From: (b)(6); (b)(7)(C)
Sent: 25 Jul 2020 18:51:51 +0000
To: (b)(6); (b)(7)(C)
Subject: Terms/ reference and some I&A guidance to their analysts
Attachments: Joint FBI-NCTC Unrest JIB UFOUO.pdf, Terrorism Reporting in Finished Intelligence_General Guidance.docx

All –

Attached word document is from I&A's lawyers—although specific to I&A, it may be of some help for us articulating our left and right lateral limits during these civil unrest situations.

Below terms defined by FBI and NCTC that may be useful can be found in attached JIB.

(U//FOUO) The FBI and NCTC define **a lone offender** as an individual acting alone or without the witting support of others to further social or political goals, wholly or in part, through activities that involve unlawful acts of force or violence. Lone offenders may act within the context of recognized domestic violent extremist ideologies, their own interpretation of those ideologies, or personal beliefs. The mere advocacy of political or social positions, political activism, use of strong rhetoric, or generalized philosophic embrace of violent tactics may not constitute extremism, and may be constitutionally protected.
[d] (U//FOUO) The FBI and NCTC define **racially or ethnically motivated violent extremism (RMVE)** as threats involving the potentially unlawful use or threat of force or violence, in furtherance of political and/or social agendas, which are deemed to derive from bias—often related to race or ethnicity—held by the actor against others, including a given population group.
[e] (U//FOUO) The FBI defines **anarchist extremists** as individuals who seek, wholly or in part, through unlawful acts of force or violence, to further their opposition to all forms of capitalism, corporate globalization, and governing institutions, which they perceive as harmful to society. The mere advocacy of political or social positions, political activism, use of strong rhetoric, or generalized philosophic embrace of violent tactics may not constitute extremism, and may be constitutionally protected. Some anarchist extremists self-identify as "ANTIFA," a moniker for anti-fascist that is also used by non-violent adherents. Identifying with "ANTIFA" or using the term without engaging in violent extremism may also be constitutionally protected.
[f] (U//FOUO) The FBI defines **militia extremists** as individuals who seek, wholly or in part through unlawful acts of force or violence, to further their belief that the US Government is purposely exceeding its Constitutional authority and is attempting to establish a totalitarian regime. Consequently, these individuals oppose many federal and state laws and regulations, particularly those related to firearms ownership. Militia extremists take overt steps to violently resist or facilitate the overthrow of the US Government. The mere advocacy of political or social positions, political activism, use of strong rhetoric, or generalized philosophic embrace of violent tactics may not constitute extremism, and may be constitutionally protected.
[g] (U//FOUO) "Boogaloo" is a term used by some militia extremists and racially or ethnically motivated violent extremists (RMVEs) to reference a violent uprising or impending civil war. While RMVEs typically use the term to reference an impending race war or other conflict that will lead to the collapse of the "system," including the US Government and society, militia extremists use the term to reference an impending politically motivated civil war or uprising against the government following perceived incursions on constitutional rights, including the Second Amendment, or other actions perceived as government overreach.

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HSI Intelligence Information Hub

Terrorism Reporting in Finished Intelligence - Policy-Based Guidance

The following guidance addresses issues that often arise in Finished Intelligence (FINTEL) and other types of production, along with examples to attempt to help illustrate the general guidance provided. The guidance and examples are intended to assist in understanding the principles but are not definitive or comprehensive. In every case, an analyst should evaluate the facts of a particular incident against the legal thresholds provided in the general guidance.

Vandalism/Graffiti:

Mere vandalism, graffiti, property destruction, financial harm, etc. typically do NOT constitute acts of domestic or international terrorism, even if motivated by bias, bigotry, or ideology. The Homeland Security Act and the Intelligence Oversight Guidelines require that terrorism be a criminal act that is *dangerous to human life* or potentially *destructive* of CIKR.

Graffiti or other markers may help us to determine whether a particular action that is dangerous to human life or destructive of CIKR was motivated by a terrorist ideology (as opposed to a financial or personal motive) or to identify a specific terrorist actor, but graffiti and other vandalism are not generally dangerous to human life or destructive of CIKR, in and of themselves, and should not be reported absent some other activity that causes them to rise to the reporting threshold.

