

# Large Volume of FBI Files Alarms US Activist Groups

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Washington – The Federal Bureau of Investigation has collected at least 3,500 pages of internal documents in the last several years on a handful of civil rights and antiwar protest groups in what the groups charge is an attempt to stifle political opposition to the Bush administration.

The F.B.I. has in its files 1,173 pages of internal documents on the American Civil Liberties Union, the leading critic of the Bush administration's antiterrorism policies, and 2,383 pages on Greenpeace, an environmental group that has led acts of civil disobedience in protest over the administration's policies, the Justice Department disclosed in a court filing this month in a federal court in Washington.

The filing came as part of a lawsuit under the Freedom of Information Act brought by the A.C.L.U. and other groups that maintain that the F.B.I. has engaged in a pattern of political surveillance against critics of the Bush administration. A smaller batch of documents already turned over by the government sheds light on the interest of F.B.I. counterterrorism officials in protests surrounding the Iraq war and last year's Republican National Convention.

F.B.I. and Justice Department officials declined to say what was in the A.C.L.U. and Greenpeace files, citing the pending lawsuit. But they stressed that as a matter of both policy and practice, they have not sought to monitor the political activities of any activist groups and that any intelligence-gathering activities related to political protests are intended to prevent disruptive and criminal activity at demonstrations, not to quell free speech. They said there might be an innocuous explanation for the large volume of files on the A.C.L.U. and Greenpeace, like preserving requests from or complaints about the groups in agency files.

But officials at the two groups said they were troubled by the disclosure.

"I'm still somewhat shocked by the size of the file on us," said Anthony D. Romero, executive director of the A.C.L.U. "Why would the F.B.I. collect almost 1,200 pages on a civil rights organization engaged in lawful activity? What justification could there be, other than political surveillance of lawful First Amendment activities?"

Protest groups charge that F.B.I. counterterrorism officials have used their expanded powers since the Sept. 11 attacks to blur the line between legitimate civil disobedience and violent or terrorist activity in what they liken to F.B.I. political surveillance of the 1960's. The debate became particularly heated during protests over the war in Iraq and the run-up to the Republican National Convention in New York City last year, with the disclosures that the F.B.I. had collected extensive information on plans for protests.

In all, the A.C.L.U. is seeking F.B.I. records since 2001 or earlier on some 150 groups that have been critical of the Bush administration's policies on the Iraq war and other matters.

The Justice Department is opposing the A.C.L.U.'s request to expedite the review of material it is seeking under the Freedom of Information Act, saying it does not involve a matter of urgent public interest, and department lawyers say the sheer volume of material, in the thousands of pages, will take them 8 to 11 months to process for Greenpeace and the A.C.L.U. alone. The A.C.L.U., which went to court in a separate case to obtain some 60,000 pages of records on the government's detention and interrogation practices, said the F.B.I. records on the dozens of protest groups could total tens of thousands of pages by the time the request is completed.

The much smaller files that the F.B.I. has already turned over in recent weeks center on two other groups that were involved in political protests in the last few years, and those files point to previously undisclosed communications by bureau counterterrorism officials regarding activity at protests.

Six pages of internal F.B.I. documents on a group called United for Peace and Justice, which led wide-scale protests over the Iraq war, discuss the group's role in 2003 in preparing protests for the Republican National Convention.

A memorandum by counterterrorism personnel in the F.B.I.'s Los Angeles office circulated to other counterterrorism officials in New York, Boston, Los Angeles and Washington makes passing reference to possible anarchist connections of some protesters and the prospect for disruptions but also quotes at much greater length from more benign statements protesters had released on the Internet and elsewhere to prepare for the Republican convention.

One section of the F.B.I. memo, for instance, quotes from a statement put out by protesters to rally support for convention protests: "Imagine: A million people on the street, representing the diversity of New York, and the multiplicity of this nation - community organizers, black radicals, unions, anarchists, church groups, queers, grandmas for peace, AIDS activists, youth organizers, environmentalists, people of color contingents, global justice organizers, those united for peace and justice, veterans, and everyone who is maligned by Bush's malicious agenda - on the street - en masse."

A second file turned over by the F.B.I. on the American Indian Movement of Colorado includes seven pages of internal documents and press clippings related to protests and possible disruptions in the Denver area in connection with Columbus Day. In that case, a 2002 memorandum distributed to F.B.I. counterterrorism officials from agents in Denver said that "although the majority of demonstrators at the Columbus Day events will be peaceful, a small fraction of individuals intent on causing violence and property damage can be expected."

An agent in Denver requested that the F.B.I. open a preliminary investigation "to allow for identification and investigation of individuals planning criminal activity during Columbus Day, October 2002," the memorandum said. The file does not indicate what came of the request.

The documents are similar in tone to a controversial bulletin distributed among F.B.I. counterterrorism officials in October 2003 that analyzed the tactics, training and organization of antiwar demonstrators who were then planning protests in Washington and San Francisco.

The 2003 memo led to an internal Justice Department inquiry after an F.B.I. employee charged that it improperly blurred the line between lawfully protected speech and illegal activity. But the Justice Department's Office of Legal Counsel found that the bulletin raised no legal problems and that any First Amendment impact posed by the F.B.I.'s monitoring of the political protests was negligible and constitutional.

Still, the debate over the F.B.I.'s practices intensified last year during the presidential campaign. The F.B.I. questioned numerous political protesters, and issued subpoenas for some to appear before grand juries, in an effort to head off what officials said they feared could be violent and disruptive convention protests. And the Justice Department opened a criminal investigation and subpoenaed records regarding Internet messages posted by critics of the Bush administration that listed the names of delegates to the Republican convention.

Leslie Cagan, the national coordinator for United for Peace and Justice, a coalition of more than 1,000 antiwar groups, said she was particularly concerned that the F.B.I.'s counterterrorism division was discussing the coalition's operations. "We always assumed the F.B.I. was monitoring us, but to see the counterterrorism people looking at us like this is pretty jarring," she said.

At Greenpeace, which has protested both the Bush administration's environmental record and its policies in Iraq, John Passacantando, executive director of the group's United States operation, said he too was troubled by what he had learned.

"If the F.B.I. has taken the time to gather 2,400 pages of information on an organization that has a perfect record of peaceful activity for 34 years, it suggests they're just attempting to stifle the voices of their critics," Mr. Passacantando said.

Greenpeace was indicted as an organization by the Justice Department in a highly unusual prosecution in 2003 after two of its protesters went aboard a cargo ship to try to unfurl a protest banner. A federal judge in Miami threw out the case last year.

"When asked for clues that someone might be interested in engaging in terrorism, [Jerry Lyons, an FBI special agent] said a potential bioterrorist might strongly oppose the consumption of milk or the use of genetically modified crops."

<http://www.gmwatch.org/archive2.asp?arcid=5496>

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