

# ***Freedom of Information and Privacy Acts***

Subject: FALN / Los Macheteros

Prisoners - Clemency Issue



**Federal Bureau of Investigation**

WIS 3 11/12/77  
Clinton Pardoned Cast's Terrorists

Obtained by Judicial Watch, Inc. Via FOIA

By CHARLES LANE

The precise mix of politics and principle that led President Clinton to order conditional clemency for 16 convicted Puerto Rican nationalist terrorists is still a matter of fierce debate. Did the president accede to the lobbying campaign on behalf of the Puerto Ricans because he wanted to curry favor with Latino voters for Hillary Clinton's Senate campaign and Al Gore's presidential campaign? Or did he sincerely believe that an injustice had been done to the prisoners—an injustice so great that it warranted acting on this clemency case ahead of hundreds of others pending at the Justice Department?

It's perhaps easier to identify the many factors that didn't sway the president: federal law enforcement's strong view that the Puerto Ricans were dangerous and unrepentant; the feelings of the victims of the dozens of bombings and shootings the group carried out; the potential signal that a reduction in these terrorists' punishment might send to others around the world.

To this roster of obliviousness must now be added yet another issue. The Puerto Ricans carried out their campaign of violence with the support and collaboration of a foreign country hostile to the U.S.: Cuba. Fidel Castro has long considered the violent overthrow of the "colony" on Cuba's sister island to be a pet project. Cuba's role in supporting Puerto Rican terrorists has been amply detailed not only in internal U.S. government documents but also in the memoir of Jorge Masetti, a former Cuban intelligence agent. The Masetti book, published in France six years ago, was reported on by Andres Oppenheimer of the Miami Herald at the time it came out. Even more of the story has recently been revealed in a superb eight-part investigative series, based heavily on internal FBI documents, by Edmond Mahony of the Hartford Courant.

The picture of Cuban support for Puerto Rican terrorism that emerges from these sources is an astonishingly brazen one. Mr. Clinton's grant of clemency applied to members of two closely linked groups: the Armed

Forces of National Liberation (known by the Spanish acronym FALN) and Los Macheteros, the latter of which "Cubans support and direct . . . at a firsthand level," according to FBI documents cited by the Courant.

The key figure in this organization is Filiberto Ojeda-Rios, a Puerto Rican who moved to Cuba in 1961, where he became an officer in Cuba's foreign-intelligence service. In the 1970s he launched Los Macheteros as a violent splinter of the FALN. Los Macheteros' operations include the 1976 machine-gunning of a U.S. Navy bus in San Juan, Puerto Rico's capital, an attack that left two American sailors dead.

Los Macheteros' most ambitious caper took place in 1983, when the group made off with \$7.2 million from a Wells Fargo armored car in Hartford, Conn. According to Mr. Masetti's memoir, Cuba supplied \$50,000 to finance the heist, and smuggled it to the mastermind of the holdup, Juan Segarra-Palmer, through the Cuban embassy in Mexico City. Segarra-Palmer was sentenced in 1989 to 55 years in prison. He and three other Macheteros involved in the robbery were offered conditional clemency by President Clinton. His sentence has been reduced and he'll be back on the street in five years. (Segarra-Palmer's attorney, Leonard Weinglass, says that his client considers Mr. Masetti's account "fanciful," but said he had not talked with him more generally about Cuban support for Los Macheteros and therefore could neither confirm nor deny it.)

After the robbery, Mr. Masetti writes, Cuban agents helped smuggle Victor Gerena, the alleged gunman in the Wells Fargo heist, and the stolen loot to Havana via Mexico City. The Cuban government ultimately kept \$2 million of Wells Fargo's money, leaving the Puerto Ricans to divide up the rest. Mr. Gerena, one of the FBI's 10 most wanted, is still in Cuba, enjoying the shelter of Mr. Castro's regime.

Cuba's support for the Puerto Rican extremists illuminates the emptiness of the White House's case for clemency. That case is a legalistic one, premised on the notions that none of the defendants were personally convicted of an actual act of deadly violence, that they are required to renounce violence and submit to parole in return for reduced sentences, and that the sentences meted out to these defendants were far harsher than those given in comparable federal cases.

But the terrorism of the FALN and Los Macheteros cannot be compared with ordinary federal cases. Like all terrorists, but unlike common criminals, the Puerto Rican extremists intended to attack and destabilize society itself, to achieve their

objectives by making it impossible for Americans on the island and on the mainland to sleep at night.

They fell well short of this goal, but their eagerness to make common cause with a sworn enemy of their country—a dictatorship that was, at the time, allied with the Soviet Union—indicates just how far they were willing to go. The reluctance some of them showed to accept a clemency offer based on a renunciation of violence shows how difficult it is for these terrorists to see the error of their ways. (Indeed, one of the four Wells Fargo victims refused the clemency deal.)

Violent political fanaticism is difficult to deter, but society's best defense can only be stern, exemplary punishment. This is something the president seems to understand when the terrorist is named Osama bin Laden, or when the source of state sponsorship is Libya or Iraq. So, the question remains: What—other than short-term electoral considerations—can account for the very different approach Mr. Clinton adopted toward Los Macheteros and their Cuban backers?

Mr. Lane is editor-at-large of *The New Republic*.



Fidel Castro  
Supports FALN

about \$8 billion of loans. Overall, bad loans at Thai financial institutions total 2.6 trillion baht (\$66.66 billion), equivalent to 45% of lending.

Topping the list is Thai Petrochemical Industries PCL, Thailand's biggest single debtor, owing \$3.2 billion. But progress is especially marked in the telecommunications sector, where TelecomAsia PCL, Samart Corp. and Thai Telephone & Telecommunications PCL have reached agreement in principle on tackling overdue loans valued at a total of 109 billion baht.

These few deals alone should help financial-restructuring efforts—and possibly the gloom that has lingered along with relentlessly high levels of banks' nonperforming loans. The pace of restructuring actually fell in the third quarter—to 197 billion baht of debts restructured, compared with 286 billion baht in the previous quarter—suggesting negotiators had worked through the easy deals and were tackling

more complex cases. Still, expectations are now high that the process is shifting up a gear and by the first quarter the overall level of nonperforming loans will fall faster.

Those hopes focus on a voluntary framework for debt restructurings established under the aegis of a central-bank committee. Brought into effect in June, these protocols set a six- to eight-month timetable for either reaching agreement on restructuring or putting a case into court. If the central-bank committee can keep negotiators to these deadlines, the process should deliver a rash of results early in 2000.

Thai banks still have relatively low levels of capital. They are reluctant to agree to plans that mean writing off debt, for fear that will encourage other debtors to stall for similar treatment. As a result, lawyers say, most of the current restructuring plans simply defer payment.

## U.N. Sanctions on Taliban May Hamper Effort to Bring bin Laden to Trial in U.S.

By NEIL KING JR.

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—With United Nations sanctions against the Taliban set to take effect on Sunday, the Clinton administration fears it is running short of leverage to

tolerance for the use of terrorism as a political tool," he said.

The U.N. Security Council surprised the White House as well as the Taliban last month when it unanimously backed a U.S.-initiated sanctions resolution. The vote gave the Kabul regime a month to turn over Mr. bin Laden. The decision also came as further proof, diplomats say, of the Taliban's isolation in the international community. China, Russia and India have all come to fear the threat of Taliban-backed revolutionary movements.

Some Taliban officials seemed willing in recent weeks to comply with the U.N. order, while others—most notably the supreme leader Mullah Mohammed Omar—ruled out that possibility. The mixed signals have made life tough on U.S. officials seeking to open a dialogue with the Taliban.

The Taliban leadership threatened the U.S. this week with "storms and earthquakes" if the U.N. went ahead with sanctions. But in New York, the Taliban's deputy representative to the U.N. spoke an entirely different language. "An avenue for negotiations is open, very definitely," Noorullah Zadran said. "Washington's terms, though, are unacceptable to us. We will not give in to force."

The Taliban has offered to put Mr. bin Laden under house arrest or to try him before an international Islamic tribunal, but refuses to turn him over to the U.S. Taliban officials say the U.S. has simply not convinced them that Mr. bin Laden is guilty of organizing the bombings. They also concede that giving up the popular guerilla leader could be politically risky.

Still, Mr. Sheehan continues to talk with Taliban representatives in New York nearly every week. "It is crucial to keep talking, no matter what," he said. The administration's aim now is to see if it can begin discussions with the Taliban leadership in Kabul, an offer Mr. Omar and his deputies have declined.



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The Value of Vieques

What do you do if you're President and are looking for a gift for the girl who has everything except a Senate seat?

Last summer it was clemency for 15 Puerto Rican terrorists. Next may be the Navy's live-fire range on the Puerto Rican island of Vieques. Just as Mr. Clinton made his clemency offer against the recommendations of the Justice Department, the FBI and the U.S. Attorney offices that had prosecuted the terrorists, he is now considering shutting down Vieques against the unusually loud and clear advice of the U.S. military.

Even without the complication of the New York Senate race, the Vieques problem doesn't lend itself to an easy resolution. On one hand, there is the paramount issue of national security.

The nation's troops must be trained to the highest level. If not on Vieques, where? The Navy says there is no other option. On the other hand, there are the long-held wishes of the citizens of Puerto Rico, who have been trying to negotiate the Navy's departure from Vieques for decades and who thought they had an agreement in the early 1980s that the Navy would search for an alternative site. The matter exploded in April after the accidental death of a civilian security guard on Vieques.

Vice Admiral William Fallon, commander of the Second Fleet, which covers the Atlantic, speaks for the Navy when he calls Vieques "critical to readiness." It is the only location on the East Coast where the Navy and Marine Corps can practice combined air, sea and land operations using live ammunition, essential exercises for combat troops.

People have to have his confidence to be able to do things like underground computer games that stimulate the senses of live ammunition. About 50,000 troops train on Vieques every year. Virtually all naval and Marine troops leaving the East Coast to enter combat, such as the Gulf war or Kosovo, have to train at Vieques.

The military presence there dates back to 1941, when FDR authorized the use of Vieques and the nearby island of Culebra. Since then, an explosion in the population along with the growth in air and sea commerce have closed down or sharply curtailed other live-fire training options on the Eastern Seaboard (there are plenty in the wilderness West). Operations on Culebra shut down in the late 1970s.

The ban on the deep nature of the training that occurs on Vieques means that, unlike most places where the military goes, there are few jobs for the 5,200 locals and next-to-no benefits for the local economy. A Navy report on economic development lists a litany of figures: cattle, crabs, shrimp, circuit boards, also vera, bees, to name a few industries that have gone kaput. A small number of tourists are attracted

by the island's beautiful beaches—and the Navy permits a cruise liner to make calls—but the bombs are a deterrent to the emergence of a hospitality industry.

In Puerto Rico, there is rare political unanimity on Vieques and a shared sense that Washington has done them wrong. But it would be a mistake to interpret the anti-Vieques sentiment as anti-American or anti-military, even though those who are anti-American and anti-military have taken up the cause in the loudest voices. The tiny left-wing Independence Party has put itself at the front of the pack, with leader Ruben Berrios Martinez installing himself as a one-man tourist attraction on the island, visited by such sightseers as Jesse Jackson.

For many Puerto Ricans, moreover, the Navy's continued presence on Vieques has become a symbol of the commonwealth's lack of political influence in Washington. Statehooders point to the island of Kahoolawe, off the coast of Maui, which was expropriated for military use in the same year as Vieques. In 1990, the Senators from Hawaii, by then a state, got the military to stop using it as a bombing range.

A Presidential commission on Vieques, set up in the wake of the death of the security guard, has issued a recommendation that just might work: The Navy can stay, but only for five more years.

So far, however, the responses aren't encouraging, and without the kind of political leadership that this Administration is sorely short of, there's no chance that the commission's proposal will be implemented. Puerto Rico says no more bombing, period, and the Navy says it can't find an alternate site within five years. Mrs. Clinton chimes in that the Navy should leave immediately.

As for the commander-in-chief, Mr. Clinton must decide shortly whether to go through with the U.S.S. Eisenhower's planned training exercises on December 11. If the exercises are canceled, Admiral Fallon warns that he might not be able to certify the Eisenhower group as combat ready. That comes on the heels of an Army announcement that two of its divisions are not combat ready, receiving the lowest of four possible grades—and that no division received the highest readiness rating. Senator James Inhofe, the Oklahoma Republican who heads the readiness subcommittee, says you have to go back to the 1970s for a comparable crisis in military preparedness.

In an interview with Telemundo Television early this month, Mr. Clinton took the opportunity to badmouth the military's treatment of Vieques, saying that he would "work hard" to get a compromise through, but not committing himself to the Eisenhower's exercises. After the raw exercise in politicking on display in the FALN clemency grants, it's hard to have any confidence that when he does get around to resolving the Vieques matter, this President will put the national interest first.



Mr. Clinton

DOCUMENT

# Clinton's Puerto Rico Policy Bombs in More Ways Than One

By JOSE FUENTES

Many commentators have observed that in deciding to offer clemency to 16 convicted Puerto Rican terrorists, President Clinton did not adequately consider the perspectives of any of the victims of their organization, the FALN (a Spanish acronym for Armed Forces of National Liberation). But that's not all the president seems to have overlooked. He also failed to consider how his actions might harm relations between the people of Puerto Rico and their fellow American citizens in the 50 states.

people of Puerto Rico have not been done from the FALN's campaign of terrorism. In 1975 a bomb detonated in a restaurant in Mayaguez, Puerto Rico, killing a six-year-old child and wounding several other diners. And a senior FBI official believes that the FALN may be responsible for more recent bombings in Puerto Rico as well as in Chicago.

Even more surprising to me was that the FALN terrorists received clemency as a group. A full exoneration of a criminal group—rather than just individuals—is, to my knowledge, unprecedented in modern American history. I fear that this may set a troubling new standard. Other terrorist organizations may view this clemency offer as a weakening of American resolve. What appeared to some as an act of mercy might have the unintended effect of actually increasing the loyalty of U.S. citizens.

Much of the recent discussion surrounding the clemency decision has focused on the suspicious timing in light of Hillary

Clinton's political aspirations, on Vice President Gore's conspicuous silence on the issue and on the unanimous counsel of senior law-enforcement officials against the release of the terrorists. Largely absent has been the voice of the Puerto Rican community.

I fear President Clinton may only have succeeded in igniting resentment and suspicion against the Puerto Rican people—by fueling the assumption that we all supported the clemency decision. Most of us did not. And we do not want to give our fellow Americans the mistaken impression that our sympathies lie with terrorism. Mr. Clinton needs to know that Puerto Rico stands with the U.S. against terrorism—and we emphatically reject any insinuation to the contrary.

Generations of goodwill between Puerto Ricans and Americans on the mainland may be seriously harmed unless there is a change of direction from the White House. While the decades since World War II have witnessed countless nations seeking self-determination, Puerto Rico stands as a notable exception. In repeated referendums over the years, Puerto Ricans have consistently rejected independence (an option favored by less than 3% of Puerto Ricans in the most recent vote, last year) and strongly favored maintaining our strong ties with the U.S. Although Puerto Ricans are divided almost equally between proponents of full statehood and advocates of maintaining our current status as a commonwealth, an overwhelming majority agrees in shunning independence.

And we do not take our relationship with

the U.S. for granted. Thousands of Puerto Ricans have served in the U.S. military this century, and many of them paid the ultimate price in defense of freedom. These solemn sacrifices have been described as the "blood tax" proudly incurred by Puerto Rico to protect and promote American ideals. Furthermore, in the century since

*By pardoning FALN terrorists, President Clinton may have given the impression that most Puerto Ricans support terrorism and independence. We don't.*

the U.S. took control of Puerto Rico, we have grown from abject poverty to robust prosperity and now have one of the very highest levels of per capita income in Latin America. In short, we consider the U.S. as a benevolent administrator rather than an overbearing parent.

Now Mr. Clinton is on the verge of unraveling these strong bonds on two fronts. Besides his untimely clemency decision, he continues to avoid taking action on another matter of deep concern to Puerto Ricans.

Puerto Rico's goodwill towards the U.S. received a jolt when a Navy jet's practice bomb inadvertently killed a civil-

ian on our island of Vieques in April. This was a tragedy waiting to happen. Our vibrant relationship with the U.S. has been strained in recent years by the Navy's continued insistence on practicing bombing missions in close proximity to American citizens living and working on this island—a practice that has no clear military rationale.

This recent accidental death gave Mr. Clinton an opportunity to reverse course, and end these unnecessary bombing practices. Instead, he formed a commission to study a situation that has already been studied enough and now demands action.

