

MARTIN LUTHER KING JR., SUBVERSIVES, AND THE PATRIOT DRAGNET

In a superb column today, Alvaro Bedoya recalls the long, consistent history during which people of color and other minorities, including Martin Luther King, Jr., were targeted in the name of national security.

The FBI's violations against King were undeniably tinged by what historian David Garrow has called "an organizational culture of like-minded white men." But as Garrow and others have shown, the FBI's initial wiretap requests—and then—Attorney General Robert Kennedy's approval of them—were driven by a suspected tie between King and the Communist Party. It wasn't just King; Cesar Chavez, the labor and civil rights leader, was tracked for years as a result of vague, confidential tips about "a communist background," as were many others.

Many people know that during World War II, innocent Americans of Japanese descent were surveilled and detained in internment camps. Fewer people know that in the wake of World War I, President Woodrow Wilson openly feared that black servicemen returning from Europe would become "the greatest medium in conveying Bolshevism to America." Around the same time, the Military Intelligence Division created a special "Negro Subversion" section devoted to spying on black Americans. Near the top of its list was W.E.B. DuBois, a "rank Socialist" whom they tracked in Paris for fear he would "attempt to introduce socialist tendencies at the Peace Conference."

I think Bedoya, as many people do, gives FBI Director Jim Comey a big pass on surveillance due to the Director's stunt of having agents-in-training study what the Bureau did to King. I have written about how Comey's claim to caution in the face of the MLK example don't hold up to the Bureau's current, known activities.

Comey engages in similar obfuscation when he points to FBI's treatment of Martin Luther King Jr., whose treatment at the hands of the FBI he holds up to FBI Agents as a warning. The FBI Director describes the unlimited amount of surveillance the Bureau subjected King to based solely on the signature of Hoover and the Attorney General "Open-ended. No time limit. No space restriction. No review. No oversight." While it is true that the FBI now gets court approval to track civil rights leaders, they do track them, especially in the Muslim community. And without oversight, the FBI can and does infiltrate houses of worship with informants, as they did with African-American churches during the Civil Rights movement. FBI can obtain phone and Internet metadata records without judicial oversight using National Security Letters – which they still can't count accurately to fulfill congressionally mandated reporting. The FBI has many tools that evade the kind of oversight Comey described, and because of technology many of them are far more powerful than the tools wielded against Dr. King.

But I'm particularly interested in Bedoya's reminder that the government targeted African Americans for surveillance as *subversives* in the wake of World War I.

The government's practice of targeting specific kinds of people, often people of color, as *subversives* continued, after all. It's something

J. Edgar Hoover continued throughout his life, keeping a list of people to be rounded up if anything happened.

I've been thinking about that practice as I've been trying to explain, even to civil liberties supporters, why the current 2-degree targeted dragnet is still too invasive of privacy. We've been having this discussion for 2.5 years, and yet still most people don't care that completely innocent people 2 degrees – 3, until 2014 – away from someone the government has a traffic-stop level of suspicion over will be subjected to the NSA's "full analytic tradecraft."

The discussion of a Subversives List makes me think of this article from 2007 (which I first wrote about here and here). The story explains that the thing that really freaked out the hospital "heroes" in 2004 was not the Internet dragnet itself, but instead the deployment of Stellar Wind against Main Core, which appears to be another name for this Subversives List.

While Comey, who left the Department of Justice in 2005, has steadfastly refused to comment further on the matter, a number of former government employees and intelligence sources with independent knowledge of domestic surveillance operations claim the program that caused the flap between Comey and the White House was related to a database of Americans who might be considered potential threats in the event of a national emergency. Sources familiar with the program say that the government's data gathering has been overzealous and probably conducted in violation of federal law and the protection from unreasonable search and seizure guaranteed by the Fourth Amendment.

