

## Report whitewashes FBI political spying

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A report issued by the Justice Department Monday reveals new details of illegal spying by the FBI on an array of environmental, antiwar and animal rights groups during the years after the 9/11 terrorist attacks. But the report clears the FBI of any deliberate violation of civil liberties, claiming that agents were motivated by concern over potential violent acts, not the leftwing political views of their targets.

The internal review by Justice Department Inspector General Glenn A. Fine is filled with weasel words to describe the widespread spying. People were placed on terrorist watch lists because of “factually weak” evidence. Investigations were initiated and continued “without adequate basis.” FBI tactics were “troubling.” The FBI maintained investigative files although “there was little indication of any possible federal crimes.”

The conduct examined in the report, however, goes far beyond such characterizations. It is nothing less than the establishment, at least in embryonic form, of a police state, using the 9/11 attacks as a blanket justification for surveillance and infiltration of dozens of organizations engaged in legal and constitutionally protected political activity. Among the groups investigated were Greenpeace, People for the Ethical Treatment of Animals (PETA), Catholic Worker and the Thomas Merton Center, a pacifist group based in Pittsburgh.

The full 209-page report has not yet been made public, but some findings were cited in press accounts, based on interviews with FBI officials and statements by the American Civil Liberties Union, which initially uncovered evidence of the illegal spying in 2005.

In one particularly ominous finding, Fine wrote, “In some cases, the FBI classified some investigations relating to nonviolent civil disobedience under its ‘acts of terrorism’ classification.” This has much more than a technical significance. Given the Bush administration’s claim—continued under Obama—the federal government has the authority to arrest and detain indefinitely, without trial, anyone engaged in “terrorism,” such a classification could have led to the seizure of nonviolent protesters and their long-term detention at Guantanamo Bay or in secret CIA “black site” prisons.

The inspector general’s report also confirms that FBI Director Robert S. Mueller testified falsely before Congress about the secret political surveillance, although it claims that he did so unwittingly, because he was himself given false information by subordinates.

When the ACLU learned that an FBI agent had spied on an antiwar rally organized by the Thomas Merton Center in 2002, and made this fact public, the issue was raised at a congressional hearing. Mueller testified that the agent had attended the rally, not as part of a general policy of collecting information on antiwar protests, but because a specific

individual, sought for questioning in a terrorist attack, was believed to be at the rally. In fact, there was no such individual, and the pretext for surveillance was concocted.

According to the inspector general, a probationary FBI agent was sent to the rally on a “slow work day,” the Friday after Thanksgiving, and he photographed an innocent woman of Middle Eastern appearance “in order to have something to show his supervisor.”

A spokesman for the Merton Center, in a statement issued in response to the IG report, said, “It is somewhat troubling that in the name of combating terrorism, they would choose an organization that they know is bent on the principle of nonviolence.”

The FBI conducted an investigation into protests planned by Greenpeace at shareholders’ meetings for two companies in Texas, the report said, characterizing potential disruption of a meeting as an “act of terrorism” and placing several Greenpeace members on its federal watch list.

An FBI spokesman, Michael Kortan, told the *New York Times* that the report’s findings were an exoneration of the agency, and that Fine “did not uncover even a single instance where the FBI targeted any group based on the exercise of a First Amendment right.” This is a grotesque sophistry, given that the FBI first defined “exercise of a First Amendment right” as “an act of terrorism,” and then proceeded to investigate the so-called terrorism.

This argument only demonstrates that the American political police force plans to continue these kinds of anti-democratic activities. Kortan also noted, correctly, that the inspector general’s report did not suggest “any significant modifications” in the bureau’s investigative powers. In other words, it is a green light for future abuses of power.

The report also noted, according to the *Times* account, that “rules limiting FBI investigations were relaxed in 2002 and eased further in 2008. As a result, one problem documented in the report—keeping information in FBI files related to political activities deemed irrelevant to potential criminal or terrorist activity—is no longer improper.”

In other words, the administrative actions taken under the Bush administration after public protests over illegal FBI information-gathering simply legalized the spying. These administrative actions have not been reversed under Obama, meaning that the politically motivated spying continues unabated.

Statements issued by the targeted groups compared the last decade of illegal FBI spying to the notorious COINTELPRO program run by J. Edgar Hoover in the 1960s and 1970s, in which groups like the Black Panther Party and the Socialist Workers Party were flooded with hundreds of government agents, who either destroyed or effectively took over the organizations.

People for the Ethical Treatment of Animals declared in a statement, “The use of McCarthyite tactics against PETA and other groups that speak out against cruelty to animals and exploitative corporate and government practices is un-American, unconstitutional, and against the interests of a healthy democracy.”

Michael German, ACLU senior policy counsel and a former FBI agent, said in a statement for the organization, “The FBI has a long history of abusing its national security surveillance powers, reaching back to the smear campaign waged by the American government against

Dr. Martin Luther King.... Unless the rules regulating the FBI are strengthened to safeguard the privacy of innocent Americans, we are all in danger of being spied on and added to terrorist watch lists for doing nothing more than attending a rally or holding up a sign."

The inspector general's report coincides with two other events that demonstrate the insidious role of the American police/intelligence apparatus.

FBI officials revealed over the weekend that the arrest of a Lebanese man living in Chicago, on charges of attempted use of a weapon of mass destruction, was the product of an FBI sting operation that supplied the supposed bomb. Samir Hassoun, 22, was charged with one count each of attempted use of a weapon of mass destruction and attempted use of an explosive device, after he allegedly planted a backpack, which he believed to contain a bomb, in a trash bin near Wrigley Field, home of the Chicago Cubs baseball team.

Hassoun was apparently guilty of nothing more than talking about US foreign policy and the poor conditions of life in Chicago, until he encountered an undercover FBI operative who persuaded him to engage in a terrorist attack. The FBI provocateur, an Arabic speaker, overcame Hassoun's opposition to violence. The arrested man had initially insisted, "No killing. There is no killing," according to the official complaint filed on Monday.

In Pennsylvania, Governor Edward Rendell revealed last week that the state office of homeland security, an agency modeled on the federal department of the same name, had engaged in illegal surveillance of oppositional political groups. He called the surveillance "ludicrous" and ordered it halted immediately, but rejected calls to fire the office's director, James Powers, Jr.

The Pennsylvania spying first came to light when Powers sent an e-mail to an environmentalist opposed to oil drilling in the state's Marcellus Shale geological formation, apparently in the mistaken belief that she was pro-drilling. The e-mail offered to supply information on anti-drilling protest groups, and it concluded, "We want to continue providing this support to the Marcellus Shale Formation natural gas stakeholders while not feeding those groups fomenting dissent against those same companies."

Powers cited FBI threat assessments as justification for his agency's collecting information on anti-drilling activists and disseminating it to the oil exploration companies.

The surveillance included not only antiwar and environmental groups, but the campaign in defense of political prisoner Mumia Abu-Jamal, the former Black Panther and radio journalist who has been jailed for 30 years on charges of killing a Philadelphia policeman. One homeland security report warned that supporters of Abu-Jamal might "attack perceived enemies" after a prosecutor vowed to seek his execution.

In addition, questions have been raised over a six-figure contract by Powers with a private organization based in Philadelphia, Washington and Israel, the Institute of Terrorism Research and Response, which collected information on protest organizations.

The information collected by Pennsylvania state agency covered Muslims celebrating Ramadan, Jews celebrating the High Holidays, anti-nuclear organizations and activists opposed to mountain-top removal in coal mining. There was also surveillance of rightwing organizations, such as anti-abortion and anti-immigration groups, as well as the Tea Party.

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