Months after the fact, and weeks after its due date, the commission has yet to even issue its report. Now Mr. Clinton is in a difficult position. After the public relations pummeling he took on the clemency case, the last thing he wants to do is make any high-profile decision regarding Puerto Rico. It seems unlikely that the commission will take the right and proper step of recommending that the Navy cease its harmful training practices on Vieques. Many observers fear that Mr. Clinton will merely rubber-stamp the commission's report, and the Navy practice bombings will probably continue. If the Navy persists in using Vieques for target practice, an unprecedented outburst of civil disobedience could erupt from frustrated Puerto Ricans.

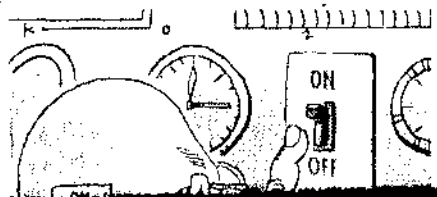
Many Puerto Ricans find themselves questioning their faith in President Clinton's political judgment following the unfortunate focus on the FALN and the concurrent inaction toward Vieques. We wish to reassure Americans on the mainland of our consistent affection for—and loyalty to—the U.S. I only hope that the clemency of FALN terrorists does not cause the American people to lose faith in their fellow citizens on Puerto Rico.

*Mr. Fuentes is attorney general of Puerto Rico.*

## Smart Machines, Foolish People

By JOHN ALLEN PAULOS

The \$125 million Mars Climate Orbiter, it turns out, was fed data expressed in pounds, the English unit of force, when it was expecting the numbers to be expressed in newtons, the metric unit. As a result the spacecraft flew too close to the surface of the red planet, broke apart, and burned



ly flashing 12:00. Despite the proof of Fermat's last theorem, complex pricing schemes for derivatives and options, and countless other mathematical advances, there does not seem to be any decline in the sale of plastic tipping cards informing their owners what 15% or 20% of a bill

DOCUMENT



Reuters

# DIRECTOR OF F.B.I. OPPOSED CLEMENCY FOR PUERTO RICANS

## A SIGN OF A FIERCE DEBATE

### Freeh Feared Strengthening of Terrorists, but Clinton Saw Release as Courageous

By KATHARINE Q. SEELYE

WASHINGTON, Sept. 21 — The Federal Bureau of Investigation “un- equivocally opposed” President Clinton’s offer of clemency to 16 Puerto Rican nationalists, asserting that the release of most of the prisoners would reinvigorate their terrorist movement, according to a letter prepared by the F.B.I.

The letter, prepared by subordinates for the bureau’s Director, Louis J. Freeh, said the clemency would be likely to “return committed, experienced, sophisticated and hardened terrorists to the clandestine movement” for Puerto Rican independence.

The letter also said the clemency would “psychologically and operationally enhance” the militant organization F.A.L.N., which killed five people and maimed 83 in the 1970’s and 80’s.

Mr. Freeh’s letter came to light at a Congressional hearing intended by Republicans to portray the President’s act as reckless. Also today, Mr. Clinton provided his first full explanation of his decision in a letter to Congress. [Excerpts, Page A22.]

Mr. Freeh did not sign the F.B.I. letter, which was addressed but never sent to Representative Henry J. Hyde, the Illinois Republican who is chairman of the House Judiciary Committee. But Mr. Freeh read it before it was forwarded to Congress, and senior law-enforcement officials said tonight that it accurately reflected his position.

A draft of the letter was sent from the F.B.I. to the Justice Department for review before Mr. Freeh’s signature, law-enforcement officials said. The letter was among the thousands of documents sent by the White House to Congress in response to subpoenas for information about the

Continued on Page A22

# Rescuers Sift Rubble of 7



Johnson Liu/Agence France

## ton at the U.N.

President urged that the oration work more effectively d ethnic strife. Page A16.

# S. to Use Lab or More Study of Bioterrorism

By JUDITH MILLER

PLUM ISLAND, N.Y. — Alarmed that the Clinton Administration’s as the growing threat of bio- tical terrorism to America’s food ply, the Agriculture Department eeking money to turn the Plum and Animal Disease Center, one off Long Island, into a top secu- laboratory where some of the st dangerous diseases known to 1 or beast can be studied. he Agriculture Department aldy operates here at Plum Island, i across Gardiners Bay from the althy Hamptons, a laboratory ere such dreaded foreign animal eases as foot-and-mouth and Afri- i swine fever are examined. But e department is seeking \$75 million s year and \$140 million over the t two years to upgrade the center handle even more dangerous ani- al diseases that can affect humans. While there are four civilian and litary laboratories in America uipped to study such diseases — hnically known as Biosafety Level ur facilities — their work is fosed on germs that primarily affect

## New York Divorces



# Director of F.B.I. *posed* Clemency for Puerto Ricans

Obtained by Judicial Watch, Inc. Via FOIA

Continued From Page A1

President's clemency decision.

The letter said that Mr. Freeh had objected to clemency when the matter was first raised in 1994, and again as recently as June 28; even so, the letter said, Mr. Freeh was unaware that the President was actually contemplating any commutation when the White House announced its offer on Aug. 11.

While some officials have privately acknowledged disapproval of the decision, the letter is the first official indication of the fierce opposition among law-enforcement officials to the clemency offer for the 16 terrorists, most of whom have accepted it.

Casting himself in the tradition of previous Presidents who have granted clemency in cases that were unpopular, Mr. Clinton portrayed his release of the prisoners as an act of courage. He cited Theodore Roosevelt's amnesty for Filipinos who fought United States control and Jimmy Carter's commutation of the sentences of Puerto Rican national-

political disaster for the President and for his wife, Hillary Rodham Clinton, who is likely to seek the Senate seat from New York and who has run into political trouble for at first supporting, then denouncing, her husband's decision.

Republicans have wanted to draw out the drama. The panel, led by Representative Dan Burton, the Indiana Republican who is chairman of the Government Reform Committee, called several victims of F.A.L.N. attacks to testify for the third time in less than two weeks. They included Richard Pastorella, a retired New York City detective who was severely injured in a 1982 attack. He lost his sight in both eyes.

"Who thinks of us?" Mr. Pastorella asked in a bitter voice. "Certainly not Mr. Clinton."

The victims and relatives of those who had been killed in the attacks said that contrary to Federal requirements, they had not been notified of the prisoners' pending release.

And Republicans took issue with Mr. Clinton's argument that just because the prisoners had not been convicted of doing bodily harm, they deserved to go free. Republican after Republican asserted that there was no distinction between accessories to violent crimes and those who actually pulled the triggers.

"The only reason some of them didn't commit murders or bombings is because they were arrested before they got a chance to," Mr. Burton said.

Two Democrats, both African-Americans, offered a minimal defense of the clemency. Representative Danny K. Davis, Democrat of Illinois, said, "Democracy can be fellowship as well as punishment." Representative Edolphus Towns, Democrat of Brooklyn, urged Congress to "move on" to issues that "have a real effect on the lives of average Americans." The committee's ranking Democrat, Representative Henry A. Waxman of California, said reluctantly that he "probably" would not have granted the clemency.

In his letter, the President disclosed some of the arguments that Mr. Carter had used in persuading Mr. Clinton to grant clemency in this case. He said that Mr. Carter wrote to him in 1997 that releasing the prisoners would be "a significant humanitarian gesture."

Mr. Carter also said any concern that clemency might be viewed as leniency had been mitigated by the length of time that the prisoners served, Mr. Clinton wrote. Most of them had been in prison at least 16 years, a period that Mr. Clinton said was not commensurate with their crimes, which included sedition, conspiracy and armed robbery.

And for the first time since he made the offer, Mr. Clinton said that the decision was difficult and that he had not minimized the concerns of law-enforcement personnel.

"I did what I believe equity and fairness dictated," the President wrote. "I certainly understand, however, that other people could review the same facts I did and arrive at a different decision."

## For some, prisoners' release is a threat to American security.

ists who had opened fire on the House of Representatives.

"They exercised the power vested in them by the Constitution to do what they believed was right, even in the face of great controversy," Mr. Clinton wrote. "I have done the same."

The President did not deal with the question of whether the release of the prisoners might reignite the dormant terrorist movement. But Representative Vito J. Fossella Jr., Republican of Staten Island, asserted that recent statements by a known Puerto Rican militant and ally of the prisoners indicated that the release was stirring old passions.

He quoted Fillberto Ojeda Rios, the leader of Los Macheteros, a terrorist organization allied with the F.A.L.N., as telling a Puerto Rican radio station that if the United States committed aggression against Puerto Rico, his group would "not remain with their arms crossed, you can be sure of that."

Republicans coaxed out of other law-enforcement officials a concern that the former prisoners constituted a threat to American security. While the officials were bound by the President's claim of executive privilege not to disclose internal deliberations over the matter, they catalogued the violent actions of the F.A.L.N., to which the prisoners belonged.

Neil Gallagher, assistant director of national security for the F.B.I., told the panel, "These are criminals and they are terrorists and they represent a threat to the United States."

Congress has acknowledged that it has no control over clemency matters, which are the sole prerogative of the President. But Mr. Clinton's explanation today appeared to make little difference to those in the hearing room. They saw the move as a



Spagna Rush for The New York Times

Richard Pastorella, left, was comforted yesterday by his ex-partner, Detective Anthony Senft, during House testimony. Mr. Pastorella was blinded and had all the fingers on his right hand blown off by a bomb in 1982.

## Excerpts From Letters on Commutations

By The New York Times

WASHINGTON, Sept. 21 — Following are excerpts from two letters about President Clinton's commutation of prison sentences of Puerto Rican nationalists. The first is a draft of a letter that was not sent after being written by aides for the director of the Federal Bureau of Investigation, Louis J. Freeh. The second is a letter dated today from Mr. Clinton to Representative Henry A. Waxman.

### Mr. Freeh's Letter

The request for commutation of the sentences of these imprisoned Puerto Rican terrorists associated with the F.A.L.N. was first made in 1994. Since that time, in response to requests for comments, the F.B.I. has consistently advised the Department of Justice (D.O.J.), in writing, that the F.B.I. was opposed to any such pardon and/or commutation of sentences for any of these individuals. As recently as June 28, 1999, the F.B.I., in written correspondence, advised D.O.J. that the F.B.I. continued to oppose the release of these terrorists. Specifically, the F.B.I. pointed out to D.O.J. that as active members of Puerto Rican terrorist groups, these individuals sanctioned, supported and/or directly or indirectly participated in activities resulting in no fewer than nine fatalities, hundreds of injuries, millions of dollars in property damage and armed attacks on U.S. Government facilities.

D.O.J. was also advised the F.B.I. had reason to expect the release of these individuals would "psychologically and operationally enhance" the ongoing violent and criminal activities of Puerto Rican terrorist groups. The F.B.I. also pointed out that any such pardon of the "currently incarcerated terrorists would likely return committed, experienced, sophisticated and hardened terrorists to the clandestine movement." . . .

With respect to the condition attached to the commutation of sentences by the President, (i.e., that the terrorists renounce violence as a form of protest) the F.B.I. had previously advised D.O.J. that "few of the current prisoners have expressed remorse for their crimes or for their victims; rather, most remained committed to violence as a means to achieve Puerto Rican independence."

### Mr. Clinton's Letter

The question of clemency for these prisoners was a very difficult one. I did what I believe equity and fairness dictated. I certainly understand, however, that other people could review the same facts I did and arrive at a different decision.

In making my decision, I did not minimize the serious criminal conduct in which these men and women engaged. I recognize and appreciate that there are victims of F.A.L.N.-related violence who feel strongly

that these individuals, although not directly convicted of crimes involving bodily harm to anyone, should serve the full sentences imposed. Before making my decision, I sought and considered the views of the Department of Justice. Press reports note that certain Federal Bureau of Investigation and Justice Department officials, including the U.S. Attorneys in Chicago and Connecticut, were opposed to clemency. I did not dismiss those concerns as some have implied. Rather, I carefully weighed them in making this difficult decision. . . .

Many of those who supported unconditional clemency for the prisoners argued that they were political prisoners who acted out of sincere political beliefs. I rejected this argument.

No form of violence is ever justified as a means of political expression in a democratic society based on the rule of law. Our society believes, however, that a punishment should fit the crime. Whatever the conduct of other F.A.L.N. members may have been, these petitioners - while convicted of serious crimes - were not convicted of crimes involving the killing or maiming of any individuals. For me, the question, therefore, was whether the prisoners' sentences were unduly severe and whether their continuing incarceration served any meaningful purpose. . . .

The timing of my decision was dictated by the fact that my former counsel, Charles Ruff, committed to many of those interested in this issue that he would consult with the Department of Justice and make a recommendation to me before he left the counsel position. Pursuant to this commitment, I received his recommendation in early August. As he recently indicated to The New York Times, his recommendation and my decision were based on our view of the merits of the requests - political considerations played no role in the process.

As you know, last week I asserted executive privilege in the face of Chairman Burton's subpoena seeking memoranda and testimony concerning the decision process. I did so, after receiving the opinion of the Attorney General that such assertion was proper. . . .

Grants of clemency generate passionate views. In vesting the pardon power in the President alone, the framers of our Constitution insured that clemency could be given even in cases that might be unpopular and controversial. The history of our country is full of examples of clemency with which many disagreed, sometimes fervently. When Theodore Roosevelt granted amnesty to Filipino nationalists who attempted to overthrow U.S. control of the Philippines, when Harry Truman commuted the death sentence of Oscar Collazo, and when Jimmy Carter commuted the sentence of Collazo and other Puerto Rican nationalists who had fired upon the House of Representatives, they exercised the power vested them by the Constitution to do what they believed was right, even in the face of great controversy. I have done the same.



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September 22, 1999; Wednesday 06:00 Eastern Time

**SECTION:** Washington - general news**LENGTH:** 648 words**HEADLINE:** FBI Decries Freed **FALN** Members**BYLINE:** SHANNON McCAFFREY**DATELINE:** WASHINGTON**BODY:**

A top FBI official told **Congress** he regards Puerto Rican militants freed in a grant of clemency by President Clinton as "terrorists" who continue to represent a threat to the United States.

The description by Neil **Gallagher**, the FBI's assistant director for national security, came Tuesday as President Clinton tried again to explain why he granted clemency, this time in a five-page letter to a Democratic congressman.

Meanwhile, The New York Times reported in today's editions that an unsigned letter prepared for FBI Director Louis J. Freeh stating the FBI was "unequivocally opposed" to the clemency offer was among thousands of documents sent to **Congress**.

The Times quoted senior law-enforcement officials as saying Freeh read the letter before it was forward to **Congress** with other background documents and that the letter accurately reflected his position.

Clinton's own letter said the offer was motivated not by politics, as critics have charged, but out of concern for the "extremely lengthy sentences" the separatists were serving.

"No form of violence is ever justified as a means of political expression in a democratic society based on the rule of law," Clinton wrote. "Our society believes, however, that a punishment should fit a crime."

Most of those who had their sentences commuted were serving between 35 and 90 years for seditious conspiracy and possession of weapons and explosives.

Clinton wrote the letter to Rep. Henry Waxman, the senior Democrat on the House Government Reform Committee, which was holding a hearing on the clemency Tuesday. Waxman read the letter at the hearing's start.

The explanation from the president came just days after the White House announced it was invoking executive privilege to block **Congress** from access to documents and high-level testimony pertaining to the clemency. The House panel hearing testimony Tuesday had issued subpoenas to get that information.

Clinton defended that decision in his letter, noting that the granting of clemency is an exclusive

power of the president.

"In vesting the pardon power to the president alone, the framers of the Constitution ensured that clemency could be given even in cases that might be unpopular and controversial," he wrote.

**Gallagher's** testimony marked the first time that federal law enforcement officials have testified on the issue. Also on hand were officials from the Justice Department and the Bureau of Prisons. They were barred from answering direct questions about the clemency, because of the White House executive privilege.

**Gallagher** described the activities of the **FALN** - the violent organization to which most of those offered clemency belonged. Afterward he was asked by the committee's chairman Rep. Dan Burton, R-Ind, if they should have been freed.

"Do I think they should be out on the street? I think these are criminals and that they are terrorists and that they represent a threat to the United States," **Gallagher** said.

The FBI was one of several law enforcement organizations opposed to the clemency.

Asked about the continuing threat of the **FALN** and its sister group in Puerto Rico, Los Macheteros, Gallagher ticked off a handful of more recent bombings in Chicago and Puerto Rico believed to have been conducted by the groups.

