

The Protest Movement against the TransCanada Keystone XL Tar Sand Pipeline

Non-Violent Keystone XL Activists = 'Eco-Terrorists,' According to TransCanada Documents

By [Global Research News](#)

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Vague language also ensnares journalists, researchers and academics

[Documents recently obtained by Bold Nebraska](#) show that TransCanada – owner of the hotly-contested [Keystone XL \(KXL\)](#) tar sands pipeline – has [colluded with an FBI/DHS Fusion Center in Nebraska](#), labeling non-violent activists as possible candidates for “terrorism” charges and other serious criminal charges.

Further, the language in some of the documents is so vague that it could also ensnare journalists, researchers and academics, as well.

TransCanada also built a roster of names and photos of specific individuals involved in organizing against the pipeline, including *350.org*'s Rae Breaux, *Rainforest Action Network*'s Scott Parkin and *Tar Sands Blockade*'s Ron Seifert. Further, every activist ever arrested protesting the pipeline's southern half is listed by name with their respective photo shown, along with the date of arrest.

It's [PSYOPs-gate and “fracktivists” as “an insurgency”](#) all over again, but this time it's another central battleground that's in play: the northern half of KXL, a proposed border-crossing pipeline whose final fate lies in the hands of President Barack Obama.

The southern half of the pipeline was [approved by the Obama Admin. via a March 2013 Executive Order](#). Together, the two pipeline halves would pump [diluted bitumen \(“dilbit”\)](#) south from the Alberta tar sands toward Port Arthur, TX, where it will be refined and [shipped to the global export market](#).

Activists across North America have put up a formidable fight against both halves of the pipeline, ranging from the summer 2011 [Tar Sands Action](#) to the ongoing [Tar Sands Blockade](#). Apparently, TransCanada has followed the action closely, given the level of detail in the documents.

Another Piece of the Puzzle

Unhappy with the protest efforts that would ultimately hurt their bottom-line profits, TransCanada has already filed a [strategic lawsuit against public participation](#) (SLAPP) against *Tar Sands Blockade*, [which was eventually settled out of court in Jan. 2013](#). That was just one small piece of the

repressive puzzle, though it sent a reverberating message to eco-activists: [they're being watched](#).

In May 2013, Hot Springs School District in South Dakota held a mock bomb drill, with the mock "[domestic terrorists](#)" none other than anti-Keystone XL activists.

"The Hot Springs School District practiced a lockdown procedure after pretending to receive a letter from a group that wrote 'things dear to everyone will be destroyed unless continuation of the Keystone pipeline and uranium mining is stopped immediately,'" [explained the Rapid City Journal](#). "As part of the drill, the district's 800 students locked classroom doors, pulled down window shades and remained quiet."

This latest revelation, then, is a continuation of the troubling trend profiled in investigative journalist Will Potter's book "[Green Is the New Red](#)." That is, eco-activists are increasingly being treated as domestic eco-terrorists both by corporations and by law enforcement.

TransCanada Docs: "Attacking Critical Infrastructure" = "Terrorism"

The documents demonstrate a clear fishing expedition by TransCanada. For example, TransCanada's PowerPoint presentation from Dec. 2012 on corporate security allege that *Bold Nebraska* had "[suspicious vehicles/photography](#)" outside of its Omaha office.

That same presentation also says TransCanada has received "aggressive/abusive email and voicemail," vaguely citing an incident in which someone said the words "blow up," with no additional context offered. It also states the *Tar Sands Blockade* is "well-funded," an ironic statement about a shoe-string operation coming from one of the richest and most powerful industries in human history.

Another portion of TransCanada's PowerPoint presentation discusses the [various criminal and anti-terrorism statutes that could be deployed](#) to deter grassroots efforts to stop KXL. The charge options TransCanada presented included criminal trespass, criminal conspiracy, and most prominently and alarmingly: federal and state anti-terrorism statutes.

Journalism Could be Terrorism/Criminal According to FBI/DHS Fusion Center Presentation

An [April 2013 presentation given by John McDermott](#) - a Crime Analyst at the [Nebraska Information Analysis Center \(NIAC\)](#), the name of the Federal Bureau of Investigation (FBI) and Department of Homeland Security (DHS) funded [Nebraska-based Fusion Center](#) - details all of the various "suspicious activities" that could allegedly prove a "domestic terrorism" plot in-the-make.

[NAIC says its mission is to](#) "[c]ollect, evaluate, analyze, and disseminate information and intelligence data regarding criminal and terrorist activity to federal, state, local and tribal law enforcement agencies, other Fusion Centers and to the public and private entities as appropriate."

Among the "observed behaviors and incidents reasonably indicative of preoperations planning related to terrorism or other criminal activity" is "photography, observation, or surveillance of facilities, buildings, or critical infrastructure and key resources." A slippery slope, to say the least, which could ensnare journalists and photo-journalists out in the field

doing their First Amendment-protected work.

Another so-called “suspicious activity” that could easily ensnare journalists, researchers and academics: “Eliciting information beyond curiosity about a facility’s or building’s purpose, operations, or security.”

[Melissa Troutman](#) and [Joshua Pribanic](#) – producers of the documentary film “[Triple Divide](#)” and co-editors of the investigative journalism website *Public Herald* – are an important case in point. While in the Tioga State Forest (public land) filming a Seneca Resources fracking site in Troy, Pennsylvania, they were detained by a Seneca contractor and later labeled possible “eco-terrorists.”

“In discussions between the Seneca Resources and Chief Caldwell, we were made out to be considered ‘eco-terrorists’ who attempted to trespass and potentially vandalize Seneca’s drill sites, even though the audio recording of this incident is clear that we identified ourselves as investigative journalists in conversation with the second truck driver,” [they explained in a post about the encounter](#), which can also be heard in their film.

“We were exercising a constitutional right as members of the free press to document and record events of interest to the public on public property when stripped of that right by contractors of Seneca.”

Activists protesting against the American Legislative Exchange Council (ALEC) during its April 2013 meeting in Arizona were also labeled as possible “domestic terrorists” by the [Arizona FBI/DHS Fusion Center](#), as detailed in a [recent investigation by the Center for Media and Democracy](#).

“Not Just Empty Rhetoric”

It’d be easy to write off TransCanada and law enforcement’s antics as absurd. Will Potter, in an article about the documents, warned against such a mentality.

“This isn’t empty rhetoric,” [he wrote](#). “In Texas, a terrorism investigation [entrapped activists for using similar civil disobedience tactics](#). And as I [reported recently for VICE](#), Oregon considered legislation to criminalize tree sits. TransCanada has been [using similar tactics in \[Canada\] as well](#).”

And this latest incident is merely the icing on the cake of the [recent explosive findings by Glenn Greenwald of The Guardian](#) about the [National Security Agency’s \(NSA\) spying on the communications records of every U.S. citizen](#).

“Many terrorism investigations (and a great many convictions) are politically contrived to suit the ends of corporations, offering a stark reminder of how the expansion of executive power — whether in the context of dragnet NSA surveillance, or the FBI treating civil disobedience as terrorism — poses a threat to democracy,” Shahid Buttar, Executive Director of the *Bill of Rights Defense Committee* told *DeSmogBlog*.

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