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Notes On Testimonies Related To Fbi Investigation Of Cispes & Other Groups Opposed To U.S. Central America Policy

by Deborah Tyroler

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At present, the conduct of the Federal Bureau of Investigation in a large-scale investigation of the Committee in Solidarity With the People of EL Salvador (CISPES) and over 100 other organizations is under scrutiny by two congressional committees and FBI inspectors. The investigation lasted nearly five years and involved thousands of hours of work in at least 52 of the agency's 59 bureaus. It officially ended in 1985 with no indictments. This "review" of FBI practices was prompted in part by the release of 1,200 pages of Bureau files in late January, showing that field agents had collected the names of church groups, college student organizations and unions that the Bureau had linked to CISPES. Agents also photographed participants in public gatherings involving CISPES. [At a press conference in the first week of February, FBI director William S. Sessions acknowledged that CISPES "was involved in political activities involving First Amendment rights and not international terrorism."] The FBI reportedly began investigating CISPES in 1981 for possible violation of the Foreign Agents Registration Act, which requires that individuals or agencies acting on behalf of any foreign entity register with the federal government. The released documents constitute only about a third of the 3,756 pages the FBI has concerning CISPES. Meanwhile, information is available from other sources, including 1987 congressional hearings at which former FBI undercover informant Frank Varelli testified at length about his role, FBI corroboration of important aspects of that role in court documents in response to a suit for back pay launched by Varelli, and other congressional inquiries and information. The FBI documents released in January indicate that the major thrust of Varelli's testimony last year was accurate. Varelli has admitted that the investigation was largely fueled by information he provided to the Bureau, much of which was fabricated. A former Salvadoran evangelist, Varelli told congresspersons in 1987 that the investigation of so-called terrorist links was an excuse for the FBI to intimidate opponents of US Central America policy. His credibility at the time was questioned, and the hearings dropped. Varelli is suing the bureau for \$65,000 in pay that he says in a court document was "stolen" from him. In March 1981, Varelli became a paid informer for the Bureau's Dallas office. The investigation took 18 months and ended with no indictments or other action against Cispes. The documents disclosed in January show that the inquiry was renewed a few months later, on March 30, 1983, under far more sweeping authority of an inquiry into international terrorism. Such inquiries are permitted under Executive Order 12333, signed by Reagan in December 1981. The order provides that, unlike other criminal inquiries, no specific suspicion of crime need exist to justify domestic surveillance if there was probable cause to suspect a terrorist threat. The precise guidelines for such inquiries are (of course) secret. Varelli's congressional testimony and the released documents show that he played a key part in supplying the FBI with information to justify an inquiry under the Executive Order. According to Varelli's congressional testimony, he became an informer for the Dallas office of the FBI, with Daniel Flanagan as his supervising agent. Varelli said in his testimony that Agent Flanagan, who has since left the Bureau, "indicated that the FBI was about to launch a nationwide investigation into groups that might have contact with Communists in El Salvador" and needed a Salvadoran national