Clinton's offer of clemency has come under fire from some who have accused him of making it to boost first lady Hillary Rodham Clinton's popularity among New York's 1.3 million Puerto Ricans. Mrs. Clinton is considering a bid for the Senate from New York in 2000.

Clinton said in his letter that "political considerations played no role in the process."

The **FALN** the Spanish abbreviation for the Armed Forces of National Liberation is responsible for a wave of bombings of U.S. civilian and military targets in the late 1970s and early 1980s that left six dead.

**LANGUAGE: ENGLISH**

**LOAD-DATE: September 22, 1999**

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Copyright 1999 Associated Press  
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September 21, 1999; Tuesday 18:55 Eastern Time

**SECTION:** International news

**DISTRIBUTION:** Crb;;England

**LENGTH:** 725 words

**HEADLINE:** Clinton denies political consideration in clemency

**BYLINE:** SHANNON McCAFFREY

**DATELINE:** WASHINGTON

**BODY:**

President Clinton told **Congress** he granted clemency to 14 Puerto Rican nationalists on the belief "that a punishment should fit the crime." No politics was involved, he said.

An FBI official said he regarded the freed nationalists as "terrorists" who represent a threat to the United States.

Clinton outlined his position in a five-page letter to Rep. Henry Waxman of California, who read it Tuesday at the start of a House Government Reform Committee hearing on the clemency. Waxman is the senior Democrat on the committee.

Clinton said he based his decision on the "extremely lengthy sentences" the prisoners were serving, most between 35 and 90 years.

The explanation from the president came just days after the White House announced it was invoking executive privilege to block **Congress** from access to documents and high-level testimony pertaining to the clemency. The House panel hearing testimony Tuesday had issued subpoenas to get that information.

Clinton defended that decision in his letter, noting that the granting of clemency is an exclusive power of the president.

"In vesting the pardon power to the president alone, the framers of the Constitution ensured that clemency could be given even in cases that might be unpopular and controversial," he wrote.

The letter did little to cool Republican ire at the hearing. The committee's chairman, Rep. Dan Burton, R-Ind., said Clinton had a "moral obligation" to explain why he had put terrorists back on the streets.

"What the president is basically saying is that it's his decision and as far as **Congress** and the American people are concerned it's none of their business," Burton said.

Clinton's offer of clemency has come under fire from some who have accused him of making it to boost first lady Hillary Rodham Clinton's popularity among New York's 1.3 million Puerto Ricans. Mrs. Clinton is considering a bid for the Senate from New York in 2000.

Clinton said in his letter that "political considerations played no role in the process."

He said the timing of the announcement was dictated instead by his former chief counsel, Charles F.C. Ruff's departure. Ruff had pledged to complete the review of the clemency case before leaving the government.

"His recommendation and my decision were based on our view of the merits of the requests," Clinton wrote Waxman.

Officials from the Justice Department, FBI and the Bureau of Prisons also testified about the Puerto Rican prisoners for the first time at the hearing Tuesday. They declined to answer direct questions about the clemency, citing the White House executive privilege.

Neil **Gallagher**, the FBI's assistant director for national security, described the activities of the **FALN**, the organization to which most of those offered clemency belonged. Afterward, he was asked by Burton if he thought the prisoners should have been released.

"Do I think they should be out on the street? I think these are criminals, and that they are terrorists and they represent a threat to the United States," **Gallagher** said,

The FBI was one of several law enforcement organizations that opposed the clemency.

Asked if the **FALN** or its sister organization, Los Macheteros, still posed a threat, **Gallagher** ticked off a handful of recent bombings in Chicago and Puerto Rico believed to be connected to the groups.

In his letter, Clinton noted that he required the prisoners to renounce violence as a condition of clemency.

"Many of those who supported unconditional clemency for the prisoners argued that they were political prisoners who acted out of sincere political beliefs. I rejected this argument," Clinton wrote.

The jailed Puerto Ricans had spent nearly 20 years in prison, yet had not been charged with acts of violence that left anyone dead or wounded, Clinton said.

The **FALN** the Spanish abbreviation for the Armed Forces of National Liberation is responsible for a wave of bombings of U.S. civilian and military targets in the late 1970s and early 1980s that left six dead.

Those granted clemency were convicted of seditious conspiracy and possession of weapons and explosives. Among those petitioning for their release were former President Carter and Archbishop Desmond Tutu of South Africa.

Fourteen accepted the offer and 11 of them were recently released.

**LANGUAGE: ENGLISH**

**LOAD-DATE: September 21, 1999**

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USA TODAY

September 22, 1999, Wednesday, FIRST EDITION

**SECTION:** NEWS; Pg. 14A

**LENGTH:** 446 words

**HEADLINE:** Clinton denies politics had influence in clemency offer

**BYLINE:** Tom Squitieri

**DATELINE:** WASHINGTON

**BODY:**

WASHINGTON -- President Clinton told **Congress** Tuesday that "political considerations played no role" in his offer of clemency last month to 16 Puerto Rican separatists.

In a five-page letter to Rep. Henry Waxman, D-Calif., Clinton said he seriously considered opposition raised by some FBI and Justice Department officials before he made the "very difficult" clemency decision.

Clinton's letter was his first extended explanation of the clemency decision, which has provoked a political uproar and raised suspicions that the president was trying to boost first lady Hillary Rodham Clinton's Senate campaign among Puerto Rican voters in New York.

Waxman read the letter at the start of a hearing by the House Government Reform Committee. The committee had subpoenaed documents detailing how the clemency decision was reached, but last week, Clinton said the documents fell under executive privilege.

Neil **Gallagher**, the FBI's assistant director of national security, told the committee that those offered clemency "are criminals. They are terrorists, and they represent a threat to the United States."

**Gallagher** said some of his original testimony was held back by the White House under Clinton's executive privilege declaration. Rep. Dan Burton, the committee chairman, did not provoke a battle over executive privilege Tuesday but left the door open to future legal challenges.

In the letter, Clinton said he based the decision on a recommendation by outgoing White House counsel Charles Ruff. Others who supported the clemency included former president Jimmy Carter, Coretta Scott King and Archbishop Desmond Tutu of South Africa, Clinton said.

The 16 separatists offered clemency were members of the **FALN** terrorist group, which is linked to more than 130 bombings that left six dead and dozens injured.

Fourteen of the 16 **FALN** members accepted the offer. Eleven were released from prison, one had his sentence reduced to five years, and two had the remaining amounts of their fines waived.

**FALN** is the Spanish abbreviation for the Armed Forces of National Liberation.

The president said the prisoners' sentences "were out of proportion to their crimes."

Michael Cooksey, assistant director at the Bureau of Prisons, told the committee that at least one of the **FALN** members, Oscar Lopez-Rivera, is still considered a violent prisoner. Lopez-Rivera rejected the clemency offer.

At the start of the hearing, Burton displayed a grainy FBI surveillance videotape allegedly showing two **FALN** members making a letter bomb in 1983. They were identified by Burton's staff as Edwin Cortes and Alejandrina Torres, who accepted Clinton's offer and were released.

**GRAPHIC:** At hearing: Rep. Dan Burton, R-Ind., makes his opening statement Tuesday. He exhibited a videotape that allegedly shows **FALN** members making a bomb.

**LANGUAGE:** ENGLISH

**LOAD-DATE:** September 22, 1999

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View Related Topics

September 22, 1999, Wednesday, Final Edition

**SECTION:** A SECTION; Pg. A02

**LENGTH:** 777 words

**HEADLINE:** Clinton Explains Clemency; Politics Had No Role in Decision, President Tells House Member

**BYLINE:** Charles Babington; David A. Vise, Washington Post Staff Writers

**BODY:**

President Clinton said yesterday that political considerations "played no role" in his decision to grant clemency to 16 Puerto Rican nationalists, as he tried to quell criticism of a move that has bedeviled the first lady's Senate campaign.

In a five-page letter to Rep. Henry A. Waxman (D-Calif.), Clinton said the Puerto Rican militants "were serving extremely lengthy sentences" and deserved to be freed because "our society believes . . . that a punishment should fit the crime."

Clinton had made such statements before, but yesterday's letter provided more details and his most extensive explanation to date. It did little to appease disgruntled members of **Congress**, however, including some usually reliable Clinton loyalists such as Waxman.

Waxman, the ranking Democrat on the House Government Reform Committee, read the president's letter aloud near the beginning of the panel's hearing yesterday on the clemency offer for members of the **FALN** terrorist group. But after emotional testimony from victims of **FALN** violence and tough Republican criticism, Waxman indicated that he, too, disagreed with the president's decision to grant clemency.

"I probably wouldn't have," Waxman said. "Whether he is right or wrong, so far the judgment of my colleagues in **Congress** is that his judgment is wrong."

Several Republicans and witnesses at the hearing said the president's decision sent the wrong message about U.S. policy on terrorism. Clinton, they said, would bear some responsibility the next time a terrorist group, emboldened by the clemency, attacked innocent Americans. They also said it was hypocritical for Clinton to speak at the United Nations about the world's need to combat terrorism and nuclear weapons, only days after releasing the **FALN** members.

"I pray to God this will not start a new reign of terror," said Rep. Dan Burton (R-Ind.), chairman of the Government Reform Committee.

Clinton announced on Aug. 11 that he had offered conditional clemency for 16 **FALN** members. None had been convicted of crimes directly linked to violent injuries, although other **FALN** members were responsible for 130 bombings that killed six people and maimed others.

Republicans quickly accused Clinton of trying to build support among Puerto Rican voters for his wife's Senate bid in New York. Hillary Rodham Clinton eventually said the clemency offer should be

withdrawn because the **FALN** members had not renounced violence.

In fact, the president's offer was predicated on the renouncing of violence, which the 14 who accepted the offer agreed to within a few days. Some Democrats said the first lady's comments added to the public confusion about the issue and played into Republican portrayals of the **FALN** members as dangerously violent.

In his letter, the president said the 16 members, "while convicted of serious crimes, were not convicted of crimes involving the killing or maiming of any individuals. For me, the question, therefore, was whether the prisoners' sentences were unduly severe and whether their continuing incarceration served any meaningful purpose."

Nine of the 16 **FALN** members were convicted of seditious conspiracy, armed robbery and various firearms offenses. Each had served 19 years in prison.

Yesterday's committee hearing was marked by testimony from victims of **FALN** violence and tough talk from a senior FBI official, who made it plain that Clinton had overruled the agency's views.

"They are criminals, and they are terrorists, and they represent a threat to the United States," said Neil **Gallagher**, the FBI's assistant director for national security. The administration had blocked **Gallagher** from testifying at similar hearings last week.

While Justice Department officials declined comment on what they had advised the president--citing the president's legal right to confidential advice on such matters--the committee released a draft letter from FBI Director Louis J. Freeh saying the FBI strongly opposed the early release.

"The FBI has consistently advised the Department of Justice (DOJ), in writing, that the FBI was opposed to any such pardon and/or commutation of sentences for any of these individuals," Freeh wrote in the draft, addressed to House Judiciary Committee Chairman Henry J. Hyde (R.-Ill.). Freeh noted that few of the prisoners had expressed remorse for their acts and warned that "any such pardon of the currently incarcerated terrorists would likely return committed, experienced, sophisticated and hardened terrorists to the clandestine movement."

Reps. Henry A. Waxman, left, and Dan Burton appear at hearing at which Waxman read a letter from the president.

**LANGUAGE: ENGLISH**

**LOAD-DATE: September 22, 1999**

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View Related Topics

September 21, 1999, Tuesday, Final Edition

**SECTION:** PART A; NATION; Pg. A4

**LENGTH:** 566 words

**HEADLINE:** Justice officials to testify about Clinton clemency;  
Senate panel probes effect on global terrorism

**BYLINE:** Jerry Seper; THE WASHINGTON TIMES

**BODY:**

Top Justice Department officials are scheduled to testify today before a Senate subcommittee about whether President Clinton's clemency order for 16 Puerto Rican terrorists undermined U.S. efforts to combat global terrorism.

Neil J. **Gallagher**, the FBI's assistant director for national security, and Patrick Fitzgerald, chief of the organized crime and terrorism unit at the U.S. Attorney's Office in New York, agreed to testify before the Senate Appropriations subcommittee on commerce, justice, state and judiciary, chaired by Sen. Judd Gregg, New Hampshire Republican.

Last week, the White House blocked the FBI from testifying before the Senate Foreign Relations subcommittee on terrorism, whose chairman, Sen. Paul Coverdell, Georgia Republican, had asked the Justice Department, FBI and U.S. Bureau of Prisons to explain Mr. Clinton's decision and what effect it might have on anti-terrorism efforts.

The FBI intended to send Mr. **Gallagher** to that hearing, but after giving a copy of his testimony to the White House for review, the Justice Department canceled the appearance.

Ed Amorosi, spokesman for Mr. Gregg, said the FBI and U.S. Attorney's Office assured the committee the witnesses would appear today. U.S. Attorney Mary Jo White in New York initially had been asked to testify but cancelled, opting to send Mr. Fitzgerald instead.

Mr. Gregg noted in separate letters to Attorney General Janet Reno and FBI Director Louis J. Freeh that since 1945, Puerto Rican nationalists have sought to assassinate a U.S. president, attacked both Houses of **Congress** and set off 130 bombs in Chicago and New York.

He said those granted clemency by Mr. Clinton were members of the Armed Forces of National Liberation, known by its Spanish acronym **FALN**, and were responsible for "acts of terror resulting in six deaths and many injuries."

Mr. Gregg, noting the subcommittee had appropriated \$500 million since 1996 in the war against terrorism, asked both to explain the administration's policy on the pursuit, prosecution, incarceration and pardon of terrorists, and whether it had changed in light of Mr. Clinton's clemency grant. He also asked whether the Justice Department and the FBI were consulted as the recommendation for clemency grants was being considered.

Mr. Clinton said he granted clemency to members of the **FALN** because their sentences were excessive given that none were directly involved in bombings the group carried out from 1974 to 1983.

Meanwhile, Sen. Orrin G. Hatch, Utah Republican and chairman of the Senate Judiciary Committee, pledged to subpoena Justice Department officials - which may include Miss Reno - to determine whether the Clinton administration broke rules in granting clemency to the Puerto Ricans terrorists.

"We want to know why the Justice Department failed to abide by its own rules," he said on "Fox News Sunday," adding that he will seek the subpoenas at a committee meeting Thursday.

Mr. Clinton has cited executive privilege in refusing to turn over documents on the clemency grant.

Today, the House Committee on Government Reform also will begin hearings into the clemency offer. Committee Chairman Dan Burton, Indiana Republican, said on NBC's "Meet the Press" that a March 8, 1983, surveillance tape released by the FBI "shows two of the terrorists who were released at a table . . . making a bomb."

**LANGUAGE:** ENGLISH

**LOAD-DATE:** September 21, 1999

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FOX NEWS NETWORK

**SHOW:** FOX HANNITY & COLMES (21:18 ET)

September 20, 1999, Monday

Transcript # 092002cb.253

**SECTION:** News; Domestic

**LENGTH:** 2763 words

**HEADLINE:** Executive Privilege and the FALN Clemency

**GUESTS:** Dan Burton

**BYLINE:** Sean Hannity; Alan Colmes

**BODY:**

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

HANNITY: Welcome back to HANNITY & COLMES. I'm Sean Hannity.

Does the theory of creation have a place in the classroom? We'll do battle coming up.

But first, President Clinton's controversial decision to grant clemency to members of the FALN, the Puerto Rican terrorist group, has members of Congress enraged. The president maintains that the prisoners granted clemency were not directly responsible for the series of bombings that left six people dead in the 1970s and 1980s and hundreds injured.

But last week, FOX NEWS obtained exclusive FBI surveillance video of two of the prisoners making bombs back in 1983. Senator Orrin Hatch, the chairman of the Senate Judiciary Committee, plans to investigate the Justice Department's role in this decision.

(BEGIN VIDEO CLIP)

U.S. SENATOR ORRIN HATCH (R-UT), CHAIRMAN, SENATE JUDICIARY COMMITTEE: We want to know why the Justice Department failed to abide by its rules. They have a pardon attorney who is supposed to issue an opinion. The attorney general is supposed to issue an opinion under the rules.

Neither of them apparently did. And apparently, they didn't even consult with the FBI, the various police organizations throughout the country, the bureau of prisons, all of whom were against this. And above all, they didn't consult with the victims.

HANNITY: Now last week, the president asserted executive privilege and refused to hand over subpoenaed documents requested by the House Committee on Government Reform.

Joining us from Washington, Indiana Republican Congressman Dan Burton. He is the chairman of the Committee on Government Reform. Now tomorrow, his committee will hold hearings on the **FALN** issue.

