

From: 29410-04484208@requests.muckrock.com
To: [7-AWA-ARC-FOIA \(FAA\)](#)
Subject: Freedom of Information Request: FAA DAPL Protest
Date: Friday, October 28, 2016 10:27:27 PM

October 28, 2016
Federal Aviation Administration
Federal Aviation Administration
National Freedom of Information Act Staff, ARC-40
800 Independence Avenue, SW
Washington, DC 20591

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

Any and all communications (such as, but not limited to: emails, notes, letters, etc.) between the FAA (and any person representing the FAA) and any and every law enforcement agency (federal, local, and state) involving the placement of the flight restriction over what has been referred to in the news as the DAPL protest. Below is an article that gives further reference to what records I am seeking.

"The FAA put the TFR in place at the request of state, local and federal officials for law enforcement activities," FAA spokeswoman Elizabeth Cory said

http://bismarcktribune.com/news/local/mandan/faa-issues-flight-restrictions-over-dapl-protest/article_0c270b54-73ff-5ea0-a626-153b33bac828.html

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Patrick Mackie

Filed via MuckRock.com
E-mail (Preferred): 29410-04484208@requests.muckrock.com

For mailed responses, please address (see note):
MuckRock
DEPT MR 29410

411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

FW: New TFR South Central ND

9-ATOR-HQ-SOSC (FAA)

Sent: Tuesday, October 25, 2016 2:59 PM**To:** 9-ATOR-HQ-SOSC (FAA)

From: 9-ATOR-HQ-SOSC (FAA)**Sent:** Sunday, October 23, 2016 3:37 PM**To:** Miller, Gary W (FAA)**Subject:** FW: New TFR South Central ND

Ref the message below, I know this is a high profile event so I wanted you onboard with my denial. I plan on denying the request based on there being no hazard from the ground to acft, exp: no shots fired.

The laser activity is a law enforcement function and acft can report that activity to the ATC facility.

There is no requirement for acft to be transponder equipped.

The UAS activity is allowed during daylight hours and they are required to avoid manned acft. Again, any close calls with manned acft is reported to ATC and I believe this is also a LE function to track down the UAS and operator.

Kevin George

System Operations Support Center

202-267-8276/ (b) (6)

9-ATOR-HQ-SOSC@faa.gov

System Operations Security

FAA Headquarters

800 Independence Ave SW

Washington, D.C. 20591

From: Lynk, Mike (b) (6)**Sent:** Sunday, October 23, 2016 3:02 PM**To:** 9-ATOR-HQ-SOSC (FAA)**Subject:** New TFR South Central ND

This email is to request a Temporary Flight Restriction (TFR) for an area South Central North Dakota.

Background:

Beginning August 10, 2016 a peaceful protest to oil pipeline began near Cannonball, ND. Since then the protest has become violent with the protestors organizing and deploying in paramilitary style actions. The protest actions have required law enforcement to require aerial surveillance to provide over watch for security of the officers on the ground.

The over watch flights have been successful protecting the officers on the ground, but, as time has gone on without a TFR several planes have entered the surveillance area creating several near miss situations. On one

occasion an airplane entered the area without a transponder signal creating a very serious situation.

During the law enforcements surveillance, at low level, and observed from law enforcement officers on the ground observations of firearms to include rifles have been observed by the protestors. The aerial surveillance units at night have consistently been disrupted by ground to air lasers and today the protestors have been flying drones to interfere with air operations.

To date nearly 200 individuals have been arrested on criminal charges during since August 10, 2016.

Request:

For the life safety of the officers on the ground and in the air we are requesting a Temporary Flight Restriction (TFR) for the operational are described below:

- Seven (7) statute mile circle from a central point: 46° 25'3.12N 100° 38'8.64"W (this location is approximately 2.65 statute miles northwest of Cannonball, North Dakota).
- The elevation requested is 5000 msl.
- Twenty-four hours per day for the duration of the protest beginning as soon as possible.

Contact information for the TFR flight approval are as follows:

Primary contact: Tactical Operation Center (701) 667-3224 or (701) 667-3441

Secondary contact: Planning (Eric Pederson) (b) (6)

For TFR FAA questions please contact me at (b) (6) (of) or (b) (6).

If you have any questions please contact me. Your urgent response would be appreciated.

Michael Lynk, Director
North Dakota State Radio
Fraine Barracks Lane, Building 35
Bismarck, North Dakota 58504

(b) (6) (OF)
(b) (6) (Cell)

RE: North Dakota TFR

9-ATOR-HQ-SOSC (FAA)

Sent: Tuesday, October 25, 2016 3:59 PM**To:** Miller, Gary W (FAA)**Attachments:** ND 7NMR.jpg (159 KB)

Gary,

Here it is. ZMP answered their phone and acknowledged receipt. I tried to contact Winston Dixon, Chris Rice and Rebecca Shelby at CSA and not one of them answered their phones.

!FDC 6/6529 ZMP ND..AIRSPACE CANNONBALL,ND..TEMPORARY FLIGHT RESTRICTIONS ND AN AREA DEFINED AS 7 NM RADIUS OF 462916N1003304W (BIS164017) SFC-4000FT MSL LAW ENFORCEMENT OPERATION. PURSUANT TO 14 CFR SECTION 91.137(A) (1) TEMPORARY FLIGHT RESTRICTIONS ARE IN EFFECT. ONLY RELIEF AIRCRAFT OPS UNDER DIRECTION OF NORTH DAKOTA TACTICAL OPERATION CENTER ARE AUTHORIZED IN THE AIRSPACE. NORTH DAKOTA TACTICAL OPERATION CENTER /TELEPHONE 701-667-3224 IS IN CHARGE OF ON SCENE EMERGENCY RESPONSE ACTIVITY. MINNEAPOLIS /ZMP/ ARTCC TELEPHONE 651-463-5580 IS THE FAA COORDINATION FACILITY. MEDIA CONCERNS REGARDING THIS TEMPORARY FLIGHT RESTRICTIONS SHOULD BE DIRECTED TO FAA PUBLIC AFFAIRS THROUGH THE WASHINGTON OPERATIONS CENTER AT 202-267-3333.
1610252000-1611042000

Kerry

From: Miller, Gary W (FAA)
Sent: Tuesday, October 25, 2016 3:34 PM
To: Fleming, Kerry (FAA); 9-ATOR-HQ-SOSC (FAA)
Subject: North Dakota TFR

Kerry

Please coordinate the NOTAM with Central Service Area and ZMP. Once completed please publish for 10 days.

Gary W. Miller
Manager, Tactical Operations
System Operations Security
Office: 202-267-4916
Blackberry: (b) (6)
Gary.w.miller@faa.gov

RE: South Central ND TFR request

Miller, Gary W (FAA)

Sent: Wednesday, October 26, 2016 12:33 PM

To: 9-ATOR-HQ-SOSC (FAA)

Thanks let me know when coordination is complete

Gary W. Miller

Manager, Tactical Operations

System Operations Security

Office: 202-267-4916

Blackberry: (b) (6)

Gary.w.miller@faa.gov

From: 9-ATOR-HQ-SOSC (FAA)

Sent: Wednesday, October 26, 2016 12:30 PM

To: Miller, Gary W (FAA)

Subject: RE: South Central ND TFR request

Gary,

Looking at their message they are only requesting a 4NMR. Graphic attached. I will coordinate with ATC

Kevin

System Operations Support Center

202-267-8276/ 202-385-4403

9-ATOR-HQ-SOSC@faa.gov

System Operations Security

FAA Headquarters

800 Independence Ave SW

Washington, D.C. 20591

From: Miller, Gary W (FAA)

Sent: Wednesday, October 26, 2016 12:18 PM

To: 9-ATOR-HQ-SOSC (FAA)

Subject: RE: South Central ND TFR request

Copy thanks please make sure Bismarck and ZMP are good with the change.

Gary W. Miller

Manager, Tactical Operations

System Operations Security

Office: 202-267-4916

Blackberry: (b) (6)

Gary.w.miller@faa.gov

From: 9-ATOR-HQ-SOSC (FAA)

Sent: Wednesday, October 26, 2016 12:18 PM

To: Miller, Gary W (FAA)

Subject: RE: South Central ND TFR request

Kevin
System Operations Support Center
202-267-8276/ (b) (6)
9-ATOR-HQ-SOSC@faa.gov

System Operations Security
FAA Headquarters
800 Independence Ave SW
Washington, D.C. 20591

From: Miller, Gary W (FAA)
Sent: Wednesday, October 26, 2016 12:09 PM
To: 9-ATOR-HQ-SOSC (FAA)
Subject: RE: South Central ND TFR request

Yes please

Gary W. Miller
Manager, Tactical Operations
System Operations Security
Office: 202-267-4916
Blackberry: (b) (6)
Gary.w.miller@faa.gov

From: 9-ATOR-HQ-SOSC (FAA)
Sent: Wednesday, October 26, 2016 12:08 PM
To: Miller, Gary W (FAA)
Subject: RE: South Central ND TFR request

Yes, was comparing LAT/LONG. They are slightly different. Do you want to see it before publishing.

Kevin
System Operations Support Center
202-267-8276/ (b) (6)
9-ATOR-HQ-SOSC@faa.gov

System Operations Security
FAA Headquarters
800 Independence Ave SW
Washington, D.C. 20591

From: Miller, Gary W (FAA)
Sent: Wednesday, October 26, 2016 12:05 PM
To: 9-ATOR-HQ-SOSC (FAA); Fleming, Kerry (FAA); George, Kevin (FAA)

Subject: FW: South Central ND TFR request

Are ya'll reissuing the TFR with the lower altitude?

Gary W. Miller
Manager, Tactical Operations
System Operations Security
Office: 202-267-4916
Blackberry: (b) (6)
Gary.w.miller@faa.gov

From: Lynk, Mike (b) (6)
Sent: Wednesday, October 26, 2016 9:34 AM
To: 9-ATOR-HQ-SOSC (FAA)
Cc: Miller, Gary W (FAA); Henke, Sgt. Shannon W.
Subject: Re: South Central ND TFR request

We received a call from the Bismarck Tower this morning requesting a modification to the TFR listed below. We want to honor their request as stated:

Modify the TFR to 3500 MSL

From a point N46 26 26 W100 37 52 near the Cannonball ND river bridge located just north of the city of Cannonball draw a 4 nautical mile circle from that point.

We approve this modification to assist air traffic control in Bismarck.

If you have any questions please give me a call. (b) (6).