According to a senior government official who served with high-level security clearances in five administrations, "There exists a

database of Americans, who, often for the slightest and most trivial reason, are considered unfriendly, and who, in a time of panic, might be incarcerated. The database can identify and locate perceived 'enemies of the state' almost instantaneously." He and other sources tell *Radar* that the database is sometimes referred to by the code name Main Core. One knowledgeable source claims that 8 million Americans are now listed in Main Core as potentially suspect. In the event of a national emergency, these people could be subject to everything from heightened surveillance and tracking to direct questioning and possibly even detention.

[snip]

Another well-informed source—a former military operative regularly briefed by members of the intelligence community—says this particular program has roots going back at least to the 1980s and was set up with help from the Defense Intelligence Agency. He has been told that the program utilizes software that makes predictive judgments of targets' behavior and tracks their circle of associations with "social network analysis" and artificial intelligence modeling tools.

"The more data you have on a particular target, the better [the software] can predict what the target will do, where the target will go, who it will turn to for help," he says. "Main Core is the table of contents for all the illegal information that the U.S. government has [compiled] on specific targets." An intelligence expert who has been briefed by high-level contacts in the Department of Homeland Security confirms that a database of this sort exists, but adds that "it is less a mega-database than a

way to search numerous other agency databases at the same time.”

[snip]

The following information seems to be fair game for collection without a warrant: the e-mail addresses you send to and receive from, and the subject lines of those messages; the phone numbers you dial, the numbers that dial in to your line, and the durations of the calls; the Internet sites you visit and the keywords in your Web searches; the destinations of the airline tickets you buy; the amounts and locations of your ATM withdrawals; and the goods and services you purchase on credit cards. All of this information is archived on government supercomputers and, according to sources, also fed into the Main Core database.

[snip]

Main Core also allegedly draws on four smaller databases that, in turn, cull from federal, state, and local “intelligence” reports; print and broadcast media; financial records; “commercial databases”; and unidentified “private sector entities.” Additional information comes from a database known as the Terrorist Identities Datamart Environment, which generates watch lists from the Office of the Director of National Intelligence for use by airlines, law enforcement, and border posts. According to the *Washington Post*, the Terrorist Identities list has quadrupled in size between 2003 and 2007 to include about 435,000 names. The FBI’s Terrorist Screening Center border crossing list, which listed 755,000 persons as of fall 2007, grows by 200,000 names a year. A former NSA officer tells *Radar* that the Treasury Department’s Financial Crimes

Enforcement Network, using an electronic-funds transfer surveillance program, also contributes data to Main Core, as does a Pentagon program that was created in 2002 to monitor anti-war protestors and environmental activists such as Greenpeace.

Given what we now know about the dragnet, this article is at once less shocking and more so. Much of the information included – phone records and emails – as well as the scale of the known lists – such as the No Fly List – are all known. Others, such as credit card purchases, aren't included in what we know about the dragnet, though we have suspected. The purported inclusion of peace protestors, in what appears to be a reference to CIFA, is something I'll return to.

Mostly, though, this article takes the generally now-known scope of the dragnet and claim that it serves as the function that those Subversives lists from days past have. As such (and assuming it is true in general outline, and I have significant reason to believe it is) it does two things for our understanding. First, it illustrates what I have tried to in the past, what it means to be exposed to the full complement of NSA's analytical tradecraft. But it also reframes what our understanding of what 2-degree of suspicion from a traffic stop means.

Whether or not this Main Core description is accurate, it invites us to think of this 2-degree dragnet as a nomination process to be on the Subversives list. Unlike in Hoover's day, when someone had to keep up a deck of index cards, here it's one interlocking set of data, all coded to serve both as a list and a profiling system for anyone on that list.

To the extent that this dragnet still exists (or has been magnified with the rollout of XKeyscore), and it absolutely does for Muslims 2 degrees from a terrorist suspect, this is what the dragnet is all about: getting you on that

list, which serves as a magnet for all the rest of your information to be sucked in and retained, so that if the government ever feels like it has to start cracking down on dissidents, it has that list, and a ton of demographic data, ready at hand.

Update: See this Global Research post on COG programs.