Examples:

- Vandalizing a military recruiting center with slogans opposing US foreign policy or an ISIS symbol is usually criminal, but does not rise to the level of terrorism because the vandalism was not potentially dangerous to human life.

- Vandalizing a military recruiting center with the same slogans and symbols and also shooting at the buildings would likely be reportable as terrorism, because firing at a building (even if the attempt is at night or when the building is otherwise believed not to be occupied) is usually potentially dangerous to human life, and the coinciding vandalism suggests the event was motivated by a terrorist ideology and intended to influence the policy of a government.

Hate Crimes:

While terrorism and hate crimes may certainly overlap, even if an act is determined to be a "hate crime," that does not necessarily make it reportable as domestic or international terrorism. The federal criminal code recognizes these as separate concepts, and our Intelligence Oversight Guidelines do not discuss "hate crimes." However, some hate crimes can rise to the level of terrorism – i.e., when the activity is dangerous to human life or potentially destructive of CIKR,

and facts demonstrate the required intent. The third element of terrorism typically requires that the act appear to be intended to intimidate or coerce a civilian population, or to influence the policy of a government through intimidation or coercion. While a hate crime may rise to this level of intent, for it to be terrorism the facts should demonstrate that the actor has this broader purpose of intimidation or coercion.

Examples:

- Vandalizing a synagogue with a swastika may constitute a hate crime, but does **not** rise to the level of terrorism on its own because the vandalism was not potentially dangerous to human life.

- Vandalizing a synagogue with a swastika and throwing a Molotov cocktail into the building (even when the attempt is at night or when the building is otherwise believed not to be occupied) would likely be reportable as terrorism, because an attempt at arson is usually dangerous to human life and the coinciding vandalism with swastika suggests the event was motivated by a terrorist ideology and intended to intimidate a civilian population.

Threats to Critical Infrastructure/Key Resource (CIKR):

I&A can report on domestic and international terrorism that threatens CIKR, as well as certain other threats to CIKR. Our Intelligence Oversight Guidelines define critical infrastructure and key resources as follows:

- **Critical infrastructure** is systems and assets, whether physical or virtual, *so vital* to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

- **Key resources** are publicly or privately controlled resources *essential to the minimal operations* of the economy and government.

CIKR is frequently private property, but not all private property is CIKR. A case by case analysis must be performed in order to determine whether an individual system, asset, or controlled resource can reasonably be characterized as "so vital" or "essential" as to meet the respective CIKR definition.

Not every potential or actual threat to CIKR falls within I&A authorities/Intel Oversight Guidelines. In order to be reportable in finished intelligence under Intel Oversight Guidelines, I&A must possess credible and verifiable derogatory information that demonstrates a clear link to domestic or international terrorism, international narcotics trafficking, or potential destruction of CIKR that is not purely criminal in nature, and otherwise satisfies the requirements of terrorism.

Examples:

- Using a computer virus to shut down the operations of a local branch of a bank is not usually terrorism, as a single local branch of a bank is not so vital that its incapacity or destruction would have debilitating impact on national economic security.

- Using a computer virus to shut down one of the US's electronic payment systems, even though there are some redundancies, may rise to the level of terrorism because the impact would likely be significant enough to have a debilitating impact on national economic security (and a terrorist ideological motive could also be demonstrated, as opposed to, for example, a financial motive).

Doxing:

Doxing is suitable for I&A reporting only in certain circumstances. Typically, absent language or behavior reasonably believed to constitute a true threat or incitement to violence, doxing is constitutionally-protected speech. In order to comply with Intel Oversight Guidelines, we must articulate that the reported doxing contains a threat equivalent to domestic terrorism or a direct threat to CIKR, which would mean it is not constitutionally protected, OR we must demonstrate how reporting on the doxing would constitute support for a DHS component (e.g., where otherwise unknown ICE contractor facility locations were revealed, potentially resulting in efforts to impede ICE operations or subsequent threats to ICE personnel). For a true doxing to have occurred, the information must not have already been publicly available; merely compiling publicly available information in one location is not doxing.

Doxing for the purposes of harassment, embarrassment, intimidation, or vengeance alone, or doxing of private persons without a true threat, is not reportable even it if amounts to criminal conduct - there must be a domestic or international terrorism threat, threat to CIKR, or threats to Component operations/impediment of a DHS mission to be reportable under Intel Oversight Guidelines.