Mike Lynk

Sent from my iPhone

On Oct 25, 2016, at 3:06 PM, "9-ATOR-HQ-SOSC@faa.gov" <9-ATOR-HQ-SOSC@faa.gov> wrote:

<p>This email is from an external source. Please exercise caution when opening attachments and links.</p>

Mr. Lynk,

I have attached a copy of the Temporary Flight Restriction we just recently issued in response to your request below. Please confirm receipt of this email. thanks

Regards,

Kerry Fleming
SOSC – FAA HQ
Air Traffic Security

From: Lynk, Mike (b) (6)
Sent: Sunday, October 23, 2016 3:02 PM
To: 9-ATOR-HQ-SOSC (FAA)
Subject: New TFR South Central ND

This email is to request a Temporary Flight Restriction (TFR) for an area South Central North Dakota.

Background:

Beginning August 10, 2016 a peaceful protest to oil pipeline began near Cannonball, ND. Since then the protest has become violent with the protestors organizing and deploying in paramilitary style actions. The protest actions have required law enforcement to require aerial surveillance to provide over watch for security of the officers on the ground.

The over watch flights have been successful protecting the officers on the ground, but, as time has gone on without a TFR several planes have entered the surveillance area creating several near miss situations. On one occasion an airplane entered the area without a transponder signal creating a very serious situation.

During the law enforcements surveillance, at low level, and observed from law enforcement officers on the ground observations of firearms to include rifles have been observed by the protestors. The aerial surveillance units at night have consistently been disrupted by ground to air lasers and today the protestors have been flying drones to interfere with air operations.

To date nearly 200 individuals have been arrested on criminal charges during since August 10, 2016.

Request:

For the life safety of the officers on the ground and in the air we are requesting a Temporary Flight Restriction (TFR) for the operational area described below:

- Seven (7) statute mile circle from a central point: 46° 25'3.12N 100° 38'8.64"W (this location is approximately 2.65 statute miles northwest of Cannonball, North Dakota).
- The elevation requested is 5000 msl.
- Twenty-four hours per day for the duration of the protest beginning as soon as possible.

Contact information for the TFR flight approval are as follows:

Primary contact: Tactical Operation Center (701) 667-3224 or (701) 667-3441

Secondary contact: Planning (Eric Pederson) (b) (6)

For TFR FAA questions please contact me at (b) (6) (of) or (b) (6).

If you have any questions please contact me. Your urgent response would be appreciated.

Michael Lynk, Director
North Dakota State Radio
Fraine Barracks Lane, Building 35
Bismarck, North Dakota 58504

(b) (6) (OF)
(b) (6) (Cell)

<161025 Cannonball-ND ZMP 6-6529 - LE Activity.doc>

<ND 7NMR.jpg>

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: ND TFR Discussion
Date: Thursday, November 03, 2016 12:03:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good to talk to you both again today! I'm working on securing the info needed to answer the three points we discussed. In addition I'll send along a map of the camp/USACE-approved free speech area we discussed excluding. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Throop, Brian \(FAA\)](#)
Subject: RE: ND TFR Discussion
Date: Thursday, November 03, 2016 6:46:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image007.png](#)
[image009.png](#)
[image011.png](#)

As an FYI we still plan to submit for a TFR. We got a little sidetracked today with some other response issues. I have a few eyes on the draft request now though.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: robert.sweet@faa.gov [mailto:robert.sweet@faa.gov]

Sent: Thursday, November 03, 2016 11:23 AM

To: Johnson, Sean M. (b) (6)

Cc: brian.throop@faa.gov

Subject: RE: ND TFR Discussion



**This email is from an external source.
Please exercise caution when opening attachments and links.**

Sean,

Likewise. We miss our colleagues in Bismarck.

Re the justifications, as I noted, the Unified Command (UC) and lead Law Enforcement Agency (LEA) needs to make a solid case for re-establishing the TFR, which was cancelled this past Tuesday. In addition to address at least some (or all) of the three triggering threats I outlined earlier, please ensure that they explain what has changed between our Tuesday discussion with the UC, during which they agreed that there was no further justification for the TFR, and this morning. Citing threats, which prompted us to originally put in the now cancelled TFR, will not be sufficient unless a solid assertion is made that those threats have resurfaced and/or new threats have been encountered. Beyond that, the argument would be buttressed if there is some backup from the Federal LEAs on the ground (b) (7)(E)

Candidly, some of the involved tribes are arguing that the FAA's action to implement a TFR was driven not by a genuine safety/security threat, but rather by the desire of the local LEAs handling the situation to prevent the protestors from using drones to surveil unlawful actions on the part of LE that infringe on the protestors' First Amendment rights. To be crystal clear, we are steering well clear of the First Amendment arguments, which are well outside of our AOR. Having said that, you and our other colleagues in ND need to understand the substantial sensitivities surrounding the FAA TFR action.

Best,

Rob

Ps hope you and yours, as well as Neal and his family are doing well.

From: Johnson, Sean M. (b) (6)
Sent: Thursday, November 03, 2016 12:01 PM
To: Sweet, Robert (FAA); Throop, Brian (FAA)
Subject: ND TFR Discussion

Good to talk to you both again today! I'm working on securing the info needed to answer the three points we discussed. In addition I'll send along a map of the camp/USACE-approved free speech area we discussed excluding. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Throop, Brian \(FAA\)](#); [Miller, Gary W \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 11:43:51 AM
Attachments: [image001.png](#)
[image003.png](#)
[image005.png](#)
[image007.png](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)
[image013.png](#)
[image022.png](#)
[image024.png](#)
[image026.png](#)
[image028.png](#)
[image029.png](#)
[image030.png](#)

10-4.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: robert.sweet@faa.gov [mailto:robert.sweet@faa.gov]

Sent: Friday, November 04, 2016 10:42 AM

To: Johnson, Sean M. (b) (6)

Cc: brian.throop@faa.gov; Gary.W.Miller@faa.gov

Subject: RE: TFR Request - State of ND

**This email is from an external source.
Please exercise caution when opening attachments and links.**

Sean,

Do not thank us yet. We are doing what we can though, and will get back to you asap.

Best,

Rob

From: Johnson, Sean M. (b) (6)
Sent: Friday, November 04, 2016 11:31 AM
To: Sweet, Robert (FAA)
Cc: Throop, Brian (FAA); Miller, Gary W (FAA)
Subject: RE: TFR Request - State of ND

Thank you!

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

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"Incrementalism is the death of innovation " - Nicholas Negroponte



From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]
Sent: Friday, November 04, 2016 10:30 AM
To: Johnson, Sean M. (b) (6)
Cc: brian.throop@faa.gov; Gary.W.Miller@faa.gov
Subject: RE: TFR Request - State of ND

**This email is from an external source.
Please exercise caution when opening attachments and links.**

Thanks, Sean.

We are exploring options.

Best,

Rob

Robert H. Sweet

Manager, Strategic Operations Security, AJR-22
Federal Aviation Administration | Air Traffic Organization | System Operations Security Directorate
Direct +1 202 267 7102 | Mobile + (b) (6) |
Email robert.sweet@faa.gov | Secure Email robert.sweet@faa.sgov.gov



From: Johnson, Sean M. (b) (6)]
Sent: Friday, November 04, 2016 11:08 AM
To: Sweet, Robert (FAA)
Subject: RE: TFR Request - State of ND

(b) (6), (b) (7)(C)

USMS – Paul Ward: 701-595-2418 and paul.ward@usdoj.gov

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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(Out of chaos, comes order)

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From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]

Sent: Friday, November 04, 2016 9:53 AM

To: Johnson, Sean M. (b) (6)

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov

Subject: RE: TFR Request - State of ND

**This email is from an external source.
Please exercise caution when opening attachments and links.**

Thanks, Sean,

Were you able to get contact info for the (b) (7)(E) US Marshals Service pocs?

Cheers,

R.

Ps Gary Miller, whom I have been including on these strings, is our manager of Tactical Ops, which owns the System Operations Support Center, our ops cell that designs and publishes TFRs.

From: Johnson, Sean M. (b) (6)

Sent: Friday, November 04, 2016 10:37 AM

To: Throop, Brian (FAA); Sweet, Robert (FAA)

Subject: Re: TFR Request - State of ND

Rob/Brian-

I need to add some important information we just received for some greater context. (b) (7)(E)

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)
Cell: (b) (6)

On Fri, Nov 4, 2016 at 8:20 AM -0500, "Johnson, Sean M." <(b) (6)> wrote:

On behalf of the State of North Dakota, I am writing to request a 14 CFR Section 91.137(A)(1) Temporary Flight Restriction per the parameters below:

- Only response aircraft in support of law enforcement acting under the direction of the ND Tactical Operations Center (701-667-3224) and aircraft approved by ATC in coordination with the domestic events network may operate within the TFR
- The extent of the TFR will be nearly identical to the one we were granted before, as described in FDC NOTAM 6/7258
 - 4 NM radius of 462626N1003752W (BIS164019.3) (Except as detailed below)
 - From the surface to 3500 ft MSL (Except as detailed below)
 - From the present until 0600hrs UTC November 14th, 2016

We are requesting an area of exclusion from the TFR immediately over an encampment in the area. The area in question we ask to be excluded is:

- That airspace from the surface to 2000 ft MSL and,
- Bound by ND 1806 on the west
- The Cannonball River on the South and East
- Cantapeta Creek on the North

If the FAA desires to define the area of exclusion by a radius and center point versus geographical features (which would be of most use to UAS operators on the ground inside the camp), we would desire the same vertical parameters described above, coupled with a 0.3NM radius from 464210N1006310W.

This TFR has the support of the (b) (7)(E) and US Marshals Service.

There are multiple reasons the state is requesting this TFR, each related directly or indirectly to civil disorder and riots occurring within the area in question since August 10th, 2016. I will describe them below:

1. On October 27th, 2016, unlawful actors set fire to several vehicles on a bridge on ND 1806 which crosses over Cantapeta Creek near the Cannonball River. The fire impacted the structural integrity of the

bridge, and it is now unusable by the public and responders. Since the original TFR was lifted, we have learned that it likely will not be repaired until the Spring of 2017. There is a large encampment of protestors just to the south and east of this bridge (referenced above) who have been cut off from timely ground ambulance and firefighting services.

Firefighting services to this area are now primarily provided by the ND National Guard via helicopter water buckets; a capability we employed on October 30th, 2016 to protect the camp from a wildfire nearby it. Due to the dryness of this area and the immediacy of a fire response, sufficient time will not exist to emplace and communicate a TFR on an as needed basis. It must be in place already in order to keep the airspace clear for the aerial firefighting operations necessary to protect those at the camp. Again, helicopter is currently the only timely firefighting resource due to this bridge being unusable, and clear airspace is also vital for air ambulance services (which also provide the timeliest lifesaving medical support to this remote area, now that the bridge is unusable).

