



America's Veterans: Citizens, Soldiers, Spies and Targets

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The country's soon-to-be former chief executive, President Donald Trump, reputedly called those who have worn the uniform "suckers" and "losers" for having fought at places like Belleau Wood or Normandy or countless other battlefields over the last 240 years. Outrageous as his remarks were, Trump is hardly the first American president to demean, or even actively harm, U.S. veterans.

My grandfather served with the 1st Infantry Division in France during World War I, and when I think of the veterans of his generation my thoughts inevitably turn to the Bonus March—the attempt by World War I veterans to get additional compensation for their wartime service.

The original "Bonus Act" was passed over President Coolidge's veto in 1926 and authorized payments of up to \$625 for World War I vets who had been deployed overseas, with a catch: the recipients couldn't get the money directly until 1945. Once the Great Depression took hold, "Great War" veterans organized a march and de facto occupation of Washington to force legislative action on an immediate relief package for those who'd served. Not all veterans were onboard with the plans of the "Bonus Marchers."

As historian Joan Jensen wrote in her landmark 1991 book, *Army Surveillance in America, 1775-1980*, the head of Army intelligence "...sent a secret memorandum to all Corps Area intelligence officers to investigate and report regularly" on the marchers, with Army intelligence agents working "undercover among the veterans, along with American Legion units and other volunteers." (p. 203). Current soldiers were now spying on former soldiers.

The House passed the veteran's relief bill but the Senate killed it, and when the "Bonus Expeditionary Force" (as the Bonus Marchers called themselves) refused to disperse and go home, some of the very commanders they'd served with in France—including Douglas MacArthur and George Patton—led active duty troops against the veterans.

It was a brutal act of political repression that was roundly criticized, yet neither MacArthur, Patton, nor any other officer suffered any career consequences for carrying out President Hoover's order to use current troops against former troops. It would also not be the last time the American Legion—among the largest and most politically conservative and powerful veterans service organizations in the country—would act as an adjunct intelligence collector for federal authorities.

Starting in 1940, Legion officials offered the volunteer services of their chapters to J. Edgar Hoover and the FBI. As the Church Committee would later note, "Whenever a Legionnaire was

in a position to furnish confidential information about a particular problem, he would be designated to make reports to the FBI; but any investigation would be made by the FBI, not the Legionnaire.”

The FBI-Legion relationship spanned decades and included Legion involvement with the FBI’s most notorious domestic surveillance and political repression program—the so-called Counterintelligence Program, known more commonly by its abbreviation, COINTELPRO.

During the late 1975 Church Committee hearings, it was revealed that the FBI Jackson, Mississippi field office had developed a pamphlet designed to discredit “New Left” activists (including anti-war and civil rights activists) as part of the Jackson office’s COINTELPRO activities. In a February 11, 1969 memo to Hoover, the Jackson Special Agent in Charge noted that “the American Legion in Mississippi would be more than willing to finance and distribute the publication of any such pamphlet.”

Of course, the FBI didn’t rely on the Legion for surveillance or “dirty tricks” operations against “subversives” like anti-war protestors. The Bureau was perfectly capable of getting its own undercover agents into meetings to spy on or otherwise disrupt so-called “New Left” organizations, especially when the one demanding more surveillance and direct action against Vietnam War protestors was the president himself, Richard Nixon.

On May 4, 1970, Ohio National Guard troops opened fire on unarmed Kent State student anti-war protestors, killing four and wounding nine. National outrage ensued, and instead of curbing student unrest the Kent State incident helped solidify and expand it. The killings took place against the backdrop of increasing Nixon administration surveillance and related repressive measures designed to derail and discredit the now-large, well organized national anti-war movement. Among the targets was a relatively new organizations known as Vietnam Veterans Against the War.

At least 19,000 pages of FBI material on the Bureau’s activities against VVAW exist, and some of the known or suspected FBI surveillance or disruption operations targeting VVAW were chronicled in journalist Gerald Nicosia’s *Home to War: A History of the Vietnam Veterans’ Movement*. And if you think that such FBI tactics are a thing of the past, a look FBI actions against a more contemporary veteran’s advocacy organization is instructive.

Formed in 1985 during the height of the Reagan administration’s military expansion, Veterans for Peace (VFP) has been a relentless critic of Pentagon spending and U.S. foreign policy under Republican and Democratic administrations. In 2006, the ACLU, acting on behalf of the Maine VFP chapter and other anti-war organizations, filed a series of Freedom of Information Act (FOIA) requests that ultimately revealed that the Maine VFP chapter and other groups had been targeted by the FBI and local law enforcement organizations for anti-Iraq War and related protests during the first term of President George W. Bush. And apparently, it didn’t end with the Bush 43 administration.

As part of a large and ongoing Cato Institute FOIA and government transparency project, on August 24, I received a letter from the FBI in connection with a FOIA I’d filed for any records they had on VFP. The Bureau stated:

The records responsive to your request are law enforcement records; there is a pending or prospective law enforcement proceeding relevant to these responsive records, and release of the

information could reasonably be expected to interfere with enforcement proceedings. Therefore, your request is being administratively closed.

I appealed the FBI decision to the Department of Justice's Office of Information Policy, which subsequently upheld the denial of records.

When I informed VFP Executive Director Garrett Reppenhagen about the FBI's response, I asked him whether VFP had sought FBI help as a result of being the victim of a crime.

"As far as I am aware VFP has never been the victim of a federal crime," Reppenhagen told me via email on September 10.

About 10 days later, I asked a follow up question.

"Have you received reports from any VFP members/chapters about VFP members being arrested by either FBI or other federal law enforcement in the last 5 years?"

"I have not heard of any cases," Reppenhagen responded.

If VFP national and none of its chapters have reported being the victim of a federal crime, and no VFP members have been arrested by the FBI in at least the last five years, what exactly is the FBI doing vis a vis VFP? My guess is the same kinds of things it's done to other domestic groups—including veteran's advocacy organizations—in the past—it's spying on them, quite possibly in violation of the First and Fourth Amendments to the Constitution.

Earlier this year, Cato raised this issue with Congress, as Cato (along with nearly two dozen other groups) appears to have been the target of similar surveillance. To date, we've never received a response.

While I realize the COVID-19 pandemic has made congressional operations and activities far more difficult, Congress has found time to impeach the president and pass major legislation on a host of other topics. Ignoring FBI domestic surveillance abuses, especially when the targets are those who have worn the uniform to defend the Constitution, is an unacceptable dereliction of congressional oversight by the House and Senate. It should be a top priority for the incoming 117th Congress.

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