

Pointing the US Surveillance Apparatus at the American People

New categories of individuals under the purview of state "counterterrorism" investigations

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FBI's Analytical Lexicon Lowers the Bar

Do you "pal around with terrorists"? Are you a "radical" or express views that the government considers "extremist"?

On October 28, the whistleblowing website [Cryptome](#) published the FBI Directorate of Intelligence: Counterterrorism Division's [Counterterrorism Analytical Lexicon](#). This eye-opening "Unclassified/For Official Use Only" (U/FOUO) document purports "to standardize terms used in the FBI analytical products dealing with counterterrorism."

But what it does instead, in keeping with the FBI's insatiable appetite for "actionable intelligence product," is **create new categories of individuals** who might fall under the purview of state "counterterrorism" investigations.

Right up front the Bureau informs us that the definitions used in the lexicon, "do not supercede those in the Department of Justice National Foreign Intelligence Program Manual (NFIPM), the Attorney General Guidelines, the National Implementation Plan for the War on Terror, or any US government statute."

That covers a lot and ground and can hide much in the way of government mischief, particularly when new guidelines issued by U.S. Attorney General Michael Mukasey permit broad, intrusive investigations by FBI snoops. As the Washington Post [reported](#) in early October,

The new road map allows investigators to recruit informants, employ physical surveillance and conduct interviews in which agents disguise their identities in an effort to assess national security threats. FBI agents could pursue each of those steps without any single fact indicating a person has ties to a terrorist organization. (Carrie Johnson, "Guidelines Expand FBI's Surveillance Powers," The Washington Post, Saturday, October 4, 2008; A03)

In [response](#), the American Civil Liberties Union warned that,

The new guidelines reduce standards for beginning "assessments" (precursors

to investigations), conducting surveillance and gathering evidence, meaning the threshold to beginning investigations across the board will be lowered. More troubling still, the guidelines allow a person's race or ethnic background to be used as a factor in opening an investigation, a move the ACLU believes may institute racial profiling as a matter of policy. ("ACLU Condemns New FBI Guidelines," Press Release, October 3, 2008)

In other words, an individual's political views, racial background or ethnic origin can serve as a pretext for an investigation. The Analytical Lexicon claims that "Analysis that labels an individual with any of these terms is not sufficient predication for any investigation or technique. Nor can any investigation be conducted solely upon the basis of activities protected by the First Amendment or the lawful exercise of other rights secured by the Constitution or laws of the United States."

The next sentence, couched in overly broad language subject to a great deal of latitude on the part of investigators states: "Before applying a label to an individual or his or her activity, reasonable efforts should have been made to ensure the application of that label to be accurate, complete, timely, and relevant." (emphasis added)

Would, let's say, the word of a paid informant or provocateur, be considered a "reasonable effort" that would then lead to labelling an individual as a member of a "terrorist cell" or "network"?

Indeed, the Lexicon avers that "one or more terms from each of these categories can be used to characterize an individual and his or her background and activity. The applicability of these terms to an individual is generally a matter of degree and involves subjective judgments."

"Subjective judgments" by whom, and for what purpose, one might reasonably ask the Directorate of Intelligence. As has been amply documented in the case of antiwar activists targeted by the Maryland State Police (MSP), once individuals have been labeled "terrorists" their personal details disappear into a myriad of federal, state and local "extremist" databases.

During a 14 month period in 2005-2006 for example, the Maryland State Police and the MSP's Homeland Security and Intelligence Division (HSID), illegally spied on death penalty opponents and antiwar organizers.

Surveillance summaries, including names and personal details gathered on individuals and groups were entered into the Washington-Baltimore High Intensity Drug Trafficking Area (HIDTA) database, a federal data mining "tool" which tracks suspected terrorists and shares the results with national "counterterrorist" Fusion Centers.

The Washington Post [reported](#) that one "well-known antiwar activist from Baltimore, Max Obuszewski, was singled out in the intelligence logs released by the ACLU, which described a "primary crime" of 'terrorism-anti-government' and a 'secondary crime' of 'terrorism-anti-war protesters'."