We have breaking news tonight, Congressman. And that is you discovered late -- as I understand it -- this afternoon, your committee did, you were scheduled to have as a witness, FBI witness, Assistant Director Neal **Gallagher** (ph). He was going to submit an opening statement to you. What's going on here?

U.S. REPRESENTATIVE DAN BURTON (R-IN), CHAIRMAN, COMMITTEE ON GOVERNMENT REFORM: Well, we found out today when we asked the FBI for the opening statement that the Justice Department and Janet Reno had forbidden them to have an opening statement sent to our committee. And so last week, we had the president claiming executive privilege. You saw the tapes last week of them...

HANNITY: Yeah.

BURTON: ... making the bombs. And now the attorney general won't even let the FBI give us an opening statement. Now they will appear tomorrow because they're under a subpoena...

HANNITY: Yeah. By the way, we're showing the tapes now, Congressman, for the benefit of our audience that didn't see you on this program last week. Those are FBI surveillance videos. These are two of the men that were granted clemency by the president.

And in this video, the FBI tells us clearly that they're making bombs here. The president and his supporters had been making the case, well, these people aren't directly involved in the bombing.

BURTON: Well, not only were they involved in making the bombs, eight of them were in a van that was full of weapons that was going to be used for terrorist activities. And two or three of them were involved in robbing an armored car.

But even more important than that is one of the terrorists while he was in prison was planning a prison break. And during that planning process it was found out that he was asking for explosive devices and hand grenades and everything else.

HANNITY: Is that more proof that will be coming out, Congressman?

BURTON: Well, we're going to sure try to get the Bureau of Prisons to give us the complete statements made by these people tomorrow.

HANNITY: Right. Now if that -- that would be breaking information on this also. And we do know that there had been a report by, I believe it was "Newsweek" magazine that the Bureau of Prisons had conversations that these guys were not repentant, not sorrowful, but actually indignant and prideful in their position that they were going to bomb again.

Is there any truth to that? Has your committee been able to determine whether or not that's true?

BURTON: We haven't heard anything after the fact from the Bureau of Prisons about what they said when they were about to be released.

HANNITY: Right.

BURTON: But this one individual that we're talking about, who was one of the ring leaders, was

planning an escape. He got an additional prison sentence because of it. And he was advocating...

HANNITY: It's unbelievable.

BURTON: ... acts of terrorism when he got out then.

HANNITY: Well, now we know the president based on past experience that when he exercised or evokes executive privilege, we can pretty much determine that there's a cover-up of some kind. Now I'm sure they didn't anticipate that FOX NEWS would get a hold of the FBI surveillance video that we have been showing.

But we had been told from the beginning, as I said, that these guys were not involved in any way. Is it true that the Justice Department, that the FBI, that the people that prosecuted these terrorists, they all told the president not to release them? Have we determined that? Is that 100 percent fact now?

BURTON: Oh, yes. Every law enforcement in the country, probably every law enforcement officer down to the last person, thinks those people should still be behind bars. The fact of the matter is they were involved in terrorist activities.

Making those bombs is not child's play. I mean, anybody who's watching that tape knows what they were doing.

COLMES: Congressman Burton, it's Alan Colmes. Welcome back to the program.

BURTON: Hey, Alan. How are you?

COLMES: Good to see you again, sir. The White House said that you had issued something like 700 subpoenas over the course of your chairmanship.

And yesterday on "Meet the Press," here's what you had to say. I'm going to show a little clip -- to Tim Russert about that charge.

(BEGIN VIDEO CLIP)

BURTON: We have only sent three subpoenas to the White House this year and only after the Waco incident. And overall, in the past three- and-a-half years since I've been chairman, we've sent 26. I don't know where Mr. Lockhart is getting this 700 figure. But it's totally, totally out of line.

COLMES: Chairman Burton, today Joe Lockhart responded. He sent you a letter. I don't know if you've seen it or not. But we have a copy of it.

And here's, among the things that Joe Lockhart said to you today, Joe Lockhart said, "I'm writing to tell you the source of my information. It comes from the sixth report of the House Government Reform and Oversight Committee, November 3, 1998, which states that in 1997 and '98 alone, you issued 758 subpoenas in connection with your various investigations of the president and the Democratic Party."

BURTON: That's true...

COLMES: Which is the truth?

BURTON: Well, that is true. We sent 700-and-some subpoenas out to telephone companies, to banks, to credit card companies, trying to get records of people that were giving illegal campaign contributions to the president's reelection committee and the Democratic Party.

But we never sent all those to the White House. We only sent...

COLMES: He says there were 643 to the White House proper...

BURTON: ... That is...

COLMES: ... between October 1 of '96 and March 31 of '98 in connection with the campaign finance reform investigation.

BURTON: Well, Mr. Lockhart is in error. He's not telling you the truth because my staff went through and checked that very thoroughly. get information about the illegal campaign contributions coming from all over the world. But we only sent 26 to the White House...

COLMES: Is Joe Lockhart...

BURTON: ... And some of those were duplications because they weren't responding.

COLMES: ... Is Joe Lockhart lying?

BURTON: Well, he's misinformed if he's not lying, because if he had the facts before him, he'd know that's not true.

COLMES: He also says you've done so, you've done this without seeking the approval of the committee's minority members. And he says that no Democratic chairman of a committee ever issued a subpoena unilaterally without ever getting minority consent or a committee vote since McCarthy hearings back in the 1950s.

BURTON: Well, that's just not so. Lee Hamilton when he was in charge of the Iran Contra hearings, he was able to issue subpoenas unilaterally. He did inform the minority about them. We do as well.

But I can issue them myself. And we do.

COLMES: Are you saying that's par for the course, that's what's usually done? Or is it more unusual that you would do it unilaterally without seeking the concurrence of the minority member?

BURTON: Any committee chairman that's involved in an investigation going back to Lee Hamilton when he was in charge of Iran Contra has the ability, and had the ability, to issue subpoenas unilaterally.

HANNITY: All right...

BURTON: Now they usually do what I do and that is give the minority 24 hours notice.

HANNITY: ... Congressman Burton, stay right there. We'll have more on this breaking news on the **FALN** terrorism controversy. Then

Please stay tuned as HANNITY & COLMES continues.

<21:27>

(COMMERCIAL BREAK)

COLMES: Welcome back to HANNITY & COLMES. I'm Alan Colmes.

Coming up, should students be able to refuse instruction on the theory of evolution because of their religious beliefs? We'll ask

But first, we continue with the controversy over the president's decision to grant clemency to 16 Puerto Rican terrorists.



Joining us, Indiana Republican Congressman Dan Burton, chairman of the Committee on Government Reform.

Joe Lockhart, the presidential spokesman, wrote to you?

BURTON: Yes, I'm glad we're still on that subject, Alan, because let me just say that raising the issue of how many subpoenas I've sent to the White House is an attempt to divert attention away from the real issue.

The issue is, why did the president pardon 12 terrorists, 14 terrorists? Why is it that he doesn't want the American people to know why he pardoned them? Why is the Justice Department not allowing the FBI to give us a statement about why these people were -- what they did and why they were pardoned? Why is the Bureau of Prisons is being stymied?

These are the things the White House doesn't want the American people to talk about, so they're attacking me because I've sent out subpoenas. The fact of the matter is, 122 people have taken the Fifth the Justice Department, like now, and the White House, like now, is blocking every attempt we can to get at the truth.

They don't want the American people to know the facts. And we will not be deterred.

COLMES: By the way, campaign finance reform is very much an issue in the upcoming presidential campaign. Will you support any of the bills currently before Congress to change the system? Would you support McCain-Feingold or Shays-Mia (ph)?

BURTON: The fact of the matter is, Alan, that existing campaign laws were broken. Before you start passing a whole bunch of new laws, you need to make sure the laws that you have in effect are enforced. This White House and this Democrat National Committee broke a whole host of laws, and nobody talks about the laws that they broke that have not been enforced by the Justice Department.

And so before we start passing a bunch of new laws, which is a facade, we need to enforce the laws we have. I think McCain-Feingold and the others go too far. I think that we ought to report everything we get from everybody, so the American people know where the money's coming from. Put some limitations on it. But if you let the American people know the facts, you're not going to fool them.

COLMES: By the way, I want to get back to that film we've been showing, which we've had as an exclusive here on FOX NEWS, the film from March 8, 1983. We did some checking. You know, the bombs that the FALN is accused of setting off happened prior to this date. There's no evidence that whatever they were doing in this video resulted in bombs later being set off.

this video.

BURTON: Alan, they were making bombs to be used in terrorist activities. We don't know if those 126 people that were in jail -- or some are still in jail, but most are out -- we -- there had been (ph) pardoned -- we don't know if they were involved in terrorist activities before that. We don't know if they placed any of those other bombs.

And so the fact of the matter is, whether they were -- the bombs exploded before, during, or after, the fact is, they were involved in terrorist activities and should still be incarcerated.

HANNITY: Congressman Burton, it is amazing, anybody who dares raise a question about this White House, there's almost an instantaneous, knee-jerk reaction to attack the person who's raising questions. You pointed out eloquently, this issue is about terrorists, convicted terrorists that were released by the president, and now he won't let the American people know why he came to that decision.

BURTON: Yes, and I hope the American people who are watching FOX tonight will realize that everybody who's investigated the president's been attacked. Henry Hyde, Tom DeLay, myself, all those women who made accusations against the president, every single person who's said anything, Mr. Aldridge (ph), who was over at the -- who worked at the -- with the FBI over at the White House, everybody's been denigrated and attacked, and they try to destroy them because they're trying to do their job.

And I'll tell you, we're not going to be deterred by (INAUDIBLE).

HANNITY: Well, it is amazing, it's like a knee-jerk reaction of the Clinton supporters. They just want to go out there and put you on issue we're dealing with here tonight is the release of convicted terrorists who were sentenced to between 68 and 90-plus years in jail, some of whom were found with bombs.

Now, let's be clear about the people we see in this video, Alejandrina Torres and Edwin Cortes. These are two men on video making bombs. These people were convicted of conspiring to blow up buildings in this country.

BURTON: And kill people.

HANNITY: We've heard -- and, you know, this -- the president and the vice president have lectured us on a number of occasions how we need to protect the poor little children in America from gun violence. And yet we see them here, they had an opportunity, they got the conviction, and they set them free.

And then on top of that, we could bring up the whole China issue, which is -- you know, the transfer of nuclear secrets...

BURTON: Sure, but the thing is, we had Oklahoma City, all those people were killed. We had the World Trade Center, those people killed and maimed, and all that property damage. And they talk about how horrible that is. And yet when they start...

HANNITY: Let me...

BURTON: ... releasing terrorists, they're putting the same kind of vermin back on the streets.

HANNITY: Congressman, I got to ask you this. Based on what we know now -- first, there were two conditions for the release of these guys. They had to renounce terrorism, and they -- and violence, and they were reluctant to do that, which tells us a lot about these guys. And secondly, they weren't supposed to be able to associate with each other. It's clear now that back in Puerto Rico, and that's what they're going to be doing.

Are you concerned -- do you have any evidence, is there any investigation going on whether or not we have to watch these people closely? Are they likely to be involved in terrorism again, in your view?

BURTON: Well, I would hope that Louis Freeh and the FBI are keeping an eye on these people, and I presume they are. I think he's -- he tries to do a pretty good job over there. And -- but nevertheless, they're people who are prone to do that sort of thing, and we may have stimulated them for more activity. I don't know, but they certainly shouldn't be out there even at risk.

COLMES: Congressman Burton, thank you for your time tonight.

BURTON: Thank you, Al.

COLMES: Happy to see you again.

Coming up next, some kids are skipping questions about the theory of evolution in school because of their religious beliefs. What should our kids be learning, creationism, evolution, or neither? That's coming up next.

<21:37>

(COMMERCIAL BREAK)

**LANGUAGE: ENGLISH**

**LOAD-DATE: SEPTEMBER 21, 1999**

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View Related Topics

SEPTEMBER 16, 1999, THURSDAY

**SECTION:** IN THE NEWS

**LENGTH:** 2106 words

**HEADLINE:** PREPARED TESTIMONY OF  
CONGRESSMAN DAN BURTON  
CHAIRMAN  
BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM  
SUBJECT - "CLEMENCY FOR THE FALN -- A FLAWED DECISION?" SUBMITTED  
SEPTEMBER 21, 1999

**BODY:**

Good morning. Today, we're going to focus on the President's decision to offer clemency to members of a Puerto Rican terrorist group -- the FALN.

Our system is based on checks and balances. The **Congress** can pass legislation, but the President can veto it. The President is the Commander in Chief, but only **Congress** can declare war.

But there is one area where the President's power is absolute -- the power to grant clemency. There's nothing the **Congress** can do about it. There's nothing the courts can do about it. Article II, Section 2 of the Constitution states: "he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment."

This is an important responsibility. It's a power that the President has to exercise with a great deal of caution. Before the FALN, President Clinton had received more than 3,000 petitions for clemency -- and he had granted only three of them.

Then, on August 11, the President offered clemency to 16 members of the FALN -- a terrorist group seeking independence for Puerto Rico. Almost a month later, 14 of the 16 people accepted the President's offer and were released from prison.

This whole issue has ignited a firestorm of controversy. The FALN was involved in 130 bombings. Five people died. 84 were injured. What we want to know is, why did the President make this decision? What is the public benefit? Who advised him on this issue? Was the FBI consulted? The Bureau of Prisons? That's why we're holding this hearing.

First, we're going to examine what the FALN is. One of the arguments for granting clemency is that these 16 people were not directly involved in any acts of violence. Well, I want to briefly review what they were convicted of.

Most of these people were convicted of things like seditious conspiracy and conspiracy to obstruct interstate commerce. Let's take a look at exactly what that means.

Eight of these people were arrested together in Chicago. They were caught in a stolen van, carrying illegal weapons. They were parked near the home of a wealthy businessman named Henry Crown. It's believed that they were going to kidnap him.

The only thing that stopped them was their arrest.

They were convicted in Federal court. As they were being sentenced, they shouted threats at the judge. Here's what they said, according to the court transcript:

"You are lucky that we cannot take you right now. Our people will continue to use righteous violence. Revolutionary justice can be fierce, mark my words."

"We're going to fight ....Revolutionary justice will take care of you and everybody else."

These are the people who were just granted clemency.

Three other FALN members were planning to break one of their leaders out of Leavenworth prison.

They had two safe houses in Chicago, where they had thousands of rounds of ammunition, blasting caps, detonating cord, dynamite, and numerous weapons. They had a schematic diagram of the prison hidden under the floor boards in their kitchen.

The only thing that stopped them was their arrest.

The FBI has a videotape of two of these people in one of their safe houses actually making a bomb.

I'm going to show just a brief segment of that tape right now.

(Show Tape)

These are the people who were just granted clemency.

Four of the people who were granted clemency were arrested for their involvement in the armed robbery of an armored car in Connecticut. They're part of a splinter group called in Spanish the "Machete Wielders." This group has claimed responsibility for:

- the murder of a San Juan police officer; - ambushing a Navy school bus and killing two sailors; and
- shooting a U.S. army officer at Fort Buchanan in Puerto Rico.

These are the people the President has offered clemency and released from prison.

The saddest part is that the Puerto Rican people don't even want what these people are fighting for.

I know a little about this issue. I've been a strong supporter of self-determination for Puerto Rico. I'm an original sponsor of legislation to give them a free and fair plebiscite to decide their fate. I've spoken in Puerto Rico about the issue. The vast, vast majority of Puerto Ricans don't want independence. In the last plebiscite, only about two and a half percent of the people voted for independence.

Congressman Romero-Barcelo of Puerto Rico is here today. He and I have worked together on this issue. I hope he'll tell us a little about the level of support for independence in Puerto Rico.

So I hope we won't have a lot of talk today about how these people were convicted of non-violent crimes. The only reason some of them didn't commit murders or bombings is because they were arrested before they got a chance to. Many of the murders remain unsolved to this day. We don't know who committed them -- it may have been those the President released.

We need to know what was behind this decision to offer these people clemency. I think the American people deserve to know.

- Was the President aware of the extent of their crimes? - Did the President seek the opinion of the Justice Department or the FBI? - Did he seek advice from other law enforcement groups? - What were the arguments for releasing these people?

So I sent a subpoena to the White House. I asked for all of the memos that had been prepared for the President as he made this decision.

I sent a subpoena to the Justice Department asking them for all of the material they sent to the White House on this case.

Instead of complying with the subpoena, the President made a sweeping claim of executive privilege. No documents bearing on his decision can be turned over. Nobody who advised him can testify.

