI; Justice; MCIA; NASIC; NCTC; NGA; NGIC; NRO; NSA; ONI; State; Treasury; USAFRICOM; USCENTCOM; USCYBERCOM; USEUCOM; USMS; USNORTHCOM; USPACOM; USSOCOM; USSOUTHCOM; USSTRATCOM; USTRANSCOM

(U//FOUO) DHS COMPONENTS: CBP; CIS; FEMA; ICE; TSA; USCG; USSS

(U//FOUO) STATE/LOCAL: All Field Ops

=====

(U//FOUO) ATTACHMENTS: None.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

5. (U//FOUO) Listed target information for (b) (3) [REDACTED] also includes telephone numbers for identified U.S. Person employees and representatives of the company at various offices and subsidiaries including the USPER businesses of (b) (3) (A), [REDACTED] (b) (3) (B) [REDACTED].

6. (U//FOUO) Listed target information for the Canadian company (b) (3) [REDACTED] includes the phone numbers for (b) (3) [REDACTED] (A), general inquiries, media relations, and stakeholder relations and site services.

7. (U//FOUO) The following USPER businesses are listed as targets for (b) (3) (A), [REDACTED] and include: (b) (3) (A), [REDACTED] (b) (3) (B) [REDACTED].

8. (U//FOUO) Listed target information for the Canadian company (b) (3) (A), [REDACTED] includes the crude oil and liquids emergency telephone numbers for (b) (3) (A), (b) (3) (B) [REDACTED].

9. (U//FOUO) Listed target information for the Canadian company (b) (3) [REDACTED] includes two addresses in (b) (3) (A), [REDACTED], Canada, a telephone switchboard number, a fax number, and a 24 hour emergency telephone number.

10. (U//FOUO) Listed target information for the British company (b) [REDACTED] include the telephone and fax numbers for the press office and switchboard, the America media affairs and investor relations offices in (b) (3) (A), [REDACTED] and (b) (3) (A), [REDACTED].

11. (U//FOUO) Listed USPER target information for (b) (3) [REDACTED] include the name and email address for the identified U.S. Person CEO and a telephone number and address for the headquarters in (b) (3) [REDACTED].

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U//FOUO) **COMMENTS:** No additional comments.

(U//FOUO) **PREP:** OSRN-016

(U//FOUO) **POC:** Direct feedback, evaluations, comments, and follow on collection requests to the Current and Emerging Threats Center (CETC), Open Source Collection Operations (OSCO) by accessing the OSIR evaluation link at Intelink-U (<https://intelshare.intelink.gov/sites/dhs-osco/>), Intelink-S (<http://intelshare.intelink.sgov.gov/sites/dhs-osco/>), or Intelink-TS (<http://intelshare.intelink.ic.gov/sites/dhs-osco/>). Contact CETC OSCO at

(b) (6) or via e-mail at: (b) (6) .

=====DISSEMINATION=====

(U//FOUO) **AGENCY:** CIA; DHS; DIA; DNI; Energy; FBI; Justice; NCTC; NSA; State; USCYBERCOM; USEUCOM; USNORTHCOM

(U//FOUO) **DHS COMPONENTS:** CBP; CIS; FEMA; ICE; TSA; USCG; USSS

(U//FOUO) **STATE/LOCAL:** All Field Ops

=====

(U//FOUO) **ATTACHMENTS:** None.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U//FOUO) OPEN SOURCE INTELLIGENCE REPORT (OSIR)

DEPARTMENT OF HOMELAND SECURITY
OPEN SOURCE INTELLIGENCE REPORT
NOT FINALLY EVALUATED INTELLIGENCE

(U//FOUO) WARNING: THIS IS AN INFORMATION REPORT THAT CONTAINS RAW
UNEVALUATED INFORMATION. THIS REPORT IS UNCLASSIFIED//FOR OFFICIAL USE ONLY.

(U//FOUO) SERIAL: OSIR-04001-0139-19

(U//FOUO) SUBJECT: Plans to blockade pipeline project through the Great
Plains.

(U//FOUO) SUMMARY: None.

(U//FOUO) DATE OF ACQUISITION: 17 OCT 2018

(U//FOUO) ACQUISITION CODE: Q0001

(U//FOUO) U.S. PERSONS INFORMATION (Y/N): NO

(U//FOUO) REQUIREMENT: 902644352; EEI-82572, EEI-92566; 902641498; EEI-77810

(U//FOUO) TOPIC: DHS-IA-CVE.2; HSEC-8.1, HSEC-8.6

(U//FOUO) COUNTRY OR NONSTATE ENTITY: USA

(U//FOUO) DATE OF INFORMATION: 17 OCT 2018

(U//FOUO) SOURCE NUMBER: DHS-04001-01427

(U//FOUO) SOURCE DESCRIPTION: (b) (3) (A)

(b) (3) (A)

(U//FOUO) SOURCE CONTEXT: Promotes causes related to anarchist extremist,
antifascist, and anti-law enforcement ideology.

(U//FOUO) TEXT:

1. (U//FOUO) Source (USPER) issued a statement on social media in response to
the announcement that the developer of a Keystone XL (KXL) pipeline project
would begin construction on the pipeline in 2019. The statement indicated
that a "Standing Rock" style protest will take place. Source stated, (b) (3)

(Collector Comment: "Lakota
territory" likely refers primarily to Montana, North Dakota, South Dakota,
and portions of Nebraska, where the pipeline is expected to be constructed.)

2. (U//FOUO) As of 17 October 2018, the post had 6 comments, 777 likes, and
had been shared 339 times. The comments indicated that followers were
receptive to the proposal.

(U//FOUO) COMMENTS: No additional comments.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U//FOUO) PREP: OSRN-014

(U//FOUO) POC: Direct feedback, evaluations, comments, and follow on collection requests to the Current and Emerging Threats Center (CETC), Open Source Collection Operations (OSCO) by accessing the OSIR evaluation link at Intelink-U (<https://intelshare.intelink.gov/sites/dhs-osco/>), Intelink-S (<http://intelshare.intelink.sgov.gov/sites/dhs-osco/>), or Intelink-TS (<http://intelshare.intelink.ic.gov/sites/dhs-osco/>). Contact CETC OSCO at (b) (3) (A), (b) or via e-mail at: (b) (3) (A), (b) (3) (B)

=====DISSEMINATION=====

(U//FOUO) AGENCY: DHS; DIA; DNI; Energy; FBI; NCTC; USNORTHCOM;

(U//FOUO) DHS COMPONENTS: CBP; CIS; FEMA; ICE; TSA; USCG; USSS

(U//FOUO) STATE/LOCAL: All Field Ops

=====

(U//FOUO) ATTACHMENTS: None.

UNCLASSIFIED//FOR OFFICIAL USE ONLY