

FBI “Suspicious Activity Reports” Target Political Dissent

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In an article published Wednesday on ACLU.org, titled “Where’s the Suspicion in Government’s ‘Suspicious Activity’ Reports?” Nusrat Choudhury, staff attorney at the American Civil Liberties Union’s (ACLU) National Security Project, detailed domestic surveillance and information gathering programs headed by the Federal Bureau of Investigation, which have systematically targeted Muslims and political activists.

As the report shows, since 2008 the US government has been assembling so-called Suspicious Activity Reports (SARs), which are collected and shared between federal agencies via the FBI’s “eGuardian” program. The eGuardian program aggregates SARs from “fusion centers” across the country and shares them with other agencies.

The ACLU report mentioned two programs in addition to eGuardian, one called the Information Sharing Environment Suspicious Activity Reporting Shared Spaces (ISESARSS), and an “umbrella” program that oversees eGuardian and ISSESARSS called the Nationwide Suspicious Activity Reporting Initiative.

Choudhury characterized the eGuardian program as granting “broad discretion to law enforcement to collect information about innocent people engaged in commonplace activities, to store data about these people in criminal intelligence files without any evidence of wrongdoing,” and charged the government with operating on “vague and expansive definitions” of “suspicious activity.”

Choudhury concluded that available evidence shows “the collection of actual Suspicious Activity Reports is based primarily on bias against racial and religious minorities and the exercise of First Amendment rights—not reasonable evidence of criminal activity.”

According to the report, normal legal activities are being cited as cause for surveillance by the FBI. As Choudhury wrote, “photography and videography are frequently reported without additional facts that render these constitutionally-protected activities inherently suspicious.”

In a letter submitted to the government, the ACLU pointed to numerous SARs created by fusion centers in California, which targeted individuals who were engaged in routine activities such as taking photographs and conversing loudly in a foreign language.

Aside from the targeting of immigrants and persons with a Middle Eastern background, the documents provided by the ACLU show that Americans who express dissident views or anti-government sentiments are being targeted for surveillance and entry into eGuardian

databases.

Items listed by the ACLU included:

- * "UC Davis dorm bathroom had anti-government graffiti written in black marker on the wall."
- * "Suspicious upside down American flag seen on big rig."
- * "Suspicious conversation overheard—The neighbor, one of 4 young clean cut Middle Eastern males, was speaking excitedly in a foreign language."
- * "Information regarding trending at Sunrise Mall": "there was a substantial increase in the presence of female Muslims fully dressed in veils/burkas."

All of this is being done in the name of the "war on terror." As the revelations by Edward Snowden have made clear, however, the real targets of the surveillance are not terrorist groups, which in many cases receive backing from the US and its allies. The US government is aiming its massive spying operation against the people of the US and the world.

According to evidence gathered by the ACLU, the racial profiling and brazen violations of constitutional rights has even provoked disquiet inside the law enforcement agencies themselves. Officers from states including Missouri, Minnesota, New Jersey, Iowa and Florida have complained about the aggressive FBI surveillance.

Choudhury's report is the second exposure of FBI-run surveillance in as many months, coming after a September report, also by the ACLU, titled "Unleashed and Unaccountable: The FBI's Unchecked Abuse of Authority," which described the FBI as a "secret domestic intelligence agency."

The report concluded that the FBI has grown rapidly since 2001, saying that the bureau has been "radically transformed during the 12-year term of Director Robert S Mueller, III, into a domestic intelligence and law enforcement agency of unprecedented power and international reach." According to the report, the FBI is "targeting immigrants, racial and religious minorities, and political dissidents for surveillance, infiltration, investigation, and 'disruption strategies.'"

"The abuse, enabled by a roll-back of post-Watergate intelligence reforms and encouraged by long-standing Justice Department and FBI practices, has subverted internal and external oversight by squelching whistleblowers, imposing and unfrocking unnecessary secrecy, and actively misleading Congress and the American people," the ACLU wrote.

Referring the FBI, the ACLU continued, "The excessive secrecy with which it cloaks these domestic intelligence gathering operations has crippled constitutional oversight mechanisms. Courts have been reticent to challenge government secrecy demands and, despite years of debate in Congress regarding the proper scope of domestic surveillance, it took unauthorized leaks by a whistleblower to finally reveal the governments secret interpretations of these laws and the Orwellian scope of its domestic surveillance programs."

"Unleashed and Unaccountable" contains sections such as "Surveillance Powers, Given and Taken," "Expanding FBI Investigative Authorities," "FBI Profiling Based on Race, Ethnicity,

Religion, and National Origin,” “Unrestrained Data Collection and Data Mining,” and “Targeting First Amendment Activity.”

Under the heading “Biased training,” the ACLU report states that FBI training material include “amateurish power point presentations that paint Muslims and Arabs as backward and inherently violent” and an essay which instructed FBI agents to determine an individual’s “potential for violence” by inquiring about their views on the Iraq war and “the political situation in Israel and Egypt”.

Other presentations cited by the report instruct agents on methods for surveillance against “Black Separatist Extremists,” “Anarchist Extremists,” and “Animal Rights/Environmental Extremists”.

Well aware of the growing anger over social inequality, war and the threat of dictatorship, the government is putting into place the framework for a political police network aimed at monitoring, controlling, and ultimately suppressing opposition to the American state and ruling elite. As the ACLU reports reveal, the ruling class has traveled far down the road in this direction.

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