Well, the President has a right to do that. There's no disputing that. But I think it's very unfortunate.

What the President is basically saying is that it's his decision, and as far as the **Congress** and the American people are concerned, it's none of our business.

The President has taken members of a terrorist organization, who committed very serious crimes, and set them free. I think he has a moral obligation to explain to the American people why he did this. I think he has a moral obligation to explain to the American people why putting these people back on the streets isn't a danger to them and their families.

If the President made a good decision, then release the documents and the briefing papers and let them reflect that. If he made a good decision, let his aides come up and testify. Don't hide behind executive privilege. At the very least, the President should go before the American people and give them a forceful explanation as to why these people deserve to be released from prison. Unfortunately, none of that's going to happen today. We aren't going to hear from anyone who can explain to us why the President did what he did.

We are going to hear from some people who know a little bit about the **FALN**.

We're going to hear from two New York City police officers. They were working on the bomb squad on New Year's eve in 1982. One of the **FALN**'s bombs went off in their faces while they tried to defuse it. Detective Sempf and Detective Pascoretti were permanently crippled.

They will be introduced by Congressman Vito Fossella. I'm glad he could be with us today.

We're also going to hear from Thomas Connor of New York today. Mr. Connor's father was killed by an **FALN** bomb. It was set off at the historic Fraunces (Frawn-Sess) Tavern in New York in 1975. He

was 11 years old the day his father died. We also have Diana Berger Ettenson here today. Her husband was sitting at the same table as Thomas Connor's father. She was 6 months pregnant the day her husband died.

I want to thank all of you for being here. I'm sorry for the losses you've suffered. I know a lot of time has passed, but time doesn't heal all wounds.

I was watching TV a couple of weeks ago, and I saw Tim Russert interview one of these FALN members who was released from prison -- Ricardo Jiminez. I think what upset me the most was that he tried to blame the restaurant owners for the deaths. I'm going to read what he said:

"I think all precautions were taken -- you know -- to make sure that all human life was preserved...the measures were not taken that were necessary by the people who owned those establishments."

He blamed the restaurant!

Mr. Russert asked him again and again if he felt remorse for what they had done. He just danced around and around the issue, and it became clear to me: these people don't regret what they did.

They're defiant.

In fact, two of the 16 people the President offered clemency refused to accept it. Oscar Lopez is one of them. He decided he would rather sit in Prison than renounce violence. In 1986, he masterminded a violent plan to break out of prison. He was convicted and received a new 15-year sentence. Did the President know about this man before he offered to let him out of prison? I want to read you what his pre-sentencing report said in 1986:

"It was Lopez who offered to obtain false identification, weapons and explosives. It was Lopez who sent Jaime Delgado to Dallas to negotiate the purchase of the weapons and explosives. It was Lopez, moreover, who gave his approval for Cobb's return visit to Leavenworth and for the murder of Michael Neece. Even behind the bars of a federal penitentiary, Oscar Lopez continued to lead his Chicago supporters in violent plans."

He ordered a murder from behind bars. Fortunately, the FBI prevented it from happening.

What was it about Oscar Lopez that moved the President to offer him clemency? The President had received more than 3,000 petitions for clemency. Was Oscar Lopez the most compelling case out of 3,000? I don't understand that -- especially in view of the fact that the President only granted three before that.

I read an article in the New York Times where Mr. Ruff stated that they didn't make this decision for political reasons. But no where in the article did Mr. Ruff explain why the President did make this decision. If the President is going to do something this unprecedented, there's got to be a good reason for it. I don't understand why the President won't level with the American people.

We have three witnesses from the Justice Department here today. I don't know if they're going to say anything or not. I asked Mr. **Gallagher** from the FBI to testify about their threat assessment of the FALN. I asked him to testify about the crimes committed by these individuals. He has had an opening statement prepared for over a week. I was informed last night that the Attorney General will not allow him to read his opening statement. He can't read it. He can't submit it.

I have run out of words to describe my frustrations with the political games played by Janet Reno and this Justice Department. I just don't know what to say anymore. So I guess what I will do is issue a subpoena for his opening statement. I can't believe it's come to this.

This has important foreign policy ramifications. We have a serious terrorism problem around the world. Think about the World Trade Center bombing. Think about the tragedy in Oklahoma City. I watched the President this morning making a speech at the U.N. He was saying that we have to deal strongly and severely with terrorism around the world. What kind of message does it send to other countries when we let known terrorists out of prison?

The President also told the U.N. that we have to do more to fight nuclear proliferation. It reminded me of a hearing we had a couple of months ago. A policy expert named Jonathon Fox drafted a report at the Defense Department stating that China was a nuclear arms proliferator. Someone higher up the food chain made him change his opinion 180 degrees. They told him they would fire him if he didn't because this was right before Jiang Zemin was coming to Washington. If we are going to fight nuclear proliferation, we'd better start here at home.

Let me conclude by saying this: Mr. President, don't leave us sitting here reading the tea leaves trying to figure this out. Send us the documents we've asked for. Let your aides come up and testify. If nothing else, go on TV and tell the American people why this is to their benefit. But don't tell the American people this is none of their business.

I want to again thank all of our witnesses for being here. I'm sorry we had to reschedule from last


week, but there's nothing we can do about hurricanes. For those of you who are allowed to speak, we look forward to your testimony.  
I now yield to the gentleman from California for his opening statement.  
END

**LANGUAGE:** ENGLISH

**LOAD-DATE:** September 22, 1999

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To :  **b7C** Date 06/28/1999  
 Terrorism & Violent Crimes Section

From : Robert M. Burnham  
 Section Chief


Subject: Presidential Pardons

As you are aware, the FBI continues to be concerned with violence and criminal activity stemming from militant proponents of Puerto Rican independence. Past FBI investigations of criminal violations on the part of radical Puerto Rican terrorists resulted in the conviction and incarceration of the following fifteen individuals: Alejandrina Torres, Ida Luz Rodriguez, Edwin Cortes, Elizam Escobar, Oscar Lopez-Rivera, Dylcia Pagan, Luis Rosa, Juan Segarra-Palmer, Carmen Valentin, Ricardo Jimenez, Antonio Camacho-Negron, Alberto Rodriguez, Alicia Rodriguez, Adolfo Matos, and Carlos Alberto Torres. As you consider the possibility of recommending presidential pardons for these individuals, I respectfully request that you make note of the FBI's vigorous opposition to such a decision.

The FBI opposes the release of these incarcerated terrorists for a number of reasons. As active members of Puerto Rican terrorist groups, these individuals sanctioned, supported, and/or directly or indirectly participated in activities resulting in no fewer than nine fatalities, hundreds of injuries, millions of dollars in property damage, and armed attacks on U.S. Government facilities.

These prisoners, through active involvement in their respective terrorist enterprises, instilled fear in their communities. To suggest that they have been wrongly incarcerated for their political beliefs is factually erroneous and nonsensical. While their motivations may have been political, their actions are an affront to the peaceful and law abiding residents of Puerto Rico and the United States.

The FBI has reason to expect that the release of these individuals will psychologically and operationally enhance the ongoing violent and criminal activities of Puerto Rican terrorist groups. Few of the current prisoners have expressed remorse for

- 1 - Mr. Gallagher
  - 1 - Mr. Watson
  - 1 - Mr. Burnham
  - 1 - 
- JGP:jgp (10)

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b7C

Memorandum to [REDACTED] from Robert M. Burnham, dated  
6/28/1999  
Re: Presidential Pardons

their crimes or for their victims; rather, most remain committed to violence as a means to achieve Puerto Rican independence. A pardon of the currently incarcerated terrorists would likely return committed, experienced, sophisticated, and hardened terrorists to the clandestine movement.

Puerto Rican terrorist groups continue to pose a danger to the American public. The FBI opposes any action that would enhance the strength of these organizations, and therefore believes that amnesty for these prisoners would constitute a grave mistake. Despite appeals for their release, the fact remains that these individuals were convicted and sentenced for active roles in ideologically motivated crimes abhorrent to legitimate and constitutionally-protected political activism.

Due to the sensitivity of ongoing FBI investigations, the contents of this letter are not to be released to any of the incarcerated prisoners, their counsel, or to individuals outside the U.S. Department of Justice.

Precedence: ROUTINE

Date: 12/11/1998

To: FBIHQ

Attn: Domestic Terrorism Ops Unit  
SSA [redacted]

b7C

From: San Juan  
Squad 7, Domestic Security/Terrorism  
Contact: SSA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending) b7A

Title: [redacted]

OO: San Juan

ARMED AND DANGEROUS

Synopsis: Proposed pardon of so-called "Puertorican Political Prisoners".

Administrative: Reference telcall between SSA [redacted] and SSA [redacted] 12/10/98.

Details: According to information reported in the press in Puerto Rico, a pardon proposal to release fifteen so-called "Puertorican Political Prisoners" incarcerated at various United States penitentiaries is pending before the President of the United States.

These prisoners are:

- ALEJANDRINA TORRES
- IDA LUZ RODRIGUEZ
- EDWIN CORTES
- ELIZAM ESCOBAR
- OSCAR LOPEZ-RIVERA
- DYLCIA PAGAN
- LUIS ROSA
- JUAN SEGARRA-PALMER
- CARMEN VALENTIN
- RICARDO JIMENEZ
- ANTONIO CAMACHO-NEGRON
- ALBERTO RODRIGUEZ
- ALICIA RODRIGUEZ
- ADOLFO MATOS
- CARLOS ALBERTO TORRES

The fifteen Puerto Rican prisoners were convicted for

[redacted] b7A

Serial : 1927

serious felonies which they committed as members of the two terrorist groups the Fuerzas Armadas de Liberacin Nacional (FALN) and the EPB/MACHETEROS.

FBI, San Juan Division, believes that it is in the best interest of the United States that captioned prisoners not be released. These prisoners are part of groups that have committed acts of violence targeting state, federal and civilian human and property targets. It is expected that if released, these individuals will resume clandestine activities and their "armed struggle" to achieve independence for Puerto Rico. The leader of the EPB/Macheteros Filiberto Ojeda Rios is still a fugitive along with other members of the group. If these prisoners are released, they will be able to provide a support structure for the groups and it is anticipated that terrorist activities will increase sharply as a result.

Examples of other prisoners already released would support the above conclusion. Upon his arrival in Puerto Rico after his release, ANTONIO CAMACHO-NEGRON, one of the fifteen Puerto Ricans incarcerated, stated that he would not comply with any of his parole conditions.

"I'm not going to submit to any condition placed on me by imperialism," CAMACHO-NEGRON said. CAMACHO-NEGRON said his immediate plans were to return to the struggle for the independence of Puerto Rico, which he did by immediately going underground until he was arrested once again for violating his parole.

The media activity in Puerto Rico and public demonstrations by EPB/Macheteros supporters are increasing in attempts to pressure President Clinton to pardon these prisoners and gain additional support for the release. San Juan opines that FBIHQ through the Department of Justice should vigorously oppose the release of these prisoners.

ARMED AND DANGEROUS

LEAD

Set Lead 1:

National Security

Domestic Terrorism Unit is requested to determine the status of the petition to release the above listed prisoners and contact the appropriate DOJ officials to intervene opposing their release.

b2 

To : Ms. Margaret Love  
 Pardon Attorney  
 Criminal Division

From : *[Signature]* Mr. Robert M. Blitzer  
 Chief, Domestic Terrorism/Counterterrorism Planning Section  
 National Security Division

Subject: FUERZAS ARMADAS DE LIBERACION NACIONAL FUERTORRIQUENA  
 (ARMED FORCES FOR PUERTO RICAN NATIONAL LIBERATION) -  
 MOVIMIENTO DE LIBERACION NACIONAL (MOVEMENT OF NATIONAL  
 LIBERATION) (FALN-MLN); DOMESTIC SECURITY/TERRORISM

Date: 10/27/97

~~\_\_\_\_\_~~ b7A

INFORMATION MEMORANDUM

The purpose of this memorandum is to provide you a copy of a letterhead memorandum from the Chicago Field Division pertaining to the ongoing review of the petition for clemency which has been filed on behalf of the FALN and Macheteros.

Enclosed for your review is a letterhead memorandum dated 10/3/97, captioned as above.

Enclosure

PARDON ATTORNEY

OCT 29 10 23 AM '97

RECEIVED  
DEPT OF JUSTICE

b2

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

Chicago, Illinois 60604  
October 3, 1997

[REDACTED]

b7A

b7A

[REDACTED]

b7C

At the request of Assistant United States Attorney (AUSA) Daniel W. Gillogly, United States Department of Justice, Northern District of Illinois, and pursuant to instruction from Supervisory Special Agent (SSA) [REDACTED] Federal Bureau of Investigation Headquarters (FBIHQ), Domestic Terrorism Operations Unit; the following information is forwarded for dissemination to the Office of the Pardon Attorney, Department of Justice. The information contained herein may be considered a supplement to the threat assessment regarding the captioned organization. This recent activity on the part of the FALN/MLN members and affiliates is reported in light of the Clemency Petition which has been filed on behalf of the FALN/MLN prisoners.

BECAUSE OF THEIR PAST POSSESSION OF FIREARMS AND EXTENSIVE USE OF EXPLOSIVES AND INCENDIARIES, MEMBERS OF THE FALN SHOULD BE CONSIDERED ARMED AND EXTREMELY DANGEROUS. INCARCERATED FALN MEMBERS SHOULD BE CONSIDERED ESCAPE RISKS.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Lolita Lebron was arrested and charged with the armed attack on the United States House of Representatives in 1954. Five Congressmen were wounded in the attack. Lebron was imprisoned for twenty-five years before being pardoned by President Jimmy Carter in 1979. She is considered a hero in the independence movement and was recently installed as the President of the Nationalist Party in Puerto Rico. She has been invited on occasion to speak on behalf of the FALN/MLN. Her most recent trip to Chicago, Illinois was discussed by [REDACTED]

b7D

[REDACTED]

[REDACTED]

**FEDERAL BUREAU OF INVESTIGATION**

Precedence: PRIORITY

Date: 06/10/1997

To: FBIHQ

Attn: NSD, DTOU, Room 11741  
SSA [REDACTED]  
SSA [REDACTED]

b7C

From: ✓ Chicago  
Squad DT-1  
Contact: SA [REDACTED]

Approved By: *AD* SSA [REDACTED]

Drafted By: [REDACTED] mcb

Case ID #: [REDACTED] (Pending)

b7A

Title: [REDACTED]

OO: CHICAGO

**ARMED AND DANGEROUS  
ESCAPE RISK**

Synopsis: FALN/MLN threat assessment forwarded to FBIHQ per request of Bureau.

Administrative: Re FBIHQ teletype on May 28, 1997 to Chicago Division [REDACTED] and San Juan Division [REDACTED]

b7A

Details: While the petition for clemency for Puerto Rican prisoners is reviewed by the Department of Justice, Sources in Chicago have advised that the armed activities of the FALN have been suspended. The leadership of the FALN/MLN, including Jose Lopez, are known to continue to advocate the independence of Puerto Rico "by whatever means necessary"; however, they have acknowledged that acts of violence in the current atmosphere could be detrimental to the political progress which they have made. Specifically, former members of the independence movement have secured positions within the local, state and federal political arenas and continue to promote the agenda of the FALN/MLN within the confines of their official duties.

Luis Gutierrez, elected to the United States House of Representatives in November, 1992, openly advocates the release of the Puerto Rican prisoners, although he disavows membership in the MLN. Billy Ocasio, Chicago Alderman of the 26th Ward, likewise, has publicly voiced his opposition to persons who were

To: FBIHQ From: C. [redacted] by Judicial Watch, Inc. Via FOIA  
Re: [redacted] 06/10/1997

b7A

affiliated with "El Pito", an anti-FALN newspaper in Chicago. [redacted]

b7A  
b7D

Recent articles in the Chicago Tribune newspaper have alleged the diversion of funds by the FALN/MLN at the Roberto Clemente High School (RCHS). RCHS is a public high school located within the Puerto Rican community in Chicago and, consisting of a large population of Puerto Rican students. The articles allege that the FALN/MLN members have control of the local school council. In the current system, this control results in unobstructed expenditures by the local school council for equipment, travel, consulting fees, etc. which are justified as a benefit to the student population. [redacted]

Previous reviews of the allegations surrounding RCHS by [redacted] resulted in the determination that the diversion of funds, which did appear to be occurring as alleged, was conducted by the FALN/MLN within the loose guidelines set by the Board of Education for the "local school councils." As such, the actions did not appear to constitute any violations of federal law. Further, the federal funds which had been received by the school, appeared to be kept separated from the State funds and were more carefully spent by the administrators. Information relative to the [redacted] was disseminated to the Illinois State Police for review and appropriate action.

b7A

Following the Chicago Tribune expose, an investigation was initiated by the State legislature, utilizing investigators from the Illinois State Police. [redacted]

b7A

As detailed in the Letterhead Memorandum dated March 5, 1997, the FALN/MLN has continued to promote their agenda of independence for Puerto Rico and freedom for the prisoners through a variety of means. In addition to the aforementioned



To: FBIHQ From: Chicago  
Re: [REDACTED] 07/19/97 Judicial Watch, Inc. Via FOIA

b7A

political and community connections, [REDACTED]  
Most recently, in June of 1997, [REDACTED]

b7A

As the indictment of persons affiliated with the December, 1992 bombing at the military recruiting station in Chicago nears, the FALN/MLN has stepped up their defensive posture regarding this bombing. In May of 1997, an underground newspaper called "El Gran Piton" was released to the community. The newspaper specifically named persons within the community who are openly anti-FALN. The newspaper alleged that the aforementioned bombing was "organized, instigated and performed" by one of these individuals, who is now trying to blame the FALN.