2. Since October 14th, 2016 there have been two near misses with non-participating civilian aircraft flying through the response area, and at least one other aircraft flying through airspace where law enforcement aircraft are conducting official flights. The dates of these incidents are:

- Friday October 14th
- Monday October 17th
- Thursday October 20th

All three of these incidents occurred directly over the aforementioned camp, or within the 4 nautical mile requested TFR location. Now that the previous TFR has been lifted, there has been an increase in air traffic near the area where response aircraft continue to work, causing law enforcement aircraft to have to adjust their operations when present.

3. Since the incident began on August 10th, 2016, there are several documented incidents in the past and currently proposed TFR area where people on the ground have used high powered laser pointers and spotlights to blind pilots flying overhead. This has happened to both law enforcement aircraft, and non-participating civil aircraft when a TFR wasn't in effect. This has been and remains an ongoing concern throughout the incident. Law enforcement aircraft in use resemble civilian aircraft, and there is great concern that as civilian traffic continues to fly in the area, civilian pilots will be blinded by a laser strike or spotlight to a point where a devastating accident may occur.

In addition, private drones have been constantly flying almost daily (except when a TFR was in effect) in a dangerous manner immediately over law enforcement officers while they were performing their official duties. This activity has intensified with the removal of the original TFR, especially now that unlawful actors have been removed from private property and reside primarily in the aforementioned camp. The operators of the UAS have renewed their efforts to violate rules and regulations that the FAA has in place to protect people on the ground from harm now that a TFR is gone. UAS have often operated at face level, and have recently attempted to enter law enforcement vehicles after the TFR was lifted. They have also been deliberately flown at response aircraft in the past, causing them to take evasive actions and placing the occupants of these aircraft in fear of their lives. Once the TFR was lifted, they also interfered with law enforcement watercraft who were in the process of executing a water rescue.

Due to the violence that has in fact been displayed over and over again throughout this period of civil disorder and riots, it is only a matter of time until a law enforcement officer, a lawful protester, or member of the public is injured (or worse yet killed) as a result of unlawful actor usage of UAS. When the TFR was lifted, (b) (7)(E)

In closing, the State of North Dakota feels this TFR request is both reasonable and prudent. Regulating flights through a TFR has helped reduce this risk in the past, and will again once re-implemented. We feel

the federal government has a duty and responsibility to act in this regard by re-implementing the requested TFR with the exclusion area described above. The previous TFR resulted in a marked decrease in much of the unsafe and unlawful activity described above, and it is our desire to ensure that the safety of our responders, lawful protestors, the public, and both participating and non-participating aircraft is ensured. A TFR has proven its effectiveness before, and now that unsafe conditions have increased again, we are asking for another to help reinstate a safe environment in the area.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: Johnson, Sean M.
To: [Throop, Brian \(FAA\)](#); [Sweet, Robert \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 2:09:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Understood. I appreciate the update

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: 701-328-8265

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: brian.throop@faa.gov [mailto:brian.throop@faa.gov]
Sent: Friday, November 04, 2016 1:08 PM
To: Johnson, Sean M. <[\(b\) \(6\)@nd.gov](mailto:(b) (6)@nd.gov)>; robert.sweet@faa.gov
Subject: RE: TFR Request - State of ND

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Please exercise caution when opening attachments and links.

Hey Sean..just wanted to update you on what's going on. There is very robust discussion here about whether or not to issue the TFR. Management at the highest levels of the FAA is aware of this and is involved in the discussion. We have reached out to both (b) (7)(E) and the USMS to request input, and we are currently awaiting their written response. We'll keep you updated.

Thanks

Brian

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]

Sent: Friday, November 04, 2016 10:37 AM

To: Throop, Brian (FAA); Sweet, Robert (FAA)

Subject: Re: TFR Request - State of ND

Rob/Brian-

I need to add some important information we just received for some greater context. (b) (7)(E)

[REDACTED]

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

On Fri, Nov 4, 2016 at 8:20 AM -0500, "Johnson, Sean M." (b) (6)@nd.gov wrote:

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- That airspace from the surface to 2000 ft MSL and,

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This TFR has the support of the (b) (7)(E) US Marshals Service.

There are multiple reasons the state is requesting this TFR, each related directly or indirectly to civil disorder and riots occurring within the area in question since August 10th, 2016. I will describe them below:

1. On October 27th, 2016, unlawful actors set fire to several vehicles on a bridge on ND 1806 which crosses over Cantapeta Creek near the Cannonball River. The fire impacted the structural integrity of the bridge, and it is now unusable by the public and responders. Since the original TFR was lifted, we have learned that it likely will not be repaired until the Spring of 2017. There is a large encampment of protestors just to the south and east of this bridge (referenced above) who have been cut off from timely ground ambulance and firefighting services.

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3. Since the incident began on August 10th, 2016, there are several documented incidents in the past and currently proposed TFR area where people on the ground have used high powered laser pointers and spotlights to blind pilots flying overhead. This has happened to both law enforcement aircraft, and non-participating civil aircraft when a TFR wasn't in effect. This has been and remains an ongoing concern throughout the incident. Law enforcement aircraft in use resemble civilian aircraft, and there is great concern that as civilian traffic continues to fly in the area, civilian pilots will be blinded by a laser strike or spotlight to a point where a devastating accident may occur.

In addition, private drones have been constantly flying almost daily (except when a TFR was in effect) in a dangerous manner immediately over law enforcement officers while they were performing their official duties. This activity has intensified with the removal of the original TFR, especially now that unlawful actors have been removed from private property and reside primarily in the aforementioned camp. The

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In closing, the State of North Dakota feels this TFR request is both reasonable and prudent. Regulating flights through a TFR has helped reduce this risk in the past, and will again once re-implemented. We feel the federal government has a duty and responsibility to act in this regard by re-implementing the requested TFR with the exclusion area described above. The previous TFR resulted in a marked decrease in much of the unsafe and unlawful activity described above, and it is our desire to ensure that the safety of our responders, lawful protestors, the public, and both participating and non-participating aircraft is ensured. A TFR has proven its effectiveness before, and now that unsafe conditions have increased again, we are asking for another to help reinstate a safe environment in the area.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: 701-328-8265
Cell: (b) (6)



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From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Miller, Gary W \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 3:22:17 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Very helpful! Thank you

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

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Plus the reason why simply citing an incident or two in the past poses problems is that we, in fact established a TFR previously and only took it down after the UC confirmed the lack of additional incidents or an ongoing threat. WE need to justify re-establishing a TFR based on new info re an ongoing threat.

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Work: 701-328-8100
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To: [Sweet, Robert \(FAA\)](#)
Cc: [Miller, Gary W \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 3:53:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Our pilot called and left Vance a message

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
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Work: 701-328-8100

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Subject: RE: TFR Request - State of ND

Pilot of our aircraft involved will contact Vance in a few minutes

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
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Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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Sent: Friday, November 04, 2016 2:24 PM

To: Johnson, Sean M. <(b) (6)@nd.gov>

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov

Subject: RE: TFR Request - State of ND

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pps the Fargo FSDO is not getting word of any near-misses. Can you get the word out to participating operators that they need to alert ATC and FSDO re any near-misses. Vance Emerson, the deputy manager of that FSDO is standing by.

From: Sweet, Robert (FAA)

Sent: Friday, November 04, 2016 3:20 PM

To: 'Johnson, Sean M.'

Cc: 'Miller, Gary W (FAA)'; Throop, Brian (FAA)

Subject: RE: TFR Request - State of ND

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From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: Fwd: TFR Request
Date: Friday, November 04, 2016 4:41:30 PM

This spells out past and current LE concerns

Sent from my iPhone..

Begin forwarded message:

From: "Henke, Sgt. Shannon W." ^{(b) (6)} [REDACTED] [@nd.gov](#)>
Date: November 4, 2016 at 15:38:39 CDT
To: "Johnson, Sean M." ^{(b) (6)} [REDACTED] [@nd.gov](#)>
Subject: TFR Request

Sean,

This email is to address the multiple requests that have been submitted for a Temporary Flight Restriction (TFR) south of Mandan, ND in Morton County.

A portion of these examples have been addressed at least twice in our previous requests for a TFR. New incidents as current as today are also included. I do not have all the dates in front of me. Today is extremely busy with field ops and my main concern is having ground officers, pilots and aircraft prepped and ready for active protests. So, I apologize for not having specific dates and times in this email as I do not have the time to prepare due to the short notice. I would be more than willing to provide that information at a later time to "prove" the claims that these incidents are in fact occurring.

Since the beginning of this event, the active threat to law enforcement and aircraft has continued and even escalated. It is a matter of time until we are done being lucky and an aircraft receives damage. We can only pray for the best that a flight crew is not lost due to the violations that keep occurring. Especially since the FAA can assist in minimizing these risks.

Law Enforcement originally received reports of DAPL demonstrators carrying weapons. This has been observed by both pilots and law enforcement on the ground, both long guns and handguns. This became a reality on October 27th, when a female protesters fired 3 rounds at close range at law enforcement.

On September 9th, I personally observed a drone operator intentionally operate a drone over a crowd of unprotected people, both protesters and law enforcement. This same operator on the same date purposely flew the drone above 400 feet AGL in an attempt to strike the North Dakota Highway Patrol Cessna 206 aircraft. Again, law enforcement got lucky and no one was injured. I personally completed a report and filed felony charges in Morton County.

On another date a drone operator flew his drone directly at a helicopter that was cleared to be assisting law enforcement. This posed an immediate danger to the pilot and crew, some of which were law enforcement and they feared for their life. Drones today have the technology for very stable flight and can withstand rotor wash from a helicopter.

Today another aircraft came within 300-400 yards of a law enforcement aircraft. The pilot informed me has photos of this aircraft. This type of encounter has occurred 3 other times.

At approximately 1330 today, a drone was operated in a reckless manner and flown at a law enforcement crew then buzzed the operators. It seems this type of activity occurs every chance the demonstrators have. This does pose a danger to persons on the ground and other aircraft.

On a consistent basis, non-law enforcement drones are continually operated in a manner that is putting people and aircraft in danger. The FAA has stated until there is an actual incident where an aircraft is fired at and struck, or someone is injured, a TFR will not be in place. I was also informed the FAA stated since there were no additional incidents, the TFR was taken down. The exact purpose of this TFR is prevent close call incidents and prevent operators from endangering other aircraft and persons on the ground. The reduction or even the absence of further incidents during the TFR only supports the need to keep a TFR in place.

