

# Bush Consolidates the National Security State

By [Tom Burghardt](#)

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[The Washington Post](#) revealed Friday that the FBI is continuing its systematic violation of Americans' Fourth Amendment guarantees against "unreasonable searches and seizures."

A Justice Department [report](#) concluded that the Bureau had repeatedly abused its intelligence gathering "privileges" by issuing bogus "national security letters" (NSLs) from 2003-2006. On at least one occasion, the FBI relied on an illegally-issued NSL to circumvent a ruling by the Foreign Intelligence Surveillance Court to obtain records the secret court deemed protected by the First Amendment.

While the Bush regime claims that the Bureau requires sweeping authority to invade the privacy of American citizens to "protect the homeland" from the Afghan-Arab database of disposable intelligence assets, al-Qaeda, Justice Department Inspector General Glenn A. Fine determined that fully "60 percent of the nearly 50,000 security letters issued that year [2006] by the FBI targeted Americans," according to *Post* reporter Dan Eggen.

Despite the FISA court twice rejecting Bureau requests to obtain sensitive private records, determining "the 'facts' were too thin" and the "request implicated the target's First Amendment rights," the FBI used an NSL as a "work around" and proceeded anyway.

The stunning disregard for all legal norms under the Bush regime is encapsulated by FBI general counsel Valerie E. Caproni's statement to investigators that "it was appropriate to issue the letters in such cases because she disagreed with the court's conclusions."

Fine asserted in the Inspector General's report that the Bureau has recklessly used NSLs to sweep-up vast quantities of telephone numbers and internet searches with a single request.

Jameel Jaffer, national security director at the American Civil Liberties Union, told Eggen,

"The fact that these are being used against U.S. citizens, and being used so aggressively, should call into question the claim that these powers are about terrorists and not just about collecting information on all kinds of people. They're basically using national security letters to evade legal requirements that would be enforced if there were judicial oversight."

Dean Boyd, a Justice Department spokesperson, said Fine's report "should come as no surprise," tendentiously claiming new "procedural changes" would ameliorate future problems.

According to FBI Assistant Director John Miller, a former correspondent and anchor for ABC News, NSL requests “are now reviewed by a lawyer before they are sent to a telephone company, Internet service provider or other target.”

Meanwhile, the Bush administration has quietly stripped the independent Intelligence Oversight Board (IOB) of much of its authority to root out illegal spying activities by the intelligence “community,” *Boston Globe* journalist, Charlie Savage reports.

A little noticed February 29 executive order signed by Bush gutted the board’s mandate to refer illegal activities by an ever-expanding national security state to the Justice Department.

According to [Savage](#),

Bush’s order also terminated the board’s authority to oversee each intelligence agency’s general counsel and inspector general, and it erased a requirement that each inspector general file a report with the board every three months. Now only the agency directors will decide whether to report any potential lawbreaking to the panel, and they have no schedule for checking in.

In other words, we’ll police ourselves. *Move along!*

The IOB was created in 1976 by president Gerald Ford following congressional revelations that a panoply of U.S. intelligence entities including the CIA, FBI, NSA and DIA, had engaged in illegal domestic spying operations, organized the assassination of foreign leaders, incited coups and other destabilization campaigns around the world to advance U.S. geopolitical goals during America’s anticommunist Cold War *jihad*.

On the domestic front, the FBI’s [COINTELPRO](#), the CIA’s [Operation CHAOS](#), the NSA’s [Project SHAMROCK](#) and the DIA’s domestic operations under control of various [Military Intelligence Groups](#), conducted illegal surveillance of antiwar, socialist, feminist and black liberation groups targeted for “disruption and neutralization” during the 1960s and ‘70s.

Federal intelligence agents, in addition to conducting illegal surveillance and infiltration of domestic dissident groups, worked closely with local police “red squads” and actually financed and controlled far-right terrorist gangs such as the Minutemen, the San Diego-based [Secret Army Organization](#) and the [Legion of Justice](#) in Chicago. Dozens of attacks, including fire-bombings, physical assaults and attempted “targeted assassinations” of vocal antiwar activists and socialist organizers were the result.