[REDACTED]

b7D

[REDACTED]

b7A

ARMED AND DANGEROUS  
ESCAPE RISK

17 MRI 01223

Obtained by Judicial Watch, Inc. Via FOIA

RUCNFB FBICG TRACF

COPY

TRISJ #0001 1552321

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042200Z JUN 97

FBI SAN JUAN [REDACTED]

b7A  
|

DESTROY

DIRECTOR FBI/PRIORITY/

I CHICAGO [REDACTED] /ROUTINE/

CLAS

SECTION ONE OF TWO SECTIONS

TE: //3800//

FROM: FBIHQ, SSA [REDACTED] DTOU, [REDACTED]

b7C

SUBJECT: [REDACTED]

FROM: SAN JUAN; [REDACTED]

OO: CHICAGO.

- A/SAC
- ASAC 1
- ASAC 2
- ASAC 3
- ASAC 4
- AO
- A-1
- A-2
- A-3
- CI-1
- CI-2
- CI-3
- IT-1
- IT-2
- IB-1
- OC-1
- OC-2
- OC-3
- ID-1
- ID-2
- EO-1
- EO-2
- VC-1
- VC-2
- VC-3
- VC-4
- VC-5
- WC-1
- WC-2
- WC-3
- WC-4
- WC-5
- WC-6
- ERA
- WRA
- NRA
- RRA
- 137/270

b7A

b7A

b7A

REFERENCE FBIHQ TELETYPE TO SAN JUAN AND CHICAGO, DATED

17/97.

FOR INFORMATION OF FBIHQ, THE FOLLOWING SAN JUAN THREAT  
ASSESSMENT IS BEING SUBMITTED WHICH PERTAINS TO THE REQUEST  
FOR CLEMENCY FOR THE PUERTO RICAN POLITICAL PRISONERS:

SAN JUAN IS AWARE THAT THERE ARE 15 SO-CALLED PUERTO  
RICAN POLITICAL PRISONERS, TWO OF WHOM, AT THE TIME OF THEIR  
ARREST, WERE MEMBERS OF A TERRORIST GROUP COMMONLY KNOWN AS  
THE MACHETEROS. THESE TWO INDIVIDUALS ARE JUAN ANTONIO  
MACHO-NEGRON, [REDACTED] AND JUAN SEGARRA-PALMER, [REDACTED]

b7C  
|

BY WAY OF BACKGROUND, THESE TWO INDIVIDUALS WERE ARRESTED  
IN CONNECTION WITH THE 9/12/83, ROBBERY OF APPROXIMATELY 7.2  
MILLION DOLLARS FROM THE WELLS FARGO DEPOT IN WEST HARTFORD,  
CONNECTICUT. ONLY FIFTY THOUSAND DOLLARS WERE RECOVERED.  
SUSPECT MANUEL GERENA, A KNOWN MACHETERO MEMBER, WAS THE  
PERPETRATOR OF THE ROBBERY, AND TO DATE, REMAINS A TOP-TEN  
FEDERAL FUGITIVE. NORBERTO GONZALEZ-CLAUDIO AND AVELINO  
GONZALEZ-CLAUDIO ALSO REMAIN FEDERAL FUGITIVES IN CONNECTION

TH THE ROBBERY. IN ADDITION, FILIBERTO OJEDA- RIOS, THE  
MIND OF THE OPERATION, IS ALSO A FEDERAL FUGITIVE.  
DURING THE ARREST OF OJEDA-RIOS, HE ENGAGED IN A SHOOT-OUT  
WITH FEDERAL LAW ENFORCEMENT OFFICIALS, RESULTING IN THE LOSS  
OF AN EYE OF AN FBI AGENT. A ONE HUNDRED FIFTY THOUSAND  
DOLLAR REWARD HAS BEEN OFFERED FOR INFORMATION LEADING TO HIS  
REST.

OJEDA-RIOS CURRENTLY REMAINS THE LEADER OF THE MACHETEROS  
IN SPITE HIS FUGITIVE STATUS. THIS IS EVIDENT THROUGH HIS  
EARLY TAPED MESSAGES WHICH ARE PLAYED TO HIS FELLOW MACHETERO  
MEMBERS AND PRO-INDEPENDENCE GROUPS. THE LAST TAPED MESSAGE  
WAS PLAYED ON 9/23/96, DURING A CELEBRATION KNOWN AS THE  
"PRITO DE LARES," TO ATTENDEES OF THIS PRO-INDEPENDENCE  
CELEBRATION. OJEDA RIOS' MESSAGE WAS CLEAR--RESIST THE UNITED  
STATES GOVERNMENT BY ANY MEANS NECESSARY, INCLUDING VIOLENCE.

THE MACHETEROS WERE RESPONSIBLE FOR A SERIES OF BOMBINGS  
AND ROBBERIES IN THE 1980'S. ALTHOUGH THEY HAVE NOT ENGAGED  
IN RECENT TERRORIST ACTS, THEY ARE AN ACTIVE CLANDESTINE  
ORGANIZATION. THIS HAS BEEN CORROBORATED THROUGH

[REDACTED] THROUGH THE

b7D

RECORDED MESSAGES OF OJEDA-RIOS, THROUGH RECENT PUBLICATIONS  
AND COMMUNIQUE, THROUGH ARTICLES OF AN UNDERGROUND NEWSPAPER  
THE MACHETEROS, AND THROUGH OTHER PARAPHENALIA. MOST OF  
THESE WRITINGS CONFORM TO THE CONTINUED RHETORIC INVOLVING THE  
ARMED STRUGGLE FOR INDEPENDENCE. SOME OF THE LITERATURE  
CONSTITUTES INTIMIDATION AND/OR THREATS TOWARDS AMERICANS.

IN PARTICULAR, DURING THE LAST YEAR, THE MACHETEROS  
ATTEMPTED TO INTIMIDATE THE UNITED STATES GOVERNORS (USG) WHO  
PLANNED TO ATTEND THE USG CONFERENCE DURING JULY OF 1996 IN  
MIAMI, BY MAILING EACH USG INTIMIDATING LETTERS. IN OCTOBER OF  
1996, SEVERAL MACHETEROS STICKERS WERE PLACED ON THE WINDOWS  
OF A U.S. MARINE CORPS RECRUITING STATION IN PUERTO RICO,  
SAN JUAN, WHICH READ, "WANTED BY THE MACHETEROS-FOR ASSASSINS, CRIMINALS  
AND JAILERS OF OUR PEOPLE AND OUR PATRIOTS-FBI-ANY INFORMATION  
WHICH IDENTIFIES OR PLACES ANY MEMBER OF THIS CRIMINAL  
ORGANIZATION, SEND IT TO PERSONS YOU BELIEVE HAVE A PROFOUND  
COMMITMENT WITH OUR NATION." SIMILAR STICKERS HAVE BEEN MADE  
BY THE MACHETEROS REGARDING OTHER ISSUES, SUCH AS THE U.S.  
NAVY'S PLAN TO CONSTRUCT AN ANTI-DRUG RADAR IN PR.

IN OCTOBER OF 1996, ANOTHER WING OF THE MACHETEROS, KNOWN  
AS THE PRTP-MACHETEROS, ISSUED A COMMUNIQUE WHICH, LIKEWISE,

VOCATES THE ARMED STRUGGLE FOR PUERTO RICAN INDEPENDENCE.

FEBRUARY OF 1997, THE MACHETEROS ISSUED A COMMUNIQUE WHICH STATED THAT ANY ACT WHICH CAUSES PHYSICAL OR MENTAL HARM TO THE POLITICAL PRISONERS WOULD NOT GO UNPUNISHED. IN ADDITION, CAMACHO-NEGRON CONTINUES TO WRITE ARTICLES FROM PRISON WHICH ARE PUBLISHED IN PUERTO RICO (PR). CAMACHO-NEGRON USES THE SAME REVOLUTIONARY RHETORIC WITHIN HIS ARTICLES.

THESE ARE ONLY A FEW OF VARIOUS COMMUNICATIONS FROM THE MACHETEROS WHICH SET FORTH THREATS/INTIMIDATIONS, AND ADVOCATE VIOLENCE. THE MACHETEROS HAVE NOT FOLLOWED THROUGH WITH THE RECENT THREATS.

[REDACTED]

SAN JUAN

AS ALSO LEARNED

[REDACTED]

THAT A SEPARATE SOURCE OF UNKNOWN RELIABILITY HAS ALSO

[REDACTED]

b7D

b7D

ADDITIONALLY, THE MACHETEROS ADVISED WITHIN THE  
AUGUST-SEPTEMBER 1995, ISSUE OF THEIR CLANDESTINE  
NEWSPAPER, THAT THEY HAVE NOT ENGAGED IN ANY TERRORIST ACTS  
RECENTLY BECAUSE "ALL THESE YEARS HAVE SERVED TO IMPROVE OUR  
ORGANIZATION AND PREPARE FOR A NEW COMEBACK." THEY ALSO  
STATED WITHIN THIS NEWSLETTER THAT "IT IS TIME FOR COMBAT, TO  
MOTIVATE OUR REVOLUTIONARY TROOPS AND GUERILLA CELLS."

ALTHOUGH THE MACHETEROS HAVE NOT RECENTLY COMMITTED  
TERRORIST ACTS,

[REDACTED]

b7A  
b7D

THESE ACTIVITIES,  
WERE CONDUCTED FOR THE PURPOSE OF FUNDING THE MACHETEROS IN  
THEIR MOVEMENT

[REDACTED]

b7A

[REDACTED] REVEALED THAT

b7E

JOSE CAMACHO-NEGRON AND SEGARRA-PALMER HAVE MAINTAINED, AND

I

0001

NNN

MRI 01229

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UCNFB FBICG TRACF

RISJ #0002 1552323

UUUUU

2203Z JUN 97

FBI SAN JUAN [REDACTED]

b7A  
|

DIRECTOR FBI/PRIORITY/

CHICAGO [REDACTED] /ROUTINE/

LAS

SECTION TWO OF TWO SECTIONS

E: //3800//

S: FBIHQ, SSA [REDACTED] DTOU, [REDACTED]

b7C

SUBJECT: [REDACTED]

SAN JUAN; [REDACTED]

b7A

OO: CHICAGO.

TEXT CONTINUES:

CONTINUE TO MAINTAIN, CONTACT WITH CURRENT MACHETERO MEMBERS.



THE POLITICAL PRISONERS. THEY CONTINUE TO COMMIT ILLEGAL  
 ACTIVITY TO FUND THEIR ORGANIZATION IN SUPPORT OF THEIR ARMED  
 STRUGGLE FOR INDEPENDENCE. IN ADDITION, THE MACHETERO  
 ORGANIZATION IS ACTIVELY ENGAGED IN [REDACTED]  
 [REDACTED] DESCRIBED ABOVE. BOTH SEGARRA-PALMER AND  
 SAMACHO-NEGRON CONTINUE TO BELIEVE IN THE ARMED STRUGGLE FOR  
 INDEPENDENCE AND ARE CURRENTLY STILL ASSOCIATED WITH MEMBERS  
 OF THE MACHETEROS. ANY CLEMENCY REQUEST SHOULD TAKE THESE  
 FACTORS INTO CONSIDERATION.

67A

BT

#0002

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

4/1

TRANSMIT VIA:

Teletype

PRECEDENCE:

Immediate  
 Priority  
 Routine

CLASSIFICATION:

TOP SECRET  
 SECRET  
 CONFIDENTIAL  
 UNCLAS E F T O  
 UNCLAS

DATE: 5/27/97

^PAGE 1 OF 2

FM DIRECTOR FBI [REDACTED] [REDACTED] b7A

TO FBI CHICAGO/PRIORITY/

FBI SAN JUAN/PRIORITY/

BT

UNCLAS

CITE: //0541//

b7C  
|

PASS: FBI CHICAGO FOR SSA [REDACTED] FBI SAN JUAN FOR SSA [REDACTED]  
[REDACTED]

SUBJECT: [REDACTED] [REDACTED] [REDACTED] b7A

00: CHICAGO.

00:

SAN JUAN.

\*\*\*\*\* FOR COMM CENTER USE ONLY \*\*\*\*\*

NOTE: Copy Designations Are On The Last Page Of This Teletype!!!

Approved By

JFC/KBP

MRI/JUL

1/86/198

Transmitted

234/E

MAY 27 1997

ISN

5- [REDACTED]  
74 RM [REDACTED]

b7C

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DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

^PAGE 2 UNCLAS

[REDACTED]

b7A

RE TELEPHONE CALL FROM SSA [REDACTED] DOMESTIC TERRORISM  
OPERATIONS UNIT {DTOU} TO RECIPIENTS ON 5/28/97.

b7C

REFERENCED TELEPHONE CALL ADVISED THAT THE DTOU HAS RECEIVED  
A REQUEST FROM THE DEPARTMENT OF JUSTICE {DOJ} FOR A THREAT  
ASSESSMENT ON CAPTIONED INVESTIGATIONS IN CONNECTION WITH A  
PENDING CLEMENCY REQUEST FOR AN UNIDENTIFIED NUMBER OF PUERTO  
RICAN PRISONERS.

ON 5/16/97, MARGARET COLGATE LOVE, PARDON ATTORNEY, DOJ  
ADVISED AS FOLLOWS: "IN CONNECTION WITH A PENDING CLEMENCY  
REQUEST FOR A NUMBER OF PUERTO RICAN PRISONERS CONVICTED OF  
CRIMES RELATED TO THEIR INVOLVEMENT IN THE PUERTO RICAN  
INDEPENDENCE MOVEMENT, WE HAVE BEEN ASKED BY THE WHITE HOUSE TO  
PROVIDE A CURRENT THREAT ASSESSMENT OF THE PUERTO RICAN  
NATIONALIST ORGANIZATIONS TO WHICH THESE PRISONERS BELONGED,  
NAMELY THE FALN AND LOS MACHETEROS, WITH REGARD TO THEIR  
ACTIVITIES IN BOTH PUERTO RICO AND THE UNITED STATES. WE ARE

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DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

^PAGE 3 UNCLAS

REQUESTING YOUR ASSISTANCE IN RESPONDING TO THIS INQUIRY, AND ASK THAT YOU PROVIDE US THIS INFORMATION AS SOON AS POSSIBLE SO THAT WE MAY REPORT IT TO THE WHITE HOUSE."

CHICAGO AND SAN JUAN ARE REQUESTED TO PROVIDE A CURRENT THREAT ASSESSMENT OF CAPTIONED ORGANIZATIONS, TO INCLUDE THEIR ACTIVITIES IN PUERTO RICO AND THE UNITED STATES. ADDITIONALLY, CHICAGO AND SAN JUAN ARE REQUESTED TO ADVISE IF YOU ARE AWARE OF THE IDENTITIES OF THE PUERTO RICAN PRISONERS WHO HAVE REQUESTED CLEMENCY. IF RECIPIENTS DO NOT HAVE THE IDENTITIES OF THE INDIVIDUALS REQUESTING CLEMENCY, THE DTOU IS TO BE ADVISED AND THE DOJ WILL BE REQUESTED TO PROVIDE THE DATA. RECIPIENTS ARE REQUESTED TO RESPOND IN AN EXPEDITIOUS MANNER TO FORWARD YOUR RESPONSE TO THE DOJ.