to help. Varelli said that the Bureau urged him to fabricate justification for a terrorist inquiry. His congressional testimony made clear that the information was indeed fabricated, but left unclear whether he generated the information on his own for money or whether the Bureau suggested the misinformation they wanted him to provide. In response to a lawyer's letter demanding over \$60,000 in back pay for Varelli, a Justice Department lawyer wrote in 1985 that "his contact Agent, former Special Agent Flanagan, did make periodic payments to Varelli in return for information" and "expenses." The letter said that from March 17, 1981, to April 30, 1984, Varelli was paid \$17,722 and that the Bureau had also bought him a car, which remained his property. Varelli maintained in his testimony that he was first dispatched into El Salvador in early 1981 to determine if rebels had contact with individuals or groups in the US. On his return, he said, his job was mainly to analyze "papers that were coming from intelligence/terrorism units all over the US regarding Cispes." "Shortly after I came to work, it was decided that Dallas, Texas, would become the center, or hub of the investigation," and all reports from Bureau offices around the country were "channeled through it." In June, 1981, he said, he was instructed to infiltrate the Dallas chapter of Cispes, to report on its structure, meetings, contacts with other group, to jot down license numbers and "to learn if Cispes was connected with any other terrorist organization." "For over three years," he said, "I attended every Cispes meeting possible, and after each meeting, made reports in accordance with instructions." Throughout his congressional testimony in February last year on his role in the investigation, Varelli asserted repeatedly that it was the bureau's initiative, not his, that provided the impetus for the investigation. He testified that he compiled a "terrorist photo album" of US citizens whose only "crime" was disagreement with US policy in Central America, and he told of agent burglaries of Cispes headquarters and the home of one of its members. Varelli testified that he "was told the main reason for the concern for Cispes was because it was the largest and most active group opposed to the Reagan administration's policies in Central America," adding, "Based on the briefings I received from the FBI about Cispes, I was prepared for the worst." But, said Varelli, "not once did I find, see, hear or observe any illegal conduct of any nature. The organization was entirely lawful in its operation and contained many religious people." During the testimony, a committee member, Rep. F. James Sensenbrenner of Wisconsin produced another statement that Varelli admitted he had written, and read from it: "During my investigation I discovered and duly reported several well-planned efforts by some members of Cispes, with worldwide coordination, to make an attempt against the life of President Reagan at the 1984 Republican convention in Dallas." Since Varelli had insisted the Bureau was behind the fabrication, his credibility was apparently destroyed in the eyes of most committee members. Douglas Larson of Dallas, a lawyer who is representing Varelli in his suit for back pay, said he was convinced his client had been manipulated by the FBI. "They were under a lot of pressure to produce information. I got the impression the investigation was going nowhere, and Frank was encouraged to cough up acts to justify" the investigation. Larson also said, "Frank is the kind of person to see a conspiracy where there isn't one." In April 1984, Varelli's case agent, Flanagan reported to his superiors that he had parked his car containing his gun, badge and classified files pertaining to the Cispes investigation and Varelli, along the banks of the Potomac River in Washington and gone for a stroll. He reported that upon his return, he discovered that his car had been broken into and the items had all been taken. The next day, according to a court document filed in Texas in connection with his suit for back pay, Varelli got a call from another agent in the Dallas office, Jim Evans, telling him, "Your cover is blown." Then, on Aug. 21, Varelli, through a lawyers's letter to the Dallas FBI office, told the office of his "intent to terminate any further employment with the FBI as a result of the mismanagement and wrongful treatment received by him from his superiors." Flanagan resigned on May 17, 1984. The

investigation into Cispes continued for another year. Feb. 23: Oliver Revell, executive assistant director of investigation at the FBI told the Senate Committee on Intelligence that the White House had nothing to do with the Bureau's investigation of CISPES. According to Revell, the FBI's activities in this instance could in no way be described as political spying. He said, "Nothing could be further from the truth," adding that the FBI has investigated "a number of groups on the other side of the political spectrum." Revell testified that there was a legal basis for the investigation: circumstantial evidence in 1983 which the FBI never documented that CISPES members were sending money to the Farabundo Marti Liberation Front (FMLN), the Salvadoran rebel group. He stated that the FBI had classified the FMLN as a terrorist group, and suspected involvement in bombings by FMLN members in Washington in 1983-84. Because of CISPES' professed support for the FMLN, said Revell, it was important to gather intelligence about the two organizations. According to Revell, although the FBI investigation failed to lead to indictments of CISPES members, the Bureau found "indications that some CISPES members were at least discussing and planning violence." Examples cited by Revell based on information he said was provided by FBI sources follow: One CISPES member was "tasked to determine response times of emergency services in a major American city"; another member "stated he had developed a system to shut down a public utility in a major midwestern city, as well as plans to violently disrupt the 1984 Republican convention." Revell did not elaborate. Sen. William S. Cohen (R-Maine), Committee vice chairman, said the effect of the CISPES investigation was to impinge on the rights of US citizens: "Whatever the rationale...it resulted in the FBI subjecting many Americans and US organizations to various types of scrutiny without any basis other than the exercise of their First Amendment rights." (Basic data from New York Times, 02/13/88; Washington Post, 02/24/88)

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