Properly scoping dissemination is also essential for any reporting on or analysis of doxing (i.e., only to affected agencies—such as ICE or CBP for their affected facilities—and directly relevant agencies that can action the information for protection—such as USSS, FPS, or FBI). If appropriate, the reporting must contain caveat language that the doxing activity itself is constitutionally protected.

Finally, sometimes information that is doxed was acquired through unlawful means that seriously compromise cybersecurity of CIKR. Such an attack can be reported, but would have to be reported independent of the doxing and must separately comply with the Intelligence Oversight Guidelines. Keep in mind that in some circumstances it may only be appropriate to report on the cyber intrusion and not on the subsequent doxing itself.

From: (b)(6); (b)(7)(C)
Sent: 10 Jun 2020 14:39:37 -0700
To: Federal Directors and Deputies
Subject: Today's Agency Head round-table (3pm)- Short brief-out from FEMA
Attachments: Oregon FEB.pptx

Agency Heads,

Looking forward to speaking with you all today during our Agency Head COVID-19/Protest activity roundtable discussion at 3pm.

During today's call, we will have a short out-brief from our FEMA Region X Interagency Recovery COVID19 Task Force Rep, Ms. (b)(6); addressing the current Task Force situation and ongoing needs. She has provided a few slides, which are attached for those who can only join the zoom by phone.

We will also discuss ongoing protest activity in Portland and what we can expect, before our normal roundtable updates.

Thank you!

Ms. (b)(6); (b)(7)(C)
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Upcoming
OFEB Training
How to be an Effective Remote Leader- 2 June (webinar)
New Employee FEHB Seminars: 10 June (webinar)
FEHB & Medicare Seminars: 18 June (webinar), 14 July (Portland), 14 September (Portland)

Monthly Retirement seminars, including events in Vancouver, Springfield, & Prineville

Risk Management Process and Facility Security Committee (RMP FSC) Training- 15 Sep (Springfield) & 17 Sep (Portland)
Public Service Recognition Week Events
POSTPONED to week of 5 October
FEHB Benefits Training for Individuals Responsible for scheduling Open Season meetings, Agency Benefit Officers, HR Staff- 27 October (Portland)

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From: (b)(6); (b)(7)(C)
Sent: 13 Jun 2020 23:57:43 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: Tomorrows Protest Flyer
Attachments: Abolish Ice SM flyer.jpg

Looks like tomorrows event at 2 pm is looking a little more organized…

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From: (b)(6); (b)(7)(C)
Sent: 26 Jun 2020 06:41:01 +0000
To: (b)(6); (b)(7)(C)
Subject: (b)(7)(E) on Wednesday - location change & arrest question

Hey (b)(6)

Sorry for the late notice, I didn't realize (b)(6) had directed your (b)(7)(E)
He's a great agent, but new to Portland and doesn't necessarily know some of the dynamics yet.

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

(b)(7)(E)

I'm working on getting Portland Police onboard, but their schedule changes daily due to the ongoing protests. We'll see what they can provide, if anything.

Again, apologies for the late change, but it's a critical change.
Safe travels,

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

From: (b)(6); (b)(7)(C)
Sent: 9 Jul 2020 22:24:26 +0000
To: (b)(6); (b)(7)(C)
Brian T
Cc: (b)(6); (b)(7)(C)
Subject: Tentative joint DOD exercise in September

Guys,

I meant to message you earlier, but it's been a busy day. We had a meeting this morning with some DOD/SOCOM reps about an operational exercise planned in the Seattle area for September. They are still in the early planning stages, but we will likely be supporting and facilitating parts of the exercise dealing with the maritime environments, airport(s) and a few land-based activities. I do not have a lot of details, but (b)(6); asked me to coordinate from a senior level. Operationally, our SRT folks will likely be the primary facilitators. I think (b)(6); already advised, but (b)(6); (b)(7)(C) and (b)(6); are expected to play primary roles in this. And we will likely call on other agents to help out.

Anyway, more details to follow. It will be a great opportunity for us. We may even get a chance to learn some of their techniques. Feel free to hit me up with any questions, but I probably won't have many answers, yet!

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