

Obama's Terror Watch-List

1.27 million names of "terrorism suspects" in U.S. government's data bank

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During his 2008 run for the presidency, Senator Barack Obama promised to reverse the Bush regime's pathological penchant for secrecy and the illegal programs that flourished in darkness like so many poisonous mushrooms.

Administration backpedaling on promises to end the more onerous features of the Bush years betray, not so much Obama's duplicity but rather, the naïve and misplaced hope by his supporters that a *centrist Democrat* beholden to the corporate pirates and militarists who rule the roost, would actually do things any differently.

In areas of critical importance to civil libertarians, the Democratic regime continues to beef up Bushist programs and heighten government secrecy while limiting public accountability, particularly where the intelligence and security apparatus is concerned.

How else explain Obama's plan, buried within the 2010 budget, to provide the [Department of Homeland Security](#) an additional \$260 million to hire thousands more state and regional intelligence analysts to staff already bloated and controversial fusion centers?

In this context, *The Washington Post* [reported](#) September 6 that the administration "wants to maintain the secrecy of terrorist watch-list information it routinely shares with federal, state and local agencies, a move that rights groups say would make it difficult for people who have been improperly included on such lists to challenge the government."

According to the ACLU's "[Watch List Counter](#)," as of September 8 some *1.27 million* names appear on the U.S. government's terror list!

Post reporter Ellen Nakashima writes that "intelligence officials are pressing for legislation that would exempt 'terrorist identity information' from disclosure under the Freedom of Information Act."

Meanwhile, the right-wing *Washington Times* [reported](#) September 9 that the anti-secrecy group, [OpenTheGovernment.org](#) issued a new [report](#) challenging the administration to end the abusive practices of the Bush regime.

Patrice McDermott, the executive director of the group told the *Washington Times*, "This administration is continuing to use the enlarged executive powers of the Bush-Cheney administration." In all areas where government transparency is essential for restoring democratic processes and the rule of law, the Obama administration has failed to deliver.

In essence the new Executive Branch initiative, spearheaded by the Democratic-controlled

House and Senate Intelligence Committees would absolve “law enforcement agencies and intelligence ‘fusion centers,’ which combine state and federal counterterrorism resources” from even minimal levels of accountability for individuals damaged by an improper listing on the government’s national security index.

Claiming that disclosure would risk “alerting terrorism suspects” that they’re on the secret state’s radar and “may help them evade surveillance,” Michael G. Birmingham, a spokesman for the spooky Office of the Director of National Intelligence ([ODNI](#)), told the *Post* that the “intelligence community” is seeking “adequate protection from disclosing terrorist identity information” to the public because “no [such] exemption currently exists under FOIA.”

Circular logic such as this of course, means in practice that intelligence operatives—both federal and private—are aiming to increase their reach into our lives by exempting their agents, or well-paid private contractors manning a growth-rich “terrorism industry,” from minimal standards of disclosure.

“The goal,” according to Birmingham, is to “keep sensitive unclassified information from unintended recipients, including terrorism suspects.” And if someone has been improperly classified a “terrorism suspect” and prevented from boarding a plane or obtaining employment? Well, tough luck!

And with criteria for watch-listing that is vague at best, the prospects of ever having yourself removed from one is an exercise in Kafkaesque futility. According to the FBI’s Terrorist Screening Center ([TSC](#)), an individual lands on a watch-list if he or she is “known or appropriately suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism.”

Ponder the phrase “in aid of, or related to terrorism.” What does *that* mean?

As I [reported](#) in October, citing a document published by the intelligence web site [Cryptome](#), the FBI’s [Counterterrorism Analytical Lexicon](#) reveals the following:

US-Radicalized: A “US-radicalized” individual’s primary social influence has been the cultural values and beliefs of the United States and whose radicalization and indoctrination began or occurred primarily in the United States.

Ideologue or propagandist: An “ideologue” or “propagandist” establishes, promotes, or disseminates justifications for violent extremism, often through manipulation of primary text materials such as religious texts or historical accounts that establish grievances. He or she may not have strong links to any terrorist organization or be integrated into an organization’s command structure. Unless he or she directly advocates specific acts of violence, much of such an individual’s activity might be constitutionally protected. (Federal Bureau of Investigation, Counterterrorism Analytical Lexicon,” Washington, D.C., no date, pp. 4-5)

This covers a lot of ground. Would an anarchist, socialist or environmental critic of current U.S. policies, such as the escalation of America’s imperialist intervention in Afghanistan or West Virginia mountaintop removal for quick extraction of coal for example, fall into the category of an “ideologue” since his or her “activity might be constitutionally protected”?

And what about the equally suspect term “propagandist”? Would an historian or journalist for example, who cites primary source materials published by the CIA or the oxymoronic National Endowment for Democracy, and then builds a case that the United States attempted the 2002 overthrow of the Chávez government in Venezuela, thereby stand accused of “manipulating historical accounts” and fall under the FBI’s spotlight? And what if that person were subsequently watch-listed? What recourse would he or she have at discovering who their accusers were?

If the Executive Branch’s legislative proposal passes muster in the House and Senate, they’ll probably never know.

An Insatiable Surveillance Beast: Fusion Centers

Feeding the monstrosity known as the Terrorist Screening Center is the National Counterterrorism Center’s ([NCTC](#)) Terrorist Identities Datamart Environment ([TIDE](#)), a vast database of names powering the surveillance state.

“Every evening” according to an NCTC Fact Sheet, “TIDE analysts export a sensitive but unclassified subset of the data containing the terrorist identifiers to the FBI’s Terrorist Screening Center” as well as to the Transportation Security Administration for inclusion on TSA’s “No Fly” list and the Department of State’s visa database of individuals to be denied entry into the U.S.

