

SECTION VI-B – NARRATIVE CRIMINAL EXPOSURE ANALYSIS

VI-B.1 Federal Criminal Exposure

VI-B.1.1 Bribery of Public Officials – 18 U.S.C. § 201

Legal Theory

Bribery requires:

1. A thing of value;
2. Given to a public official;
3. With corrupt intent;
4. To influence an official act.

Application to the Corridor

The INTSUM demonstrates a repeated pattern in which major infrastructure-sector donors contribute immediately before or after:

- RRC pipeline approvals (INTSUM §IV.1 – regulatory alignment)
- TWDB feasibility advancements (INTSUM §VI.1)
- Region C planning priorities preserved (INTSUM §III.4)
- AI and data-center incentive structures supported (INTSUM §III.3, §VII.2)

The actors are documented structurally in INTSUM §III (Key Actors), which identifies:

- Statewide political leadership
- Water regulators
- Energy regulators
- Planning groups
- Consultant/engineering monopolies
- Corporate infrastructure nodes

Bribery inference standard

Under federal precedent, bribery can be proven through timing patterns, donor clustering, and official acts—even without explicit quid pro quo. The INTSUM shows these patterns clearly at §III.2–§III.4 and §IV.1–§IV.2.

VI-B.1.2 Conspiracy to Defraud the United States – 18 U.S.C. § 371

Elements

- Agreement
- Unlawful objective
- Overt act

Application

The Corridor exhibits a coordinated sequence across agencies and private actors, documented in:

- INTSUM §IV.1–§IV.3 – coordinated regulatory actions
- INTSUM §V.1–§V.3 – manipulated or incomplete environmental/technical data
- INTSUM §III.3 – consultant networks coordinating modeling, feasibility, and messaging
- INTSUM §VIII.2 – alignment of condemnation, siting, and enforcement timing

Overt Acts Identified

- Submission of inflated demand projections (§V.1)
- Withholding contamination and hydrology data (§V.3)
- Pipeline and transmission siting synchronized with reservoir planning (§IV.1)
- Exclusion or minimization of Tribal/historic site information (§IX.1–§IX.3)

This satisfies the §371 standard for multi-party conspiracy.

VI-B.1.3 False Statements – 18 U.S.C. § 1001

Trigger

A knowingly false or materially incomplete statement to any federal entity (USACE, EPA, DOE, DOI).

Violations Identified (INTSUM only)

- Region C classified major industrial/AI demand as “municipal” (§V.1)
- TWDB feasibility analyses omitted known contamination vectors (§V.3)
- TCEQ filings excluded hydrological linkages between project footprint and downstream basins (§V.2)
- Cultural consultants omitted or downplayed evidence of Caddo burial/ceremonial areas (§IX.2)

Each omission constitutes a standalone felony under §1001.

VI-B.1.4 Honest-Services Fraud – 18 U.S.C. § 1346

Theory

A public or quasi-public actor deprives the public of “honest services” via:

- undisclosed conflicts
- self-dealing
- manipulation of official duties

Application

The INTSUM shows total consultant capture, especially in §III.3 and §IV.2, where a single engineering/planning cartel controls:

- demand modeling
- alternatives analysis
- environmental narrative
- planning committee recommendations

- public-comment responses
- final validation used by TWDB and USACE

This architecture is consistent with honest-services fraud recognized in federal case law.

VI-B.1.5 Mail and Wire Fraud – 18 U.S.C. §§ 1341, 1343

Application

Every fraudulent or materially incomplete document transmitted via email or mail—including:

- Region C water plans (§V.1)
- TWDB feasibility documents (§VI.1)
- TCEQ impact assessments (§V.2)
- Consultant technical memoranda (§IV.2)
- Public-facing summaries and presentations (§III.4, §VII.2)

—constitutes a separate felony count.

Several dozen such transmissions are noted throughout the INTSUM.

VI-B.1.6 Hobbs Act Extortion – 18 U.S.C. § 1951

Theory

Extortion under color of official right occurs when an official uses governmental power to obtain property for private beneficiaries.

Application

The INTSUM documents:

- RRC common-carrier designations enabling pipeline companies to seize land (§IV.1)
- Siting decisions driving down land values in targeted reservoir zones (§VIII.1)
- Infrastructure corridors aligned with private land speculation patterns (§III.1)

This meets the Hobbs Act threshold.

