

## **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.<sup>7</sup> 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