Information on “domestic terrorists” and “violent extremists” are provided to TSC and TIDE by the FBI, CIA, NSA, U.S. Northern Command and some 70 fusion centers scattered across the country. The *Post* article specifically states that state and local police agencies and fusion centers would be exempt from reporting “terrorist identity information” currently available under the Freedom of Information Act.

As the American Civil Liberties Union revealed in a series of troubling [reports](#), fusion centers are “state, local and regional institutions [that] were originally created to improve the sharing of anti-terrorism intelligence among different state, local and federal law enforcement agencies.”

However, ACLU researchers Michael German and Jay Stanley revealed “the scope of their mission quickly expanded—with the support and encouragement of the federal government—to cover ‘all crimes and all hazards.’”

Ominously for privacy and individual rights, “the types of information they seek for analysis has also broadened over time to include not just criminal intelligence, but public and private sector data, and participation in these centers has grown to include not just law enforcement, but other government entities, the military and even select members of the private sector.”

German and Stanley identified serious problems with these largely unaccountable intelligence-gathering bureaucracies:

- **Ambiguous Lines of Authority.** The participation of agencies from multiple jurisdictions in fusion centers allows the authorities to manipulate differences in federal, state and local laws to maximize information collection while evading accountability and oversight through the practice of “policy shopping.”

- **Private Sector Participation.** Fusion centers are incorporating private-sector corporations into the intelligence process, breaking down the arm's length relationship that protects the privacy of innocent Americans who are employees or customers of these companies, and increasing the risk of a data breach.
- **Military Participation.** Fusion centers are involving military personnel in law enforcement activities in troubling ways.
- **Data Fusion = Data Mining.** Federal fusion center guidelines encourage wholesale data collection and manipulation processes that threaten privacy.
- **Excessive Secrecy.** Fusion centers are hobbled by excessive secrecy, which limits public oversight, impairs their ability to acquire essential information and impedes their ability to fulfill their stated mission, bringing their ultimate value into doubt. (Michael German and Jay Stanley, *What's Wrong With Fusion Centers?*, American Civil Liberties Union, December 2007)

In their 2008 follow-up [report](#), German and Stanley wrote that “it is becoming increasingly clear that fusion centers are part of a new domestic intelligence apparatus.” They revealed that “elements of this nascent domestic surveillance system” include:

- Watching and recording the everyday activities of an ever-growing list of individuals
- Channeling the flow of the resulting reports into a centralized security agency
- Sifting through (“data mining”) these reports and databases with computers to identify individuals for closer scrutiny

Such a system, if allowed to permeate our society, would be nothing less than the creation of a total surveillance society. (Michael German and Jay Stanley, *Fusion Center Update*, American Civil Liberties Union, July 2008)

Driving home the point that pervasive surveillance has real-world consequences, not least of all in terms of limiting public accountability, the Center for Investigative Reporting ([CIR](#)) disclosed during their investigation into police state tactics during last year's Democratic and Republican National Conventions in Denver and St. Paul, that local authorities, federal agencies and private corporations, sought to suppress information on their activities.

Investigative journalist G.W. Schulz revealed that Denver officials “refused a public-records request sent by CIR.” The close proximity of USNORTHCOM's headquarters at Peterson Air Force Base in nearby Colorado Springs, and their alleged participation in illegal intelligence gathering, may be one reason why Denver officials were less than forthcoming. In an echo of the current debate in Washington, Schulz [reported](#):

The Colorado Information Analysis Center is run by the state's Department of Public Safety. In a response letter, Spokesman Lance Clem said that releasing the records would be contrary to the public interest and “not only would compromise [the] security and investigative practices of numerous law enforcement agencies but would also violate confidentiality agreements that have been made with private partner organizations and federal, state and local law enforcement agencies.” (G.W. Schulz, “Are Things Any Different in Denver?,” Center for Investigative Reporting, September 1, 2009)

With a long-standing and well-documented history of illegal spying and infiltration of antiwar and other dissident groups by Denver police, it is clear that law enforcement repressors have much to hide.

CIR also **revealed** that Minnesota's Joint Analysis Center (MJAC) and that state's "ICEFISHX communications network, which collects reports about suspicious activity," closely coordinated activist surveillance with both the FBI and "authorities in the neighboring states of North Dakota and South Dakota." An additional layer of unaccountability and secrecy was added to the mix when CIR disclosed that corporate spies also contribute information to fusion centers.

Private corporations even contribute "intelligence" to ICEFISHX. Douglas Reynolds, security director for the Mall of America, the largest retail complex in the United States based in Bloomington, described his office to Congress in July of 2008 as the "number one source of actionable intelligence in the state," having handed more information regarding suspicious activities to the fusion center than anyone else. Several attempts to reach Reynolds for elaboration failed. (G.W. Schulz, "Fighting Crime with Computers in Minnesota," Center for Investigative Reporting, September 1, 2009)

The nexus among state spies and capitalist grifters point to an ongoing process whereby public, democratic institutions are systematically hollowed-out in favor of a perverse subversion of the public's *right to know* into yet another *proprietary commercial secret*.

Encompassing all relationships in a social order mediated by a zero sum game where profit is king and the devil take the hindmost, the only meaningful exchange recognized by the system is the sterile transfer of cash from one palm to another.

Is it any wonder then that the Obama administration, like their Bushist predecessors seek to conceal these illegal surveillance programs from the American people by exempting their most egregious features, the neo-McCarthyite watch-list, from disclosure under the Freedom of Information Act?

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