VI-B.1.7 Travel Act – 18 U.S.C. § 1952

The Travel Act applies where interstate facilities (pipelines, transmission lines, fiber-optic networks) are used to further violations such as bribery or fraud.⁷ Because the Corridor infrastructure is inherently interstate, jurisdiction attaches based on conduct detailed in:

- INTSUM §III.3 – multi-state consultant/finance networks
- INTSUM §VII.1–§VII.2 – interstate funding and capital flows

VI-B.1.8 RICO – 18 U.S.C. §§ 1961–1968

Core Elements Satisfied

- Enterprise – Proven by the structured, multi-agency network shown in INTSUM §0.0–§0.7
- Predicate Acts – bribery, false statements, mail/wire fraud, extortion (§III–§VIII)
- Pattern – repeated across multiple basins, sectors, and years
- Interstate Commerce – pipelines, transmission assets, AI facilities meet this criterion
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This is a classic Boyle-type RICO enterprise with continuity and coordination.

VI-B.2 Federal Environmental Crimes

VI-B.2.1 Clean Water Act (CWA)

The INTSUM identifies:

- unpermitted or under-disclosed discharges linked to legacy industrial sites (§V.3)
- wetland and riparian impacts in proposed corridors (§II.2)
- deficiencies in §404 analysis (§IV.2)
- contamination pathways leading toward White Oak Creek and related basins (§V.3)

Under CWA standards, any one violation can invalidate the permit.

VI-B.2.2 Safe Drinking Water Act (SDWA)

The INTSUM documents contamination zones containing:

- arsenic
- boron
- chromium
- additional legacy pollutants (§V.3)

Migration of these plumes toward drinking-water or AI cooling-water intakes triggers SDWA enforcement authority.

VI-B.2.3 CERCLA / RCRA

The Corridor sits over multiple legacy industrial contamination areas (§IV.4, §V.3).

These satisfy:

- RCRA imminent hazard standards
- CERCLA release/PRP liability standards

A reservoir or high-load industrial hub cannot lawfully be placed atop an active hazardous site.

VI-B.2.4 NEPA Violations

NEPA prohibits segmentation.

The INTSUM shows segmentation of:

- pipelines
- transmission
- AI hub
- reservoir
- planning cycle

This violates:

- 40 C.F.R. §1501.3
- 40 C.F.R. §1508.1
- Supreme Court precedent requiring unified analysis (INTSUM §IV.1)

VI-B.2.5 NHPA / NAGPRA / ARPA

The INTSUM documents a major Caddo cultural landscape within the project footprint (§IX.1–§IX.3), including:

- burial sites
- ceremonial features
- historic cultural resources

Violations include failure to conduct:

- NHPA §106 consultation
- NAGPRA-adequate review
- ARPA-compliant protection of archaeological resources

This is an automatic injunction trigger under established case law.

VI-B.3 Texas Criminal Exposure

VI-B.3.1 Abuse of Office – Tex. Penal Code § 39.02

Triggered by:

- TWDB sequencing irregularities (§VI.1)
- manipulated demand data (§V.1)
- TCEQ non-enforcement (§V.2)
- RRC misuse of condemnation authority (§IV.1)

VI-B.3.2 Official Oppression – Tex. Penal Code § 39.03

Applies where officials misuse authority to harm landowners, Tribes, or communities.

Documented at:

- INTSUM §VIII.3 – targeted enforcement and irregular inspections
- §VIII.4 – punitive regulatory posture toward opposition communities

VI-B.3.3 Bribery – Tex. Penal Code § 36.02

State-level parallel to federal §201 bribery, supported by:

- timing patterns in §III.2
- regulatory actions in §IV.1–§IV.2

VI-B.3.4 Record Tampering – Tex. Penal Code § 37.10

Triggered by:

- manipulated water-demand projections (§V.1)
- omission of burial data (§IX.2)
- omission of contamination measurements (§V.3)
- incomplete feasibility documentation (§VI.1)

Each constitutes a standalone felony under Texas law.

VI-B.4 Summary of Criminal Exposure Across the Corridor

Federal Violations

- Bribery (18 U.S.C. §201)
- Conspiracy (18 U.S.C. §371)
- False Statements (18 U.S.C. §1001)
- Honest-Services Fraud (18 U.S.C. §1346)
- Mail/Wire Fraud (18 U.S.C. §§1341–1343)
- Hobbs Act (18 U.S.C. §1951)
- Travel Act (18 U.S.C. §1952)
- RICO (18 U.S.C. §1962)
- CWA, SDWA, CERCLA, RCRA
- NEPA
- NHPA, NAGPRA, ARPA

Texas Violations

- Bribery (36.02)
- Abuse of Office (39.02)
- Official Oppression (39.03)
- Record Tampering (37.10)
- Water Code violations
- Antiquities Code violations