Throughout the operation of this event, law enforcement are in fact encountering armed individuals. The use of law enforcement air support is critical to keep not only law enforcement safe, but innocent and peaceful demonstrators. We need to ensure the movement of law enforcement trying to protect the innocent is not being broadcast live by the use of drones. With today's technology this would be very easy to do with a drone and the camera capabilities.

I can assure you the threat to aircraft and persons on the ground is very real and

on-going. I will stand before an FAA agent or other persons questioning the necessity of the TFR and answer those questions.

If an aircraft or crew, or even a person on the ground is injured or worse yet killed by the unlawful operation of a drone or aircraft in this immediate area, the issue will be raised why the previous TFR was taken down when not asked to by the requesting agency. With the above incidents documented and the on-going close calls and FAA regulations violations, it will be difficult to defend the decision to not implement this requested TFR.

Sean, feel free to pass my number onto anyone involved in this process and I will be more than willing to address all concerns as to the validity of the above claims and as to the reasons why the TFR is critical to the safe operation of the aircraft and law enforcement. Again, the TFR also protects the lawful demonstrators as well as law enforcement officers trying to protect them.

Sgt. Shannon Henke

North Dakota Highway Patrol

601 Channel Drive

Bismarck, Nd 58501

(b) (6)

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Miller, Gary W \(FAA\)](#); [Throop, Brian \(FAA\)](#); [Hughes, Michael \(FAA\)](#)
Subject: Re: LE situation. DAPL protests - TFR
Date: Friday, November 04, 2016 7:31:55 PM

Thank you all... will work the aircraft tail numbers issue and provide the info as soon as we can

Sent from my iPhone... Therefore please excuse any fat finger or autocorrect errors.

> On Nov 4, 2016, at 18:29, "robert.sweet@faa.gov" <robert.sweet@faa.gov> wrote:

>

> ***** This email is from an external source. Please exercise caution when opening attachments and links. *****

>

> Sean,

>

> Per our conversation, please find attached the NOTAM with which we published the TFR over the Cannonball area.

>

> Please send us the tail numbers of the aircraft being used by LE when you can. As we discussed, our team proposes (b) (5) in the TFR and more easily detect violators.

>

> As always, if you or our other colleagues at the UC or TOC have any questions or need anything else, we are available to assist.

>

> best,

>

> Rob

>

> <161104-15 Cannonball ND ZMP 6-3362.doc>

> <161104-15 Cannonball ND ZMP 6-3362.jpg>

>

>

> Sent from my iPhone

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](mailto:Sweet, Robert (FAA))
Subject: RE: LE situation. DAPL protests - better id of participating aircraft
Date: Sunday, November 06, 2016 7:58:00 PM

Rob-

Currently they are/have been getting flight following, and it seems to be working for them. Will this work for you, or do you want the info below for discreet codes still?

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)
Cell: (b) (6)

"Ordo ab chao"
(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte

-----Original Message-----

From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]
Sent: Saturday, November 05, 2016 8:32 AM
To: Johnson, Sean M. (b) (6) @nd.gov>
Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov; Michael.Hughes@faa.gov; Justin.Kinney@faa.gov
Subject: LE situation. DAPL protests - better id of participating aircraft

***** This email is from an external source. Please exercise caution when opening attachments and links. *****

Good morning, Sean,

Please let us know when you can id the tail numbers of the aircraft being regularly used by LE etc. over the DAPL protest area. If you can also get aircraft type, operator, and poc (including tel) for each operator, that would also help smooth things out. We can find this info via registry etc., but our effort to setup a good coordination...

Btw, are there any public aircraft flying in the area from ND Highway Patrol, ND NG, etc.? If so, please id those as well.

Hope you are enjoying a smooth start to the day,

R.

-----Original Message-----

From: Sweet, Robert (FAA)

Sent: Friday, November 04, 2016 8:10 PM
To: Johnson, Sean M.
Cc: Miller, Gary W (FAA); Throop, Brian (FAA); Hughes, Michael (FAA)
Subject: Re: LE situation. DAPL protests - TFR

You are welcome, Sean.

Have a good evening,

R.

Sent from my iPhone

> On Nov 4, 2016, at 19:31, Johnson, Sean M. (b) (6) @nd.gov> wrote:

>

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>>

>> As always, if you or our other colleagues at the UC or TOC have any questions or need anything else, we are available to assist.

>>

>> best,

>>

>> Rob

>>

>> <161104-15 Cannonball ND ZMP 6-3362.doc>

>> <161104-15 Cannonball ND ZMP 6-3362.jpg>

>>

>>

>> Sent from my iPhone

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Subject: RE: LE situation. DAPL protests - better id of participating aircraft
Date: Monday, November 07, 2016 12:10:15 PM

Thx!

FSDO reached out to us asking for reports of possible violations. We will be forwarding them on as they occur

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

"Ordo ab chaos"
(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte

-----Original Message-----

From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]
Sent: Monday, November 07, 2016 11:07 AM
To: Johnson, Sean M. (b) (6) n@nd.gov>
Subject: RE: LE situation. DAPL protests - better id of participating aircraft

***** This email is from an external source. Please exercise caution when opening attachments and links. *****

Sean,

At the current ops tempo, flight following is working. Bismarck approach says they are easily keeping track of the participating aircraft.

Hope you are doing well,

R.

-----Original Message-----

From: Johnson, Sean M. [[mailto:\(b\) \(6\)@nd.gov](mailto:(b) (6)@nd.gov)]
Sent: Sunday, November 06, 2016 7:58 PM
To: Sweet, Robert (FAA)
Subject: RE: LE situation. DAPL protests - better id of participating aircraft

Rob-

Currently they are/have been getting flight following, and it seems to be working for them. Will this work for you, or do you want the info below for discreet codes still?

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

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From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]

Sent: Saturday, November 05, 2016 8:32 AM

To: Johnson, Sean M. (b) (6) @nd.gov>

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov; Michael.Hughes@faa.gov; Justin.Kinney@faa.gov

Subject: LE situation. DAPL protests - better id of participating aircraft

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Good morning, Sean,

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Hope you are enjoying a smooth start to the day,

R.

-----Original Message-----

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Sent: Friday, November 04, 2016 8:10 PM

To: Johnson, Sean M.

Cc: Miller, Gary W (FAA); Throop, Brian (FAA); Hughes, Michael (FAA)

Subject: Re: LE situation. DAPL protests - TFR

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Have a good evening,

R.

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>> Rob

>>

>> <161104-15 Cannonball ND ZMP 6-3362.doc>

>> <161104-15 Cannonball ND ZMP 6-3362.jpg>

>>

>>

>> Sent from my iPhone

From: Johnson, Sean M.
To: [Emerson, Vance \(FAA\)](#)
Cc: [Sweet, Robert \(FAA\)](#)
Subject: Reporting Potential TFR Violations
Date: Tuesday, November 08, 2016 5:38:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Vance-

Would it work if we gave you a summary every few days of potential violations of the TFR, unless such violations result in a safety incident for an aircraft or we actually catch a violator?

We are having occurrences but the only facts we are able to provide is time. Since they are UAS, it is difficult to even give a decent description past for e.g. quadcopter. Operator description is even more challenging. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Throop, Brian \(FAA\)](#); [Sweet, Robert \(FAA\)](#)
Subject: RE: TFR Extension
Date: Monday, November 14, 2016 8:11:08 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

I had asked our guys to pull that together. Without having the eaches in front of me, I can tell you they have remained active in the incident area. Setting that aside a moment, it has been very helpful in keeping manned aircraft (participating and non-participating) safe as I mentioned

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: brian.throop@faa.gov [mailto:brian.throop@faa.gov]
Sent: Monday, November 14, 2016 7:05 AM
To: Johnson, Sean M. (b) (6) @nd.gov>; robert.sweet@faa.gov
Subject: RE: TFR Extension

This email is from an external source.
Please exercise caution when opening attachments and links.

Morning Sean. Do you have specific information about UASs violating the TFR or creating a

safety/security hazard? We are discussing an extension this morning and the more justification you can provide the stronger our position will be. Thanks! Brian

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Sunday, November 13, 2016 9:16 PM
To: Sweet, Robert (FAA); Throop, Brian (FAA)
Subject: TFR Extension

Rob/Brian-

We still see a need for a continuation of the TFR. UAS activity is still occurring, but non-participating aircraft are out of the way of participating ones (a good trend thanks to the TFR). What do we need to do on our end to extend the TFR another 7-14 days? Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)
Cell: (b) (6)

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Cc: [Emerson, Vance \(FAA\)](#)
Subject: TFR Extension Request - State of ND
Date: Monday, November 14, 2016 4:24:25 PM
Attachments: [image004.png](#)
[image006.png](#)
[image008.png](#)

Rob/Brian-

On behalf of the State of ND, I wish to ask for an extension in time for the current TFR outlined in FDC NOTAM 6/3362. We would request the TFR be extended 14 days from the current expiration date in the NOTAM, or to 11/29/2016 at 2300hrs UTC. We desire no other changes be made to the current TFR.

Sgt Shannon Henke of our ND Highway Patrol has outlined some specifics on why a TFR is still warranted below. I'll amplify and summarize the issues below:

- Violations of the TFR by UAS described below were in airspace well outside the block established over the encampment for those staying there to operate their UAS systems. We wanted to make that clear.
- The TFR has worked as intended to ensure the safety of all manned aircraft operators by keeping non-participating aircraft clear of participating law enforcement aircraft, and more important, reduce or eliminate the chances of a non-participating civilian pilot being lazed or spotlighted. The area of the TFR is also of a size where no significant impacts have been experienced by civilian aircraft or airports. I feel this reason in and of itself provides a very solid foundation for extension – it has been proven to work
- The TFR also has balanced 1st Amendment rights with aviation and responder safety, especially with regard to UAS operations. It's extension is necessary for the continued safety and protection of lawful protestors, law enforcement, and the public. It also provides the additional tools we all need for enforcement actions

We deeply appreciate the support you have given the state to help create a safer environment for all in the area of the TFR, both on the ground and in the air. We respectfully ask for your continued support in this regard. Should you need any further information or have questions, please feel free to reach out to me at any time.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

)



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(Out of chaos, comes order)

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From: Henke, Sgt. Shannon W.
Sent: Monday, November 14, 2016 2:24 PM
To: Johnson, Sean M. (b) (6) @nd.gov>
Cc: Lynk, Mike (b) (6) @nd.gov>
Subject: Fw: TFR Request

Sean,

We need to submit a request to continue the TFR south of Mandan in Morton County, ND. The current TFR is set to expire on November 15th.