ANY QUESTIONS AND/OR CONCERNS ARE TO DIRECTED TO SSA [REDACTED] OR SSA [REDACTED] DTOU, FBIHQ, [REDACTED]

b7C  
|

BT

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DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

PAGE 4

ADMINISTRATIVE NOTE/TICKLER COUNT:

THIS TELETYPE REQUESTS CHICAGO AND SAN JUAN TO PROVIDE A CURRENT THREAT ASSESSMENT OF CAPTIONED ORGANIZATIONS, TO INCLUDE THEIR ACTIVITIES IN PUERTO RICO AND THE UNITED STATES. ADDITIONALLY, CHICAGO AND SAN JUAN IS BEING REQUESTED TO ADVISE IF THEY ARE AWARE OF THE IDENTITIES OF THE PUERTO RICAN PRISONERS WHO HAVE REQUESTED CLEMENCY. IF RECIPIENTS DO NOT HAVE THE IDENTITIES OF THE INDIVIDUALS REQUESTING CLEMENCY, THE DTOU IS TO BE ADVISED AND THE DOJ WILL BE REQUESTED TO PROVIDE THE DATA.

Drafted By: PRQ Room/TL #: 11741 Phone No: [REDACTED] b7C

COPY DESIGNATIONS:

- 1 - [REDACTED]
- 1 - [REDACTED]
- 1 - [REDACTED] *slm*
- 1 - [REDACTED]
- 1 - [REDACTED]
- 1 - [REDACTED]

|

9/20/99 w/ ~~Crall~~

nothing legitimate about the group's  
ongoing  
purpose of the group is illegal

impact of clemency on organization

- term definition
- history of groups.
- indictment of both -
- Series of bombings  
do exist & still threat  
~ 4/4/1980 - arrest - weapons extensive

James Popple / Para 98 / bombing + subsequence  
- Vietnam

11/76 - bombing in densely populated area.  
- wrong

Chart w/#1's

- ① Who was actually released  
(note who was Machetaro)
- ② Who had reduction of sentence
- ③ Fines
- ④ Denied or refused

b7C

19/99 - [redacted] Chicago  
Daly has blasted Clinton on this  
appalling  
sent stuff to Gallagher 2 or 3 weeks ago  
will talk to VanDyke + analyze + get whatever info

2) Marlene Hunter ASAC SJ, [redacted]  
will check for docs + get back to us, prob. no other than EC.  
*only thing not in the character assessment, launches new. int. groups,*

3) [redacted] he's in Hungary

4) [redacted] - cheap FBI  
found Chicago EC response to TT from HQ - plus summary.  
6/97 - will fax these to us - others in storage will review today  
small case April [redacted] 94-95 doesn't remember anything  
everything

5) [redacted] [redacted]  
ten. + VC. Sect DOJ - air. machine

6) ASST-Dan Gillogly - Chicago  
his office had his own office  
[redacted] provided me background, chat, etc during fall 94  
12/94 sent in lengthy document - to Pardon Atty  
re pardon application

7) Kathleen Curran, DOJ [redacted]  
was in contact w/ TOPS + BOP [redacted] w/ [redacted]  
will fax letter + ask [redacted] + [redacted]  
10/27/97  
Oct. 97 [redacted] w/ [redacted]

b7C

9/10/99

[REDACTED]

It may be in response to a UN Committee  
can't remember any  
never saw request

[REDACTED], Carlos Torres [REDACTED]

has gone to before parole board 3 yrs ago. Bascom made  
some recommendations in Pleasanton, CA + parole was denied  
was changed by New York.

6/83 child case

Mike Wallace's 20th Century -

[REDACTED]

Double Tree 509-324-9000 next week thru Thurs

10/2



b7C

meeting at 11:30 AM -  
@ [redacted]

Jr. 3 Santiago [redacted] - from PR Congressman's office  
[redacted] - cell

needs rebuttal info -  
\* call OCA.

[redacted] OCA of ASIO Resident Commissioner  
NPP [redacted] Rep Delegate (non-voting)

Congressman does not know release  
media + people don't know crimes they committed  
- need details of bombing, details above, when, people  
injured -

to be able to rebut allegation they didn't kill or injure  
Wed - NPP has meeting - he wants to present resolution supporting  
conditions

- he needs info -
- could be better SAC to Congressman -
- has DOJ taken a stance on this - ch on this? w/ [redacted]

Prin Atty - Roger Adams -

[redacted] (ASAC: Marlene Hunter)

- ASAC: Ken McCabe  
[redacted]  
← Mike Hand -  
[redacted]

1/17 11:05 - want anything

9/20/99.

[Redacted]

b7C

St. George Utah,

arrive 4 PM -

Dixie Center Hotel

435-628-1003

~~435-628-1003~~

435-628-4235 - hotel

Porter Chan  
St. Lake 10:00.  
Skywest Airline

~~801-595-2510~~ →

[Redacted]

b7C

801-575-2400 St. Lake City Airport

left message at airport + [Redacted] at Skywest. will give him + have him call.

b7C

2:32. returned call → Gallagher.

August 13, 1999, Friday

SECTION: NEWS; PRISONER. GOVERNMENT. PUERTO RICO. POLITICAL PRISONER. Page A32

LENGTH: 432 words

HEADLINE: FALN CONVICTS MAY BALK AT DEAL

BYLINE: By Dan Morrison. STAFF WRITER

BODY:

President Bill Clinton's offer to commute the sentences of 16 imprisoned Puerto Rican nationalists may come with too many strings attached, attorneys and friends of the prisoners said.

Many of the prisoners, dedicated fighters for the independence of Puerto Rico, may balk at a requirement that they sign a document promising to renounce the use of violence "for any purpose," the friends said.

"I suspect that while most, if not all of them will not pick up a gun again, they will not renounce the relevance of armed struggle for the freedom of their people," said Stanley Cohen, a Manhattan attorney who has represented most of the FALN prisoners.

One prisoner, Carlos Alberto Torres, was not included in the president's offer because he did not renounce violence at a past parole board hearing, said Barry Toiv, the deputy White House press secretary.

"He has an immaculate record" in prison, said Torres' attorney, Jan Sussler of the People's Law Office in Chicago. "It's mind-boggling." The 16 prisoners being offered clemency are members of the FALN (the Spanish acronym for Armed Forces for National Liberation), which tried to further the cause of Puerto Rican independence through about 130 bombings that killed six people nationwide and injured several others in the 1970s and the early 1980s.

Some received sentences of up to 90 years.

Though they were not implicated in the group's more serious acts, the activists were given harsh sentences for seditious conspiracy, which is defined by Black's Law Dictionary as advocating the overthrow or reform of the government.

Four people were killed in a bombing at the Fraunces Tavern in Manhattan and a police officer was maimed at One Police Plaza.

Among the conditions that may keep the prisoners from accepting freedom is a federal parole provision that bars them from associating with convicted felons - including each other.

"The four women who are together in prison have more freedom of association now than if they signed these conditions and went out on the street - and two of them are sisters," Sussler said, referring to sisters Ida Luz Rodriguez and Alicia Rodriguez.

Sussler said her clients had long ago turned their backs on armed rebellion.

"We've discussed it," she said. "They have no intention of returning to clandestine movements." The attorney has asked the Justice Department to allow the 16 to meet at a Chicago jail to discuss the offer. "The department isn't going to approve that request," said spokeswoman Chris Watney. "They don't need to be in the same room for that."

LANGUAGE: ENGLISH

LOAD-DATE: August 13, 1999 QUEENS EDITION

PRINT DOC REQUESTED: AUGUST 27, 1996  
1 DOCUMENT PRINTED  
3 PRINTED PAGES

1004XG

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SEND TO

  
FBI

JEH FBI BLDG  
935 PENNSYLVANIA AVE NW  
WASHINGTON DISTRICT OF COLUMBIA 20535

\*\*\*\*\*0930\*\*\*\*\*

DATE: AUGUST 27, 1999

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PAGE 1

CLIENT:  
LIBRARY: NEWS  
FILE: ALLNWS

YOUR SEARCH REQUEST IS:  
(FRAUNCES TAVERN AND FALN)

NUMBER OF STORIES FOUND WITH YOUR REQUEST THROUGH:  
LEVEL 1... 167

Copyright 1999 Daily News, L.P.  
Daily News (New York)

August 24, 1999, Tuesday

SECTION: Editorial; Pg. 32

LENGTH: 771 words

HEADLINE: FALN FREEDOM ISN'T FREE

BODY:

PRESIDENT CLINTON'S MOTIVES in offering clemency to 16 Puerto Rican terrorists are bound to be bitterly debated for years to come. But this much should be uncontested: He is 100% right to set conditions on their freedom.

The 16 are avowed members of the FALN, a pro-independence guerrilla faction to which law enforcement officials attribute at least 130 bombings and seven deaths. They were arrested after an attack in 1975 on Fraunces Tavern, the historic lower Manhattan restaurant. Four people were killed and more than 60 injured.

Although the group claimed responsibility, none of the 16 was convicted of murder or attempted murder. They were found guilty of such crimes as seditious conspiracy, possession of an unregistered firearm and interstate transportation of a stolen vehicle. They received sentences ranging from 50 to 105 years. Most have served 19 years behind bars.

Clinton has decided that their sentences were disproportionately harsh. But that does not make these individuals innocent.

They have never disavowed the FALN's terrorist tactics and reportedly remain committed to the pro-independence struggle. Clinton would be a fool to let them go without requiring them to renounce violence for any purpose and abide by conditions of parole.

Yet from the moment Clinton announced his decision Aug. 11, the misguided have lined up to condemn any conditions on the prisoners' release. Among the naysayers is Rep. Nydia Velazquez (D-Brooklyn). "Placing conditions on them now is continuation of the injustices that began almost two decades ago," she said.

Perhaps she should tell that to the survivors of the bombing whose injuries included blindness and loss of limbs or the families of the dead.

"This is really truly pandering to the . . . Latino community, for the vote when Mrs. Clinton runs for the vacant seat of Patrick Moynihan," said former Detective Richard Pastorella, who was blinded in the bombing. He spoke at a press conference with Police Commissioner Howard Safir, who urged Clinton not to "make any deals with terrorists."

The imprisoned FALN members have been a cause celebr from the start. And in recent weeks, such distinguished persons as former President Jimmy Carter and Cardinal O'Connor have appealed for their release. But the FALN's victims have no organized group, no celebrities taking up their cause. They have only the bitter memories of fatherless childhoods, of shattered lives spent in darkness

and in pain.

The least the victims deserve the very least that must be required is that the FALN prisoners renounce violence and abide by parole. If they cannot do that, they do not deserve to be free.

Bully for him!

Eugene Assencao may have retired from the NYPD but once a cop, always a cop. Three Brooklyn store clerks, and who knows how many more potential victims of a robbery trio, can be thankful for that fact today.

Assencao, 59, now works for an armored car company. About 1 a.m. Sunday, he and his partner were driving past a 7-Eleven in Sheepshead Bay, when something caught his attention. It was just a guy standing in the shadows outside the convenience store, but Assencao's police instincts kicked in, and he decided to check things out. Sure enough, a little drama was going on inside; two men, one waving a gun, were assaulting three terrified clerks.

Assencao sprang to the rescue, getting out of his van and drawing his weapon. Freeze, he told the bandits. "I felt if the guy dropped the gun, it would end," he said. "And I gave him that option."

Instead, the bandit aimed his pistol at the good Samaritan. And Assencao shot him. As the rescuer had, for all intents and purposes, been invited to do. The second creep surrendered.

Ever since he was a kid, Assencao explained, he couldn't stomach bullies, he had to defend the defenseless. Quite a courageous attitude. Would that it were shared by more people.

Assencao, referring to retired officers as the city's "silent auxiliary," said none of them should ever allow someone to be victimized.

The city ought to give him a special citation, not only for his act of heroism the other night, but for being the kind of individual who gives more than lip service to his ideals.

Gather ye, er, rosebuds?

From the wires: SAUK CITY, Wis. (AP) What many view as a mushy, smelly nuisance is treasure to some people around this time of year. They hitch up a wagon and head out to a cow pasture, ready to gather in the yearly crop of the local specialty cow manure.

In New York, it'll be harvested in the fall, when the state Legislature will go back in session.

LOAD-DATE: August 24, 1999



No  
renunciation  
of  
Violence

b7C

END TO: [REDACTED]  
FBI  
JEH FBI BLDG  
935 PENNSYLVANIA AVE NW  
WASHINGTON DISTRICT OF COLUMBIA 20535

\*\*\*\*\*04012\*\*\*\*\*

DATE: SEPTEMBER 3, 1999

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PAGE 1

CLIENT:  
LIBRARY: NEWS  
FILE: CURNWS

YOUR SEARCH REQUEST IS:  
(FALN AND RENOUNCE AND VIOLENCE)

NUMBER OF STORIES FOUND WITH YOUR REQUEST THROUGH:  
LEVEL 1... 185

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Sun-Sentinel (Fort Lauderdale, FL)

October 5, 1997, Sunday, FINAL EDITION

SECTION: LOCAL, Pg. 1A

LENGTH: 1874 words

HEADLINE: PLIGHT OF 15 NATIONALISTS GAIN MAINSTREAM SUPPORT IN ISLAND, ON  
MAINLAND;  
SHOULD U.S. PARDON PUERTO RICO REBELS?

BYLINE: DEBORAH RAMIREZ ; Staff Writer

BODY:

Eight years ago, he stood in a federal courtroom, left fist clenched in the air, shouting "'Puerto Rico Libre!'" at the judge who had just sentenced him to 55 years in prison.

Today, he's a model inmate, a soft-spoken, bespectacled man who translates Mass for Spanish-speaking prisoners at a medium-security penitentiary in Marianna.

Hence, the two faces of Juan Segarra, 47, a Puerto Rican independentista convicted of masterminding a \$ 7.1 million Wells Fargo robbery in 1983.

To the U.S. government, he's a hard-core terrorist who should stay in prison.

To supporters, he's a patriot, perhaps a misguided one, who deserves a second chance after almost 12 years behind bars.

Segarra is one of 15 federal inmates who view themselves as freedom fighters in a private war to liberate Puerto Rico, a U.S. commonwealth and possession for almost 100 years.

Supporters are asking President Clinton to pardon them.

Long a cause celebre for Puerto Rico's radical left, the campaign to free the separatists is fast attracting mainstream support in Puerto Rico and the mainland United States.

Proponents now include members of Congress, a Catholic cardinal and the bishops of Puerto Rico, manufacturers on the island, Nobel Peace laureates, two former Puerto Rican governors, and some leaders of Puerto Rico's statehood movement.

Who are these imprisoned nationalists?

Once radical youths, they are now middle-aged. Some are grandparents. Among their ranks are teachers, a broadcast journalist, social workers, a church secretary, an artist and several tradesmen.

They are members of two fringe groups: Los Macheteros, or machete-wielders, and FALN, a Spanish acronym for Armed Forces of National Liberation.

In the 1970s and 1980s, the groups carried out bombings and committed other violent acts in Puerto Rico and on the mainland, hoping to incite rebellion or to intimidate American companies that did business in Puerto Rico. They also robbed banks and other sources of cash to finance their cause.

Segarra admits he helped plot the Wells Fargo robbery in Hartford, Conn. At the time, it was the second-largest cash heist in U.S. history. The money is still missing, along with one of Segarra's two alleged accomplices.

"Looking back, I think that I was a poor servant following a noble cause," he said in a recent interview at the prison.

It was also his idea to use some of the money to buy toys for poor children on Three Kings Day in 1985. He said he was trying to steer the Macheteros away from violence, to gain respectability in Puerto Rico.

"It was not a moral issue for me, but a politically expedient one," said Segarra, dressed in a beige prison uniform, his black hair flecked with gray.

He said he no longer believes in violence as a means to obtain Puerto Rico's independence. In that regard he is at odds with most of the other prisoners, who say their past acts are acceptable under international law, which recognizes armed struggle in the fight against colonialism.

Although Puerto Rico is technically a U.S. commonwealth, it is viewed as a colony by those who want to see it become an independent nation. That view is shared by their political adversaries, the leaders of Puerto Rico's pro-statehood movement.

The groups disagree on whether Puerto Rico would be better off as the 51st state, with full voting representation in Congress, or as a sovereign nation. But even some statehood advocates while stressing that they do not agree with the nationalists' methods or their radical views argue that the 15 inmates are still in prison because of their politics.

The separatists are serving sentences ranging from 35 to 105 years for bank robbery, conspiracy and related crimes. Already, they have spent an average 15 years behind bars.

"We think they have spent more time in prison than your average violent criminal, and we want to put an end to that," said William Riefkohl, vice president of the Puerto Rico Manufacturers Association, one of the groups involved in the campaign.