Even after the “COINTELPRO era” presumably ended with the 1971 Media, PA raid by the “Citizens Committee to Investigate the FBI” that exposed the Bureau’s illegal operations, abuses continued—and multiplied.

\* In 1979, five members of the [Communist Workers Party](#) were murdered by a combined Ku Klux Klan/American Nazi Party hit team in Greensboro, NC. The anticommunist death squad had been recruited, organized and led by an FBI infiltrator, Edward Dawson. Dawson was also a paid informant for the Greensboro Police Department.

\* During the 1980s, the [Committee in Solidarity with the People of El Salvador](#) (CISPES), opposed to U.S. intervention in support of El Salvador’s

death squad state, was infiltrated by FBI informants and far-rightists' associated with Rev. Sun Myung Moon's Collegiate Association for the Research of Principles (CARP). The ultra-right wing Council for Inter-American Security, working as public relations apologists for death squad leader Roberto D'Aubuisson, compiled a dossier on CISPES that was subsequently passed to the FBI. The Bureau then recommended "active measures" be taken to destroy the group.

\* In May 1990, Earth First! leaders [Judi Bari](#) and Darryl Cherney were targets of a politically-motivated assassination attempt. A bomb was detonated in their car by unknown assailants. At the FBI's instigation, Oakland Police immediately arrested the pair and charged them with terrorist crimes. After two months of adverse media publicity targeting the victims, charges were dropped. Twelve years later, the environmentalists were awarded \$4.4 million in a federal civil suit when a jury determined the FBI had acted recklessly in their handling of the case. The FBI was doomed when their own forensic lab specialist testified the bomb was under the car seat not on the floorboard behind Bari as Bureau counterterrorism "experts" alleged.

\* Counterintelligence Field Activity (CIFA) is another in a long-line of corrupt Pentagon "public-private partnerships." Initially authorized by president William Clinton's Presidential Decision Directive (PDD)-75, CIFA and its associated TALON/CORNERSTONE database provide "threat assessments" for DoD facilities and personnel. One CIFA-supported database project, managed by defense giant Northrop Grumman was designated "Person Search." It was designed to "provide comprehensive information about people of interest." Its intended use included the ability to search government and commercial databases "to track and monitor activities of suspect individuals." However, numerous reports and internal memoranda published by the [National Security Archive](#) clearly document that CIFA's military and private contractors systematically conducted surveillance and data-mining operations against the antiwar movement. The Archive has posted [9 TALON reports](#) collected by the 902nd Military Intelligence Group documenting CIFA's repressive activities. Originally falling under the purview of Stephen A. Cambone, Under Secretary of Defense for Intelligence, CIFA's intelligence and data-mining programs are being spun-off to private contractors. Cambone has since gone on to an executive position with QinetiQ North America. QinetiQ signed a \$30 million Pentagon contract in January 2008 for unspecified "security services" to CIFA, according to CorpWatch investigative reporter, [Tim Shorrock](#).

\* [CISPES](#) is again a target of the Justice Department. Citing the Foreign Registration Act of 1938, Bush's DOJ is questioning the organization's relationship with the Farabundo Marti Front for National Liberation (FMLN), a legal political party in El Salvador. With elections looming in 2009, the Bush regime is terrified that another Latin American country will elect a leftist government, thus further weakening U.S. regional domination and control over its shrinking imperialist empire. The Bush plan? Target solidarity activists in an attempt to smear the group as "foreign agents," or worse.

The gutting of the Intelligence Oversight Board's authority to investigate criminal activities by the Bush administration comes at a time when domestic spying operations have multiplied exponentially.

Last week [The Wall Street Journal](#) exposed the NSA's data-mining capabilities and revealed that the agency was targeting millions of Americans in its electronic driftnet and has compiled terabytes of data on every aspect of lives.

While administration apologists claim such sweeping and intrusive spying is necessary to “keep America safe,” if history is any judge of past intelligence abuses these practices are designed instead, to “keep America in line,” ever-fearful and obedient servants of our capitalist masters.

*Tom Burghardt is a researcher and activist based in the San Francisco Bay Area. In addition to publishing in Covert Action Quarterly, Love & Rage and Antifa Forum, he is the editor of Police State America: U.S. Military “Civil Disturbance” Planning, distributed by AK Press.*

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