The situation in the TFR area has continued to be extremely active and I do not foresee the activity to decrease in the near future. It appears the TFR has been effective in decreasing manned aircraft incidents, however the UAS flights violating the TFR continue multiple times daily. The reduction of manned aircraft incidents is not a valid reason to let the TFR expire, it proves the system in place does have a positive effect on safety. I am in close contact with the Forward Command staff multiple times daily and they continue to report demonstrator UAS aircraft are consistently flying directly over them, oftentimes even passing them on reconnaissance flights.

The threat to aircraft and persons on the ground, including lawful demonstrators, protestors and law enforcement continues. The use of manned aircraft for law enforcement missions is critical to the safety of all involved. Intel continues to flow in that firearms and violence is a real threat to law enforcement.

If requested, I can work on providing dates (daily) and times when the unlawful UAS flights occur. The law enforcement pilots continue to report they are shinned by extremely bright

spot lights on a nightly basis. Another incident of demonstrators attempting to laser the pilot also occurred in the last 10 days.

I have been informed by the Morton County State's Attorney's Office the FBI would be in contact with me in the near future to continue their investigation on these cases. I am waiting to hear from them.

Again, I am requesting the TFR stay active for an additional 14 days. I also request the FAA immediately assist law enforcement in finding a solution to stop the illegal flights of UAS aircraft in the TFR area. Law Enforcement Command has been extremely patient in dealing with the continued harassment with these illegal flights/operators.

If you need anything additional, please contact me anytime.

Sgt. Shannon Henke
North Dakota Highway Patrol
601 Channel Dr
Bismarck, ND 58501

(b) (6)

From: Henke, Sgt. Shannon W.
Sent: Friday, November 4, 2016 3:38 PM
To: Johnson, Sean M.
Subject: TFR Request

Sean,

This email is to address the multiple requests that have been submitted for a Temporary Flight Restriction (TFR) south of Mandan, ND in Morton County.

A portion of these examples have been addressed at least twice in our previous requests for a TFR. New incidents as current as today are also included. I do not have all the dates in front of me. Today is extremely busy with field ops and my main concern is having ground officers, pilots and aircraft prepped and ready for active protests. So, I apologize for not having specific dates and times in this email as I do not have the time to prepare due to the short notice. I would be more than willing to provide that information at a later time to "prove" the claims that these incidents are in fact occurring.

Since the beginning of this event, the active threat to law enforcement and aircraft has continued and even escalated. It is a matter of time until we are done being lucky and an aircraft receives damage. We can only pray for the best that a flight crew is not lost due to the violations that keep occurring. Especially since the FAA can assist in minimizing these

risks.

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the camera capabilities.

I can assure you the threat to aircraft and persons on the ground is very real and on-going. I will stand before an FAA agent or other persons questioning the necessity of the TFR and answer those questions.

If an aircraft or crew, or even a person on the ground is injured or worse yet killed by the unlawful operation of a drone or aircraft in this immediate area, the issue will be raised why the previous TFR was taken down when not asked to by the requesting agency. With the above incidents documented and the on-going close calls and FAA regulations violations, it will be difficult to defend the decision to not implement this requested TFR.

Sean, feel free to pass my number onto anyone involved in this process and I will be more than willing to address all concerns as to the validity of the above claims and as to the reasons why the TFR is critical to the safe operation of the aircraft and law enforcement. Again, the TFR also protects the lawful demonstrators as well as law enforcement officers trying to protect them.

Sgt. Shannon Henke
North Dakota Highway Patrol
601 Channel Drive
Bismarck, Nd 58501

(b) (6)

From: Johnson, Sean M.
To: [Throop, Brian \(FAA\)](#); [Sweet, Robert \(FAA\)](#)
Subject: RE: TFR Violations with UAS Last Night
Date: Monday, November 21, 2016 3:01:19 PM
Attachments: [image010.png](#)
[image011.png](#)
[image012.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)

Brian what number can I call you at? I thought I had it. Or you can call me at the (b) (6) number. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: brian.throop@faa.gov [mailto:brian.throop@faa.gov]
Sent: Monday, November 21, 2016 1:24 PM
To: Johnson, Sean M. (b) (6) @nd.gov>; robert.sweet@faa.gov
Subject: RE: TFR Violations with UAS Last Night

This email is from an external source.

Please exercise caution when opening attachments and links.

I will ping the group and get back to you. Do you have any new specific threat info we can use to push this? Anything from the last few days? Thanks! Brian

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Monday, November 21, 2016 1:41 PM
To: Sweet, Robert (FAA); Throop, Brian (FAA)
Subject: FW: TFR Violations with UAS Last Night

Sorry... meant to cc you all as well on this.

The TFR expires on Nov 25, which is the Friday after Thanksgiving. Should we start working an extension now for another 2 weeks? The need remains. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
Sent: Monday, November 21, 2016 11:01 AM
To: 'vance.emerson@faa.gov' <vance.emerson@faa.gov>

Cc: Henke, Sgt. Shannon W. (b) (6) @nd.gov>

Subject: TFR Violations with UAS Last Night

Vance-

We had 4-5 small UAS flying in the TFR last night and harassing our law enforcement officers. I personally observed a gentleman identified as (b) (6) operating a small UAS on a live feed from Unicorn Riot. He openly admitted it was his UAS system and he was flying it. The area he was operating it from was west of the Backwater Bridge on 1806, thus outside the exclusion area of the TFR. I observed his UAS flying over law enforcement officers near the bridge on this live feed as well.

His Facebook page is (b) (6) should also have it on their site. (b) (6)

(b) (6)

Sgt Henke can remain the POC. I am passing on because he is busy with tactical activities and I was the witness to the potential TFR and Small UAS Rule violations

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Throop, Brian \(FAA\)](#); [Miller, Gary W \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 11:43:51 AM
Attachments: [image001.png](#)
[image003.png](#)
[image005.png](#)
[image007.png](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)
[image013.png](#)
[image022.png](#)
[image024.png](#)
[image026.png](#)
[image028.png](#)
[image029.png](#)
[image030.png](#)

10-4.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: robert.sweet@faa.gov [mailto:robert.sweet@faa.gov]

Sent: Friday, November 04, 2016 10:42 AM

To: Johnson, Sean M. (b) (6) @nd.gov>

Cc: brian.throop@faa.gov; Gary.W.Miller@faa.gov

Subject: RE: TFR Request - State of ND

**This email is from an external source.
Please exercise caution when opening attachments and links.**

Sean,

Do not thank us yet. We are doing what we can though, and will get back to you asap.

Best,

Rob

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Friday, November 04, 2016 11:31 AM
To: Sweet, Robert (FAA)
Cc: Throop, Brian (FAA); Miller, Gary W (FAA)
Subject: RE: TFR Request - State of ND

Thank you!

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]
Sent: Friday, November 04, 2016 10:30 AM
To: Johnson, Sean M. (b) (6) @nd.gov>
Cc: brian.throop@faa.gov; Gary.W.Miller@faa.gov
Subject: RE: TFR Request - State of ND

**This email is from an external source.
Please exercise caution when opening attachments and links.**

Thanks, Sean.

We are exploring options.

Best,

Rob

Robert H. Sweet

Manager, Strategic Operations Security, AJR-22
Federal Aviation Administration | Air Traffic Organization | System Operations Security Directorate
Direct +1 202 267 7102 | Mobile (b) (6) |
Email robert.sweet@faa.gov | Secure Email robert.sweet@faa.sgov.gov



From: Johnson, Sean M. [[mailto:\(b\) \(6\)@nd.gov](mailto:(b) (6)@nd.gov)]
Sent: Friday, November 04, 2016 11:08 AM
To: Sweet, Robert (FAA)
Subject: RE: TFR Request - State of ND

(b) (6), (b) (7)(C)

USMS – Paul Ward: 701-595-2418 and paul.ward@usdoj.gov

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]

Sent: Friday, November 04, 2016 9:53 AM

To: Johnson, Sean M. (b) (6) <[@nd.gov](mailto:(b) (6)@nd.gov)>

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov

Subject: RE: TFR Request - State of ND

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Thanks, Sean,

Were you able to get contact info for the (b) (7)(E) US Marshals Service pocs?

Cheers,

R.

Ps Gary Miller, whom I have been including on these strings, is our manager of Tactical Ops, which owns the System Operations Support Center, our ops cell that designs and publishes TFRs.

From: Johnson, Sean M. [[mailto:\(b\) \(6\)@nd.gov](mailto:(b) (6)@nd.gov)]

Sent: Friday, November 04, 2016 10:37 AM

To: Throop, Brian (FAA); Sweet, Robert (FAA)

Subject: Re: TFR Request - State of ND

Rob/Brian-

I need to add some important information we just received for some greater context. (b) (7)(F)

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)
Cell: (b) (6)

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- That airspace from the surface to 2000 ft MSL and,
- Bound by ND 1806 on the west
- The Cannonball River on the South and East
- Cantapeta Creek on the North

If the FAA desires to define the area of exclusion by a radius and center point versus geographical features (which would be of most use to UAS operators on the ground inside the camp), we would desire the same vertical parameters described above, coupled with a 0.3NM radius from 464210N1006310W.

This TFR has the support of the (b) (7)(E) US Marshals Service.

There are multiple reasons the state is requesting this TFR, each related directly or indirectly to civil disorder and riots occurring within the area in question since August 10th, 2016. I will describe them below:

1. On October 27th, 2016, unlawful actors set fire to several vehicles on a bridge on ND 1806 which crosses over Cantapeta Creek near the Cannonball River. The fire impacted the structural integrity of the

bridge, and it is now unusable by the public and responders. Since the original TFR was lifted, we have learned that it likely will not be repaired until the Spring of 2017. There is a large encampment of protestors just to the south and east of this bridge (referenced above) who have been cut off from timely ground ambulance and firefighting services.

Firefighting services to this area are now primarily provided by the ND National Guard via helicopter water buckets; a capability we employed on October 30th, 2016 to protect the camp from a wildfire nearby it. Due to the dryness of this area and the immediacy of a fire response, sufficient time will not exist to emplace and communicate a TFR on an as needed basis. It must be in place already in order to keep the airspace clear for the aerial firefighting operations necessary to protect those at the camp. Again, helicopter is currently the only timely firefighting resource due to this bridge being unusable, and clear airspace is also vital for air ambulance services (which also provide the timeliest lifesaving medical support to this remote area, now that the bridge is unusable).