According to [documents](#) obtained by the American Civil Liberties Union of Maryland, labeled "Exhibit 2" in the report issued by Stephen E. Sachs, "show that there was communication between the MSP and the National Security Agency (NSA) regarding surveillance," the ACLU

[reported](#).

Spying and repression by “off the reservation” state and local agencies dependent on federal largess hasn’t been limited to Maryland, nor are intelligence operations targeting peaceful protest and constitutionally-protected speech limited to the FBI or Department of Homeland Security (DHS). Such operations in fact, fit a discernible and troubling pattern that for decades has equated dissident political activity with “subversion.”

As Mike Van Winkle, a spokesperson with the California Anti-Terrorism Information Center (CATIC) infamously told the [Oakland Tribune](#) back in 2003, “You can make an easy kind of a link that, if you have a protest group protesting a war where the cause that’s being fought against is international terrorism, you might have terrorism at that (protest). You can almost argue that a protest against that is a terrorist act.”

There you have it, the criminalization of dissent.

No reasonable person would oppose law enforcement officials investigating criminal gangs who might threaten Americans with horrific attacks such as those perpetrated on September 11, 2001 by the Afghan-Arab database of disposable Western intelligence assets known as al Qaeda.

But as numerous media [reports](#), Congressional [investigators](#) and indeed, the [9/11 Commission](#) itself have documented: despite multiple occasions before the plot was executed, law enforcement and intelligence officials failed to act.

Indeed, these serial failures—whether through commission or omission—can be characterized as criminal negligence, a prosecutable offense that could result in jail time. Yet not a single official was ever held to account. On the contrary the worst offenders, including senior administrators in the FBI, CIA and NSA were awarded plum promotions or assumed well-compensated corporate positions within the military-industrial-security complex!

My purpose here is not to debate various theories regarding 9/11 or its subsequent cover-up, but rather to demonstrate that in the wake of those horrific attacks, state intelligence agencies pointed their formidable surveillance apparatus at the American people themselves. This tendency is prominently featured in the FBI’s Analytical Lexicon where we discover:

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)

As we have seen over the years since 9/11, the grounds for launching “counterterrorism” investigations have shifted from directly targeting intelligence and/or terrorist operatives on U.S. soil, to American dissidents and their supporters, the vast majority of whom are antiwar, environmental, civil liberties, socialist and labor activists.

Indeed, millions of Americans have questioned “the cultural values and beliefs of the United States,” particularly when they have challenged the Bush regime’s doctrine of aggressive, preemptive war or the systematic looting of the economy by capitalist grifters.

The Lexicon, while affirming that the theoretical or investigative work of alleged “ideologues” and “propagandists”—such as investigative journalists or historians—“might be constitutionally protected,” the bar is set very low here and this too, fits the Bureau’s own historical ideological mindset that dissent = terrorism.

And when citizens band together to form, let’s say, an antiwar committee, environmental action group or labor organizing task force, the Lexicon designates this “a network.”

Network: A “network” is any group of two or more individuals that is tied together by communication or common associations. A network is distinguished from a cell in that a network does not work together toward a discrete common objective, although all the members might ideologically support a common goal. Any individual’s associations can typically be described in terms of multiple networks. (FBI, op. cit., p. 8)

Citizens would be naïve to think that the terms described in the Analytical Lexicon wouldn’t be applied to them or that the Bureau’s current investigative guidelines will not become the basis for new political witch hunts against Americans.

As we have seen throughout these eight long, dark years of the Bush administration, the geopolitical machinations of the U.S. ruling class have created nothing but disaster and suffering. From Afghanistan to Iraq and from Hurricane Katrina to the ongoing nightmare that is “Hurricane America” in the form of the recent \$700 billion Wall Street bailout, ruling elites will do everything in their power to “keep the rabble in line.”

In a political culture such as this, we have all become “suspects.”

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