2. Since October 14th, 2016 there have been two near misses with non-participating civilian aircraft flying through the response area, and at least one other aircraft flying through airspace where law enforcement aircraft are conducting official flights. The dates of these incidents are:

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3. Since the incident began on August 10th, 2016, there are several documented incidents in the past and currently proposed TFR area where people on the ground have used high powered laser pointers and spotlights to blind pilots flying overhead. This has happened to both law enforcement aircraft, and non-participating civil aircraft when a TFR wasn't in effect. This has been and remains an ongoing concern throughout the incident. Law enforcement aircraft in use resemble civilian aircraft, and there is great concern that as civilian traffic continues to fly in the area, civilian pilots will be blinded by a laser strike or spotlight to a point where a devastating accident may occur.

In addition, private drones have been constantly flying almost daily (except when a TFR was in effect) in a dangerous manner immediately over law enforcement officers while they were performing their official duties. This activity has intensified with the removal of the original TFR, especially now that unlawful actors have been removed from private property and reside primarily in the aforementioned camp. The operators of the UAS have renewed their efforts to violate rules and regulations that the FAA has in place to protect people on the ground from harm now that a TFR is gone. UAS have often operated at face level, and have recently attempted to enter law enforcement vehicles after the TFR was lifted. They have also been deliberately flown at response aircraft in the past, causing them to take evasive actions and placing the occupants of these aircraft in fear of their lives. Once the TFR was lifted, they also interfered with law enforcement watercraft who were in the process of executing a water rescue.

Due to the violence that has in fact been displayed over and over again throughout this period of civil disorder and riots, it is only a matter of time until a law enforcement officer, a lawful protester, or member of the public is injured (or worse yet killed) as a result of unlawful actor usage of UAS. When the TFR was lifted, (b) (7)(E)

In closing, the State of North Dakota feels this TFR request is both reasonable and prudent. Regulating flights through a TFR has helped reduce this risk in the past, and will again once re-implemented. We feel

the federal government has a duty and responsibility to act in this regard by re-implementing the requested TFR with the exclusion area described above. The previous TFR resulted in a marked decrease in much of the unsafe and unlawful activity described above, and it is our desire to ensure that the safety of our responders, lawful protestors, the public, and both participating and non-participating aircraft is ensured. A TFR has proven its effectiveness before, and now that unsafe conditions have increased again, we are asking for another to help reinstate a safe environment in the area.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Throop, Brian \(FAA\)](#); [Sweet, Robert \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 2:09:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Understood. I appreciate the update

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: brian.throop@faa.gov [mailto:brian.throop@faa.gov]
Sent: Friday, November 04, 2016 1:08 PM
To: Johnson, Sean M. (b) (6) <[\(b\) \(6\)@nd.gov](mailto:(b) (6)@nd.gov)>; robert.sweet@faa.gov
Subject: RE: TFR Request - State of ND

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Hey Sean..just wanted to update you on what's going on. There is very robust discussion here about whether or not to issue the TFR. Management at the highest levels of the FAA is aware of this and is involved in the discussion. We have reached out to both the FBI and the USMS to request input, and we are currently awaiting their written response. We'll keep you updated.

Thanks

Brian

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]

Sent: Friday, November 04, 2016 10:37 AM

To: Throop, Brian (FAA); Sweet, Robert (FAA)

Subject: Re: TFR Request - State of ND

Rob/Brian-

I need to add some important information we just received for some greater context. (b) (7)(E)

[REDACTED]

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

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Cell: (b) (6)

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In addition, private drones have been constantly flying almost daily (except when a TFR was in effect) in a dangerous manner immediately over law enforcement officers while they were performing their official duties. This activity has intensified with the removal of the original TFR, especially now that unlawful actors have been removed from private property and reside primarily in the aforementioned camp. The

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Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

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"Ordo ab chaos"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Miller, Gary W \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 3:22:17 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Very helpful! Thank you

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

)



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From: robert.sweet@faa.gov [mailto:robert.sweet@faa.gov]
Sent: Friday, November 04, 2016 2:20 PM
To: Johnson, Sean M. ^{(b) (6), (b) (7)(E)} @nd.gov>
Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov
Subject: RE: TFR Request - State of ND

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Sean,

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The basic threshold that needs to be overcome is that an active hazard exists in the area.

Hope that helps.

R.

As the typical scenario for our use of an LE 91.137a1 TFR would be people firing at LE aircraft in the area (e.g., Ferguson) or, hypothetically, a SWAT team moving in on a house in which there are armed and dangerous suspects – and we want to ensure that live video of that SWAT movement is not being broadcast on TV.

Perhaps the reason why simply citing an incident or two in the past poses problems is that we, in fact established a TFR previously and only took it down after the UC confirmed the lack of additional incidents or an ongoing threat. WE need to justify re-establishing a TFR based on new info re an ongoing threat.

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Friday, November 04, 2016 2:34 PM
To: Throop, Brian (FAA); Sweet, Robert (FAA)
Subject: Re: TFR Request - State of ND

Getting information in writing soon on threats from the ground. We also received word that one of our LE aircraft just had a near miss this AM with a non-participating aircraft in the area in question.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
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Brian

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Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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(Out of chaos, comes order)

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From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Miller, Gary W \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: RE: TFR Request - State of ND
Date: Friday, November 04, 2016 3:53:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Our pilot called and left Vance a message

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

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Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov
Subject: RE: TFR Request - State of ND

Pilot of our aircraft involved will contact Vance in a few minutes

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



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From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]

Sent: Friday, November 04, 2016 2:24 PM

To: Johnson, Sean M. (b) (6) <[redacted]@nd.gov>

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov

Subject: RE: TFR Request - State of ND

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pps the Fargo FSDO is not getting word of any near-misses. Can you get the word out to participating operators that they need to alert ATC and FSDO re any near-misses. Vance Emerson, the deputy manager of that FSDO is standing by.

From: Sweet, Robert (FAA)

Sent: Friday, November 04, 2016 3:20 PM

To: 'Johnson, Sean M.'

Cc: 'Miller, Gary W (FAA)'; Throop, Brian (FAA)

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Hope that helps.

R.

Ps the typical scenario for our use of an LE 91.137a1 TFR would be people firing at LE aircraft in the area (e.g., Ferguson) or, hypothetically, a SWAT team moving in on a house in which there are armed and dangerous suspects – and we want to ensure that live video of that SWAT movement is not being broadcast on TV.

Pps the reason why simply citing an incident or two in the past poses problems is that we, in fact established a TFR previously and only took it down after the UC confirmed the lack of additional incidents or an ongoing threat. WE need to justify re-establishing a TFR based on new info re an ongoing threat.

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Friday, November 04, 2016 2:34 PM
To: Throop, Brian (FAA); Sweet, Robert (FAA)
Subject: Re: TFR Request - State of ND

Getting information in writing soon on threats from the ground. We also received word that one of our LE aircraft just had a near miss this AM with a non-participating aircraft in the area in question.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)
Cell: (b) (6)

On Fri, Nov 4, 2016 at 1:08 PM -0500, "brian.throop@faa.gov" <brian.throop@faa.gov> wrote:

[Redacted content]

This email is from an external source.
Please exercise caution when opening attachments and links.

Hey Sean..just wanted to update you on what's going on. There is very robust discussion here about whether or not to issue the TFR. Management at the highest levels of the FAA is aware of this and is involved in the discussion. We have reached out to (b) (7)(E) the USMS to request input, and we are currently awaiting their written response. We'll keep you updated.
Thanks
Brian

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Friday, November 04, 2016 10:37 AM
To: Throop, Brian (FAA); Sweet, Robert (FAA)
Subject: Re: TFR Request - State of ND

Rob/Brian-

I need to add some important information we just received for some greater context. We estimate the camp population is between 2000 and 3000 people as of yesterday. Embedded in these numbers are hundreds of unlawful actors I referenced below. What was very concerning is an estimated growth from Nov 2 to Nov 3 of between 750 - 875 people. We have never seen a growth that large in 24 hours. There is also good intel they are going to be even more desperate in their actions.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)

On Fri, Nov 4, 2016 at 8:20 AM -0500, "Johnson, Sean M." (b) (6)@nd.gov> wrote:

On behalf of the State of North Dakota, I am writing to request a 14 CFR Section 91.137(A)(1) Temporary Flight Restriction per the parameters below:

- Only response aircraft in support of law enforcement acting under the direction of the ND Tactical Operations Center (701-667-3224) and aircraft approved by ATC in coordination with the domestic events network may operate within the TFR
- The extent of the TFR will be nearly identical to the one we were granted before, as described in FDC NOTAM 6/7258
 - 4 NM radius of 462626N1003752W (BIS164019.3) (Except as detailed below)
 - From the surface to 3500 ft MSL (Except as detailed below)
 - From the present until 0600hrs UTC November 14th, 2016

We are requesting an area of exclusion from the TFR immediately over an encampment in the area. The area in question we ask to be excluded is:

- That airspace from the surface to 2000 ft MSL and,
- Bound by ND 1806 on the west
- The Cannonball River on the South and East
- Cantapeta Creek on the North

If the FAA desires to define the area of exclusion by a radius and center point versus geographical features (which would be of most use to UAS operators on the ground inside the camp), we would desire the same vertical parameters described above, coupled with a 0.3NM radius from 464210N1006310W.

This TFR has the support of the (b) (7)(E) US Marshals Service.

There are multiple reasons the state is requesting this TFR, each related directly or indirectly to civil disorder and riots occurring within the area in question since August 10th, 2016. I will describe them below:

1. On October 27th, 2016, unlawful actors set fire to several vehicles on a bridge on ND 1806 which crosses over Cantapeta Creek near the Cannonball River. The fire impacted the structural integrity of the bridge, and it is now unusable by the public and responders. Since the original TFR was lifted, we have learned that it likely will not be repaired until the Spring of 2017. There is a large encampment of protestors just to the south and east of this bridge (referenced above) who have been cut off from timely ground ambulance and firefighting services.

Firefighting services to this area are now primarily provided by the ND National Guard via helicopter water buckets; a capability we employed on October 30th, 2016 to protect the camp from a wildfire nearby it. Due to the dryness of this area and the immediacy of a fire response, sufficient time will not exist to emplace and communicate a TFR on an as needed basis. It must be in place already in order to keep the airspace clear for the aerial firefighting operations necessary to protect those at the camp. Again, helicopter is currently the only timely firefighting resource due to this bridge being unusable, and clear airspace is also vital for air ambulance services (which also provide the timeliest lifesaving medical support to this remote area, now that the bridge is unusable).

2. Since October 14th, 2016 there have been two near misses with non-participating civilian aircraft flying through the response area, and at least one other aircraft flying through airspace where law enforcement aircraft are conducting official flights. The dates of these incidents are:

- Friday October 14th
- Monday October 17th
- Thursday October 20th

All three of these incidents occurred directly over the aforementioned camp, or within the 4 nautical mile requested TFR location. Now that the previous TFR has been lifted, there has been an increase in air traffic near the area where response aircraft continue to work, causing law enforcement aircraft to have to adjust their operations when present.

3. Since the incident began on August 10th, 2016, there are several documented incidents in the past and currently proposed TFR area where people on the ground have used high powered laser pointers and spotlights to blind pilots flying overhead. This has happened to both law enforcement aircraft, and non-participating civil aircraft when a TFR wasn't in effect. This has been and remains an ongoing concern throughout the incident. Law enforcement aircraft in use resemble civilian aircraft, and there is great concern that as civilian traffic continues to fly in the area, civilian pilots will be blinded by a laser strike or spotlight to a point where a devastating accident may occur.

In addition, private drones have been constantly flying almost daily (except when a TFR was in effect) in a dangerous manner immediately over law enforcement officers while they were performing their official duties. This activity has intensified with the removal of the original TFR, especially now that unlawful actors have been removed from private property and reside primarily in the aforementioned camp. The operators of the UAS have renewed their efforts to violate rules and regulations that the FAA has in place to protect people on the ground from harm now that a TFR is gone. UAS have often operated at face level, and have recently attempted to enter law enforcement vehicles after the TFR was lifted. They have also been deliberately flown at response aircraft in the past, causing them to take evasive actions and placing the occupants of these aircraft in fear of their lives. Once the TFR was lifted, they also interfered with law enforcement watercraft who were in the process of executing a water rescue.

Due to the violence that has in fact been displayed over and over again throughout this period of civil disorder and riots, it is only a matter of time until a law enforcement officer, a lawful protester, or member of the public is injured (or worse yet killed) as a result of unlawful actor usage of UAS. When the TFR was lifted, (b) (7)(E)

In closing, the State of North Dakota feels this TFR request is both reasonable and prudent. Regulating flights through a TFR has helped reduce this risk in the past, and will again once re-implemented. We feel the federal government has a duty and responsibility to act in this regard by re-implementing the requested TFR with the exclusion area described above. The previous TFR resulted in a marked decrease in much of the unsafe and unlawful activity described above, and it is our desire to ensure that the safety of our responders, lawful protestors, the public, and both participating and non-participating aircraft is ensured. A TFR has proven its effectiveness before, and now that unsafe conditions have increased again, we are asking for another to help reinstate a safe environment in the area.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: Fwd: TFR Request
Date: Friday, November 04, 2016 4:41:30 PM

This spells out past and current LE concerns

Sent from my iPhone..

Begin forwarded message:

From: "Henke, Sgt. Shannon W." ^{(b) (6)} [REDACTED] [@nd.gov](#)>
Date: November 4, 2016 at 15:38:39 CDT
To: "Johnson, Sean M." ^{(b) (6)} [REDACTED] [@nd.gov](#)>
Subject: TFR Request

Sean,

This email is to address the multiple requests that have been submitted for a Temporary Flight Restriction (TFR) south of Mandan, ND in Morton County.

A portion of these examples have been addressed at least twice in our previous requests for a TFR. New incidents as current as today are also included. I do not have all the dates in front of me. Today is extremely busy with field ops and my main concern is having ground officers, pilots and aircraft prepped and ready for active protests. So, I apologize for not having specific dates and times in this email as I do not have the time to prepare due to the short notice. I would be more than willing to provide that information at a later time to "prove" the claims that these incidents are in fact occurring.

Since the beginning of this event, the active threat to law enforcement and aircraft has continued and even escalated. It is a matter of time until we are done being lucky and an aircraft receives damage. We can only pray for the best that a flight crew is not lost due to the violations that keep occurring. Especially since the FAA can assist in minimizing these risks.

Law Enforcement originally received reports of DAPL demonstrators carrying weapons. This has been observed by both pilots and law enforcement on the ground, both long guns and handguns. This became a reality on October 27th, when a female protesters fired 3 rounds at close range at law enforcement.

On September 9th, I personally observed a drone operator intentionally operate a drone over a crowd of unprotected people, both protesters and law enforcement. This same operator on the same date purposely flew the drone above 400 feet AGL in an attempt to strike the North Dakota Highway Patrol Cessna 206 aircraft. Again, law enforcement got lucky and no one was injured. I personally completed a report and filed felony charges in Morton County.

On another date a drone operator flew his drone directly at a helicopter that was cleared to be assisting law enforcement. This posed an immediate danger to the pilot and crew, some of which were law enforcement and they feared for their life. Drones today have the technology for very stable flight and can withstand rotor wash from a helicopter.

Today another aircraft came within 300-400 yards of a law enforcement aircraft. The pilot informed me has photos of this aircraft. This type of encounter has occurred 3 other times.

At approximately 1330 today, a drone was operated in a reckless manner and flown at a law enforcement crew then buzzed the operators. It seems this type of activity occurs every chance the demonstrators have. This does pose a danger to persons on the ground and other aircraft.

On a consistent basis, non-law enforcement drones are continually operated in a manner that is putting people and aircraft in danger. The FAA has stated until there is an actual incident where an aircraft is fired at and struck, or someone is injured, a TFR will not be in place. I was also informed the FAA stated since there were no additional incidents, the TFR was taken down. The exact purpose of this TFR is prevent close call incidents and prevent operators from endangering other aircraft and persons on the ground. The reduction or even the absence of further incidents during the TFR only supports the need to keep a TFR in place.

Throughout the operation of this event, law enforcement are in fact encountering armed individuals. The use of law enforcement air support is critical to keep not only law enforcement safe, but innocent and peaceful demonstrators. We need to ensure the movement of law enforcement trying to protect the innocent is not being broadcast live by the use of drones. With today's technology this would be very easy to do with a drone and the camera capabilities.

I can assure you the threat to aircraft and persons on the ground is very real and

on-going. I will stand before an FAA agent or other persons questioning the necessity of the TFR and answer those questions.

If an aircraft or crew, or even a person on the ground is injured or worse yet killed by the unlawful operation of a drone or aircraft in this immediate area, the issue will be raised why the previous TFR was taken down when not asked to by the requesting agency. With the above incidents documented and the on-going close calls and FAA regulations violations, it will be difficult to defend the decision to not implement this requested TFR.

Sean, feel free to pass my number onto anyone involved in this process and I will be more than willing to address all concerns as to the validity of the above claims and as to the reasons why the TFR is critical to the safe operation of the aircraft and law enforcement. Again, the TFR also protects the lawful demonstrators as well as law enforcement officers trying to protect them.

Sgt. Shannon Henke

North Dakota Highway Patrol

601 Channel Drive

Bismarck, Nd 58501

(b) (6)

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Cc: [Emerson, Vance \(FAA\)](#)
Subject: TFR Extension Request - State of ND
Date: Monday, November 14, 2016 4:24:25 PM
Attachments: [image004.png](#)
[image006.png](#)
[image008.png](#)

Rob/Brian-

On behalf of the State of ND, I wish to ask for an extension in time for the current TFR outlined in FDC NOTAM 6/3362. We would request the TFR be extended 14 days from the current expiration date in the NOTAM, or to 11/29/2016 at 2300hrs UTC. We desire no other changes be made to the current TFR.

Sgt Shannon Henke of our ND Highway Patrol has outlined some specifics on why a TFR is still warranted below. I'll amplify and summarize the issues below:

- Violations of the TFR by UAS described below were in airspace well outside the block established over the encampment for those staying there to operate their UAS systems. We wanted to make that clear.
- The TFR has worked as intended to ensure the safety of all manned aircraft operators by keeping non-participating aircraft clear of participating law enforcement aircraft, and more important, reduce or eliminate the chances of a non-participating civilian pilot being lazed or spotlighted. The area of the TFR is also of a size where no significant impacts have been experienced by civilian aircraft or airports. I feel this reason in and of itself provides a very solid foundation for extension – it has been proven to work
- The TFR also has balanced 1st Amendment rights with aviation and responder safety, especially with regard to UAS operations. It's extension is necessary for the continued safety and protection of lawful protestors, law enforcement, and the public. It also provides the additional tools we all need for enforcement actions

We deeply appreciate the support you have given the state to help create a safer environment for all in the area of the TFR, both on the ground and in the air. We respectfully ask for your continued support in this regard. Should you need any further information or have questions, please feel free to reach out to me at any time.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

From: Johnson, Sean M.
To: [Throop, Brian \(FAA\)](#); [Sweet, Robert \(FAA\)](#)
Subject: RE: TFR Extension
Date: Monday, November 14, 2016 8:11:08 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

I had asked our guys to pull that together. Without having the eaches in front of me, I can tell you they have remained active in the incident area. Setting that aside a moment, it has been very helpful in keeping manned aircraft (participating and non-participating) safe as I mentioned

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: brian.throop@faa.gov [mailto:brian.throop@faa.gov]
Sent: Monday, November 14, 2016 7:05 AM
To: Johnson, Sean M. (b) (6) @nd.gov>; robert.sweet@faa.gov
Subject: RE: TFR Extension

This email is from an external source.
Please exercise caution when opening attachments and links.

Morning Sean. Do you have specific information about UASs violating the TFR or creating a

safety/security hazard? We are discussing an extension this morning and the more justification you can provide the stronger our position will be. Thanks! Brian

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Sunday, November 13, 2016 9:16 PM
To: Sweet, Robert (FAA); Throop, Brian (FAA)
Subject: TFR Extension

Rob/Brian-

We still see a need for a continuation of the TFR. UAS activity is still occurring, but non-participating aircraft are out of the way of participating ones (a good trend thanks to the TFR). What do we need to do on our end to extend the TFR another 7-14 days? Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100
Direct: (b) (6)
Cell: (b) (6)

From: Johnson, Sean M.
To: [Emerson, Vance \(FAA\)](#)
Cc: [Sweet, Robert \(FAA\)](#)
Subject: Reporting Potential TFR Violations
Date: Tuesday, November 08, 2016 5:38:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Vance-

Would it work if we gave you a summary every few days of potential violations of the TFR, unless such violations result in a safety incident for an aircraft or we actually catch a violator?

We are having occurrences but the only facts we are able to provide is time. Since they are UAS, it is difficult to even give a decent description past for e.g. quadcopter. Operator description is even more challenging. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: 701-328-8265

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#); [Throop, Brian \(FAA\)](#)
Subject: ND TFR Discussion
Date: Thursday, November 03, 2016 12:03:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good to talk to you both again today! I'm working on securing the info needed to answer the three points we discussed. In addition I'll send along a map of the camp/USACE-approved free speech area we discussed excluding. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Throop, Brian \(FAA\)](#)
Subject: RE: ND TFR Discussion
Date: Thursday, November 03, 2016 6:46:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image007.png](#)
[image009.png](#)
[image011.png](#)

As an FYI we still plan to submit for a TFR. We got a little sidetracked today with some other response issues. I have a few eyes on the draft request now though.

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: robert.sweet@faa.gov [mailto:robert.sweet@faa.gov]

Sent: Thursday, November 03, 2016 11:23 AM

To: Johnson, Sean M. (b) (6) @nd.gov>

Cc: brian.throop@faa.gov

Subject: RE: ND TFR Discussion



**This email is from an external source.
Please exercise caution when opening attachments and links.**

Sean,

Likewise. We miss our colleagues in Bismarck.

Re the justifications, as I noted, the Unified Command (UC) and lead Law Enforcement Agency (LEA) needs to make a solid case for re-establishing the TFR, which was cancelled this past Tuesday. In addition to address at least some (or all) of the three triggering threats I outlined earlier, please ensure that they explain what has changed between our Tuesday discussion with the UC, during which they agreed that there was no further justification for the TFR, and this morning. Citing threats, which prompted us to originally put in the now cancelled TFR, will not be sufficient unless a solid assertion is made that those threats have resurfaced and/or new threats have been encountered. Beyond that, the argument would be buttressed if there is some backup from the Federal LEAs on the ground (b) (7)(E)

Candidly, some of the involved tribes are arguing that the FAA's action to implement a TFR was driven not by a genuine safety/security threat, but rather by the desire of the local LEAs handling the situation to prevent the protestors from using drones to surveil unlawful actions on the part of LE that infringe on the protestors' First Amendment rights. To be crystal clear, we are steering well clear of the First Amendment arguments, which are well outside of our AOR. Having said that, you and our other colleagues in ND need to understand the substantial sensitivities surrounding the FAA TFR action.

Best,

Rob

Ps hope you and yours, as well as Neal and his family are doing well.

From: Johnson, Sean M. [mailto:(b) (6)@nd.gov]
Sent: Thursday, November 03, 2016 12:01 PM
To: Sweet, Robert (FAA); Throop, Brian (FAA)
Subject: ND TFR Discussion

Good to talk to you both again today! I'm working on securing the info needed to answer the three points we discussed. In addition I'll send along a map of the camp/USACE-approved free speech area we discussed excluding. Thx

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)



"Ordo ab chao"

(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte



From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Cc: [Miller, Gary W \(FAA\)](#); [Throop, Brian \(FAA\)](#); [Hughes, Michael \(FAA\)](#)
Subject: Re: LE situation. DAPL protests - TFR
Date: Friday, November 04, 2016 7:31:55 PM

Thank you all... will work the aircraft tail numbers issue and provide the info as soon as we can

Sent from my iPhone... Therefore please excuse any fat finger or autocorrect errors.

> On Nov 4, 2016, at 18:29, "robert.sweet@faa.gov" <robert.sweet@faa.gov> wrote:

>

> ***** This email is from an external source. Please exercise caution when opening attachments and links. *****

>

> Sean,

>

> Per our conversation, please find attached the NOTAM with which we published the TFR over the Cannonball area.

>

> Please send us the tail numbers of the aircraft being used by LE when you can. As we discussed, our team
(b) (5) TFR and more easily detect violators.

>

> As always, if you or our other colleagues at the UC or TOC have any questions or need anything else, we are available to assist.

>

> best,

>

> Rob

>

> <161104-15 Cannonball ND ZMP 6-3362.doc>

> <161104-15 Cannonball ND ZMP 6-3362.jpg>

>

>

> Sent from my iPhone

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](mailto:Sweet, Robert (FAA))
Subject: RE: LE situation. DAPL protests - better id of participating aircraft
Date: Sunday, November 06, 2016 7:58:00 PM

Rob-

Currently they are/have been getting flight following, and it seems to be working for them. Will this work for you, or do you want the info below for discreet codes still?

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

"Ordo ab chao"
(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte

-----Original Message-----

From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]

Sent: Saturday, November 05, 2016 8:32 AM

To: Johnson, Sean M. (b) (6) @nd.gov>

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov; Michael.Hughes@faa.gov; Justin.Kinney@faa.gov

Subject: LE situation. DAPL protests - better id of participating aircraft

***** This email is from an external source. Please exercise caution when opening attachments and links. *****

Good morning, Sean,

Please let us know when you can id the tail numbers of the aircraft being regularly used by LE etc. over the DAPL protest area. If you can also get aircraft type, operator, and poc (including tel) for each operator, that would also help smooth things out. We can find this info via registry etc., but our effort to setup a good coordination...

Btw, are there any public aircraft flying in the area from ND Highway Patrol, ND NG, etc.? If so, please id those as well.

Hope you are enjoying a smooth start to the day,

R.

-----Original Message-----

From: Sweet, Robert (FAA)

Sent: Friday, November 04, 2016 8:10 PM
To: Johnson, Sean M.
Cc: Miller, Gary W (FAA); Throop, Brian (FAA); Hughes, Michael (FAA)
Subject: Re: LE situation. DAPL protests - TFR

You are welcome, Sean.

Have a good evening,

R.

Sent from my iPhone

> On Nov 4, 2016, at 19:31, Johnson, Sean M. <(b) (6)@nd.gov> wrote:

>

> Thank you all... will work the aircraft tail numbers issue and provide the info as soon as we can

>

> Sent from my iPhone... Therefore please excuse any fat finger or autocorrect errors.

>

>> On Nov 4, 2016, at 18:29, "robert.sweet@faa.gov" <robert.sweet@faa.gov> wrote:

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>> Sean,

>>

>> Per our conversation, please find attached the NOTAM with which we published the TFR over the Cannonball area.

>>

>> Please send us the tail numbers of the aircraft being used by LE when you can. As we discussed, our team (b) (7)(E) TFR and more easily detect violators.

>>

>> As always, if you or our other colleagues at the UC or TOC have any questions or need anything else, we are available to assist.

>>

>> best,

>>

>> Rob

>>

>> <161104-15 Cannonball ND ZMP 6-3362.doc>

>> <161104-15 Cannonball ND ZMP 6-3362.jpg>

>>

>>

>> Sent from my iPhone

From: Johnson, Sean M.
To: [Sweet, Robert \(FAA\)](#)
Subject: RE: LE situation. DAPL protests - better id of participating aircraft
Date: Monday, November 07, 2016 12:10:15 PM

Thx!

FSDO reached out to us asking for reports of possible violations. We will be forwarding them on as they occur

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

"Ordo ab chaos"
(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte

-----Original Message-----

From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]
Sent: Monday, November 07, 2016 11:07 AM
To: Johnson, Sean M. (b) (6) @nd.gov>
Subject: RE: LE situation. DAPL protests - better id of participating aircraft

***** This email is from an external source. Please exercise caution when opening attachments and links. *****

Sean,

At the current ops tempo, flight following is working. Bismarck approach says they are easily keeping track of the participating aircraft.

Hope you are doing well,

R.

-----Original Message-----

From: Johnson, Sean M. [[mailto:\(b\) \(6\)@nd.gov](mailto:(b) (6)@nd.gov)]
Sent: Sunday, November 06, 2016 7:58 PM
To: Sweet, Robert (FAA)
Subject: RE: LE situation. DAPL protests - better id of participating aircraft

Rob-

Currently they are/have been getting flight following, and it seems to be working for them. Will this work for you, or do you want the info below for discreet codes still?

Sean M. Johnson
Plans Officer
ND Department of Emergency Services
Division of Homeland Security

Work: 701-328-8100

Direct: (b) (6)

Cell: (b) (6)

"Ordo ab chao"
(Out of chaos, comes order)

"Incrementalism is the death of innovation " - Nicholas Negroponte

-----Original Message-----

From: robert.sweet@faa.gov [<mailto:robert.sweet@faa.gov>]

Sent: Saturday, November 05, 2016 8:32 AM

To: Johnson, Sean M. <(b) (6)>@nd.gov>

Cc: Gary.W.Miller@faa.gov; brian.throop@faa.gov; Michael.Hughes@faa.gov; Justin.Kinney@faa.gov

Subject: LE situation. DAPL protests - better id of participating aircraft

***** This email is from an external source. Please exercise caution when opening attachments and links. *****

Good morning, Sean,

Please let us know when you can id the tail numbers of the aircraft being regularly used by LE etc. over the DAPL protest area. If you can also get aircraft type, operator, and poc (including tel) for each operator, that would also help smooth things out. We can find this info via registry etc., but our effort to setup a good coordination...

Btw, are there any public aircraft flying in the area from ND Highway Patrol, ND NG, etc.? If so, please id those as well.

Hope you are enjoying a smooth start to the day,

R.

-----Original Message-----

From: Sweet, Robert (FAA)

Sent: Friday, November 04, 2016 8:10 PM

To: Johnson, Sean M.

Cc: Miller, Gary W (FAA); Throop, Brian (FAA); Hughes, Michael (FAA)

Subject: Re: LE situation. DAPL protests - TFR

You are welcome, Sean.

Have a good evening,

R.

Sent from my iPhone

> On Nov 4, 2016, at 19:31, Johnson, Sean M. (b) (6) @nd.gov> wrote:

>

> Thank you all... will work the aircraft tail numbers issue and provide the info as soon as we can

>

> Sent from my iPhone... Therefore please excuse any fat finger or autocorrect errors.

>

>> On Nov 4, 2016, at 18:29, "robert.sweet@faa.gov" <robert.sweet@faa.gov> wrote:

>>

>> ***** This email is from an external source. Please exercise caution when opening attachments and links.

>>*****

>>

>> Sean,

>>

>> Per our conversation, please find attached the NOTAM with which we published the TFR over the Cannonball area.

>>

>> Please send us the tail numbers of the aircraft being used by LE when you can. As we discussed, our team proposes (b) (5) the TFR and more easily detect violators.

>>

>> As always, if you or our other colleagues at the UC or TOC have any questions or need anything else, we are available to assist.

>>

>> best,

>>

>> Rob

>>

>> <161104-15 Cannonball ND ZMP 6-3362.doc>

>> <161104-15 Cannonball ND ZMP 6-3362.jpg>

>>

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>> Sent from my iPhone