Supporters know their campaign is a hard sell. Since the 1995 bombing of the federal building in Oklahoma City, domestic terrorism has become a major national security concern. Law enforcement officials and some prominent Puerto Ricans say that is why the 15 should stay behind bars.

"Society has the right to punish terrorists more aggressively than common criminals," said Jorge Amselle, communications director for the Center for Equal Opportunity, a Washington, D.C., think tank.

Carlos Romero Barcelo, Puerto Rico's non-voting delegate in Congress, said Clinton should not consider pardons for the jailed nationalists unless they

renounce political violence.

"As it is, they still pose a threat to society and particularly to innocent people," said Romero Barcelo, a former governor of Puerto Rico.

A precedent exists in American history for the independence supporters.

President Jimmy Carter pardoned five Puerto Rican nationalists in 1977 and 1979, after they had spent almost 30 years in prison for violent political acts. One of them, Oscar Collazo, tried to assassinate President Harry Truman in 1950. The others, led by Lolita Lebron, opened fire on the House of Representatives from the visitors gallery, wounding five congressmen, in 1954.

The campaign to win pardons for those separatists was similar to the one being waged now on behalf of a second generation of "freedom fighters."

In the past two years, the White House has received 200,000 postcards asking for the prisoners' release. Most of them are from Puerto Rico or Puerto Rican communities within the mainland United States. But the prisoners' supporters have also captured the attention of some high-profile outsiders.

In December, 10 Nobel Prize winners, including South African Archbishop Desmond Tutu, and Coretta Scott King, the widow of slain civil rights leader Martin Luther King Jr., signed an open letter in The Washington Post, asking Clinton for amnesty for the prisoners. That same month, a group of religious leaders led by the United Church of Christ, a predominantly white Protestant denomination, issued a similar public appeal.

All this is happening against the backdrop of the U.S. Congress' renewed interest in Puerto Rico's political status.

A bill now before the House would require Puerto Ricans to go to the polls at least once every 10 years, until either statehood or independence receives a majority vote.

If the bill becomes law, Puerto Ricans would conduct a referendum next year to mark the 100th anniversary of the U.S. takeover of Puerto Rico during the 1898 Spanish-American War.

Supporters argue that the 15 jailed nationalists should be released in any good-faith effort to determine Puerto Rico's future.

"Puerto Rico is approaching a critical era," said Luis Davila Colon, a pro-statehood commentator and lawyer in Puerto Rico. "These people must be inserted into the decolonization process, without condoning the violence they committed."

But critics say this is the worst time to free the nationalists. Puerto Rico may be moving toward statehood, an option that has gained support among Puerto Rican voters over the last 30 years. In comparison, independence obtained less than 5 percent of the vote in a 1993 referendum in Puerto Rico.

"How are these individuals going to react when statehood becomes even more likely?" Amselle said.

The 15 separatists typify the violent fringe of Puerto Rico's independence movement.

Neither the Macheteros nor FALN ever had more than a few dozen hard-core members and supporters, law enforcement officials say. Some of the groups' acts were amateurish.

In the late 1980s, the Macheteros fired an anti-tank missile at FBI headquarters in Hato Rey, Puerto Rico. It hit the deserted offices of the U.S. Agriculture Department, one floor below.

On Three Kings Day in 1985, Macheteros dressed up as the three wise men and distributed toys, purchased with stolen Wells Fargo money, to poor children in Hartford. FBI agents stood nearby taking their pictures, and the three wise men were later arrested for their roles in the \$ 7.1 million robbery.

Armed FALN members stormed a Carter-Mondale campaign office in Chicago in 1980 and spray-painted on the wall, "No Statehood for Puerto Rico." No one was hurt in the attack.

But both groups have blood on their hands.

The Macheteros sprayed gunfire on a Navy bus in Sabana Seca, Puerto Rico, in 1979, killing two American sailors. The group said the attack was in retaliation for the death of a Puerto Rican independence supporter who was found hanged in his prison cell while serving six months for trespassing on Navy property in Puerto Rico.

The FALN took credit for the bombing of Fraunces Tavern restaurant in Manhattan in 1975, which killed four people. A fifth FALN victim died in another bombing in Chicago.

None of the 15 now seeking pardons was convicted of killing or harming anyone. But the government suspects some were involved in the fatal attacks. Although they did not have enough evidence to convict anyone on the more serious charges, prosecutors used what evidence they had to argue for longer prison sentences on the lesser crimes. Some of the 15 ended up with sentences 10 times the federal average for their crimes.

"These are people who have been in prison longer than drug dealers and murderers," said Davila Colon, the pro-statehood advocate. "I think Puerto Ricans see this and are disturbed by it."

Segarra has an unlikely background for a terrorist. He is the son of an upper middle-class family from Puerto Rico. His father and brother are lawyers, and Segarra studied public administration at Harvard University. He is married and has three children.

reputed former playboy, Segarra has become religious in jail.

He gets up at 5 a.m., he said, to pray and meditate before reporting to work. He is a purchasing clerk in a prison furniture factory. He participates in weekly prayer meetings and services.

Sun-Sentinel (Fort Lauderdale), October 5, 1997  
Obtained by Judicial Watch, Inc. Via FOIA

Segarra said he's lucky his wife has remained loyal despite their 12-year separation, which includes the three years he was detained without bond before his 1989 trial.

"Juan is an exceptional human being, a profound intellect, a great humanist," said Orlando Forestier, leader of a group of supporters in Orlando who are lobbying for Segarra's release. "It's a shame a talent like his is being wasted in prison."

Prosecutors, though, said Segarra was motivated by ego and delusions of grandeur, not concern for his homeland.

In March, when Segarra became eligible for parole, a prison supervisor testified that Segarra was a person whom he would not mind having as a neighbor. The parole board, however, rejected the request.

In a written decision, the board said the U.S. government holds Segarra responsible for the deaths of the two U.S. sailors in 1979, even though he was not charged in the attack.

The next time Segarra will be considered for parole will be in 2012, when he will be 62.

"I leave this up to everybody's own sense of justice," he said. "Is it fair for someone to do time for something they weren't convicted of?"

GRAPHIC: PHOTO, Staff photo/URSULA E. SEEMANN; (color) Juan Segarra, 47, a Puerto Rican nationalist, is serving 55 years for a \$ 7.1 million Wells Fargo robbery in 1983.

LOAD-DATE: October 5, 1997

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PAGE 1

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The Houston Chronicle

June 07, 1998, Sunday 2 STAR EDITION  
Correction Appended

SECTION: A; Pg. 1

LENGTH: 3212 words

HEADLINE: PRISONERS OF CONSCIENCE;

Despite acts of violence, 15 Puerto Ricans who want their homeland independent say politics keeps them locked up

SOURCE: Staff

BYLINE: TONY FREEMANTLE

DATELINE: MARION, Ill.

BODY:

MARION, Ill. - When he looks in a mirror, Oscar Lopez Rivera sees a middle-age freedom fighter facing the rest of his life behind bars for trying to liberate his beloved native land from the grip of its colonial oppressor.

He sees a man imprisoned for his political beliefs, a man who embarked on an armed struggle out of necessity, not choice, but who harbors no regrets about sacrificing the last 18 years of his life to that decision.

The image seen by his captors and the agents of the U.S. government who put him behind bars, however, is somewhat different.

To the Department of Justice, Lopez Rivera, prisoner #87651-024, is a terrorist, plain and simple. In the late 1970s and early 1980s he and his compadres embarked on a campaign of bombings and robberies and conspired to use force to bring to an end the U.S. stewardship of Puerto Rico.

For those acts, Lopez Rivera and 14 other Puerto Rican independistas have spent the major part of the last 20 years in some of America's most well-known penitentiaries and many are not yet a third of the way through their sentences. Their motivation may have been political, the government concedes. And they may have been, as one prosecutor remembers, the most principled, honest and dedicated group of people he has ever put behind bars.

But official dogma holds that there are no political prisoners in America, only criminals. The independistas used bombs and armed robbery to wage a war against the government. For that, they were tried and convicted of seditious conspiracy and weapons offenses and put away for a long time. A very long time.

Lopez Rivera, who is 55, is doing 70 years, most of them in virtual solitary confinement. Elizam Escobar, 40, a writer and artist whose work is acclaimed throughout Latin America, is doing 60 years. Ricardo Jimenez, 42, who runs an AIDS/HIV awareness and education program at the federal penitentiary in

Lewisburg, Pa., is not scheduled for release until the middle of the next century.

Taken together, the 15 Puerto Rican nationalists - none of whom were directly linked to a particular incident in which people were killed or wounded - were sentenced to an average of 70.2 years in prison. That is almost 60 years longer than the average sentence for all violent federal crimes committed during that same period, including kidnapping and murder.

After serving 10 or 12 years, three prisoners who sought parole were turned down and told not to come back for another 15; one was told not to bother coming back. The rest have refused to even request parole.

None of them has disavowed their actions. Most offered no defense at trial. In fact, if they were freed tomorrow, Lopez Rivera vowed from behind the bars at Marion, the fight would continue.

"I have no regrets for serving a noble cause, but . . . there has been a lot of pain and a lot of suffering," he said. "Would we be willing to renounce the struggle for Puerto Rico's independence to get out of jail? I will never do that."

And therein lies the conundrum for President Clinton. He has been petitioned to free the the prisoners by hundreds of thousands of Puerto Ricans, five Nobel Peace Prize laureates, international human rights advocates and emissaries representing millions of Christians who believe that, regardless of the politics, the independistas have done enough time.

As the government's attorneys investigate the merit of a clemency application, the political climate in Washington seems to be warming to resolving the Puerto Rican "problem," which includes not only the island's political status, but the incarceration of its unrepentant patriots.

"We take the petitions very seriously," said a senior White House source. "They are actively and seriously being considered."

. . . .

The courtyard at the Centro Cultural Eugenio Maria de Hostos in Mayaguez, Puerto Rico, was the setting one sultry May evening for a gathering of intellectuals and students who believe the only way to save their identities, their culture, their nation is for Puerto Rico to become independent.

The man they had come to listen to was one of the movement's great heroes, Rafael Cancel Miranda.

"This is our Nelson Mandela," gushed an attorney while the object of his affection slapped backs, clearly savoring his status as icon.

Even those Puerto Ricans who do not approve of the man or his beliefs, prudgently admire Cancel Miranda and his three nationalist compatriots who in 1954 etched their names in infamy by storming the U.S. House of Representatives, unfurling national flags and opening fire with pistols. Five lawmakers were wounded as they dived under their desks.

The four - Cancel Miranda, Lolita Lebron, Andres Figueroa and Irving Flores - were sentenced to lengthy prison terms.

They each spent 25 years behind bars until pardoned by President Carter in 1979. Oscar Collazo, who was convicted in 1950 of trying to kill President Truman, was also pardoned.

"I was in Alcatraz, Marion, Leavenworth," Cancel Miranda said in an interview at his small house in the village of Cabo Rojo. "The Harvard, Yale and Princeton of American prisons."

At 67, he is no longer the firebrand of his youth, but his blood is boiling again.

Earlier this year, the U.S. House of Representatives, by one tenuous vote, approved a law that will give Puerto Ricans, once again, the right to decide their future. If the Senate follows suit, there could be a vote to choose statehood, the status quo or independence.

The last time Puerto Ricans performed this exercise was in 1993 when no faction could win the majority needed to change things, and independence attracted only 4 percent of the vote. For all their fervor, passion and dedication, the chances are slim that the independistas cause will fare much better this time.

Some Puerto Ricans maintain that there is a conspiracy by the United States to economically enslave the island so that it would be suicide to sever ties. Some maintain that 500 years of colonial domination has created a national psychosis of dependency.

"For 400 years under Spain and for 100 years under the United States, (we) have been told from the moment we get up to the moment we go to bed that independence is bad, that it is anarchic, that Puerto Ricans will destroy each other," said Luis Nieves Falcon, an eminent San Juan sociologist and ardent supporter of the nationalists. "Can you be amazed that people who have been subjected on a daily basis to the negation of independence don't have more support for it?"

More mainstream thinking holds that the majority of people either favor statehood or Puerto Rico's current status as a self-governing commonwealth of the United States, whose people can vote in political primaries but not general elections and who have a voice in the House of Representatives but no vote.

Carlo Romelo Barcelon (SEE CORRECTION), the island's representative in Congress, knows the only way he gets to vote is if Puerto Rico becomes the 51st state.

"I represent 3.5 million people, more than any other congressman and I can't vote," Romelo said. "We are disenfranchised. We are not participating in the democracy."

Among international scholars, human rights experts and legal experts, there is consensus that, in fact if not in name, a colonial relationship exists between the United States and Puerto Rico, and that as such the people have the right to struggle for self-determination.

But the independistas who made that struggle their life's work have labored largely in obscurity. Vilified and dismissed by the world's most powerful and influential democracy, their movement never achieved the international attention of the anti-apartheid effort in South Africa, or The Troubles in Northern Ireland.

This was the imperative that drove FALN members and the nationalists who came before them, like Cancel Miranda, to embark on a campaign of violence. To be heard, the Puerto Ricans felt they would have to make noise.

So they started setting off bombs in Chicago and New York and San Juan. And they started robbing armored cars and spending the money on social programs in the barrios.

"Ideological violence has to be understood for what it is," Lopez Rivera said. "In the colonial reality, the violence perpetrated against the people is never measured or talked about. But it is more detrimental to the society and more nefarious than political violence. To fight this violence you have to use violence.

"There was a risk. If you are engaging in political military action, you cannot cover all the variables. But there was not a single action we took where there was the possibility of loss of human life. It is self-defeating if human life is lost."

. . . .

It was a beautiful, unseasonably warm day 23 years ago in January when Frank Connor, a young New York City banker with a wife and two small boys, was killed by a terrorist bomb while eating lunch at the famed Fraunces Tavern in Manhattan.

He had been expecting a routine day and wanted to be back home in time to share the lasagna his wife was making in honor of the boys' recent birthdays.

Instead, by that evening the newspapers were listing him as a victim of a bomb placed outside the tavern by extremists seeking the liberation of Puerto Rico, and his young family was gathering to grieve and begin asking themselves questions to which they probably will never find answers.

"He didn't have anything to do with Puerto Rico," said Joe Connor, who was 9 when his father died and is now a 32-year-old banker in New York City. "There is no correlation between Puerto Rican independence and blowing up innocent people in a restaurant."

What seems to eat away at Joe and his brother Tom, 34 and also a banker, is that while the Armed Forces of National Liberation, known by its Spanish acronym FALN, claimed responsibility for the explosion, no individual members were tied to the crime.

A lot of people are spending a lot of time in jail for crimes that may have included the one that killed their father, but they still don't know who made the devilish device or who detonated it.

Lopez Rivera denies he had anything to do with it; the action bore no resemblance to any of the 130 incidents his group acknowledged being involved with.

The Connors couldn't care less. They have no problem with people struggling to shrug off the constraints of colonial rule. But Lopez Rivera and his friends were members of the FALN, and the FALN killed their father, they say. Clemency is not an option.

"I've never heard any one of these people express remorse or apologies for what they have done," Joe Connor said. "As far as I am concerned, they are serving a just sentence. In my opinion . . . politics is not an excuse to kill or commit violence."

After their father was killed, the Connor family concentrated on healing and surviving, not hate or politics.

But about eight years ago, Joe Connor began researching and writing letters to the government, trying to answer some of the questions still hanging over him.

"It hurts when you realize your father was killed and it's basically been forgotten," he said. "It makes you feel that somehow his life was meaningless, and that's not right."

Joe Connor has taken a particular interest in William Morales, arrested after a bomb he was making blew off his hands, because he is beyond the reach of the law. Morales escaped in 1979 and now lives in exile in Cuba.

But he has also researched the trail of destruction and mayhem left behind by members of the FALN, who were hunted down with a singularity of purpose. For nine years, the group's bombs were directed at political and military targets, including the 1974 blast that took the eye of a police officer and the Frances Tavern incident that killed four and wounded 60.

"These were real crimes," said Jeremy Margolis, a U.S. Attorney who prosecuted most of the independistas. "When you take hostages, place bombs in buildings and subways and kill people who don't even know where Puerto Rico is, that's a crime plain and simple. Were they given very long sentences? Yes. They deserved them."

Margolis and the Connor brothers believe a just cause does not validate unjust acts. Even Amnesty International, the global human rights organization, draws the line of legitimacy at the use of violence to achieve political goals.

"There are true political prisoners throughout the world," said Tom Connor, and calling these people political prisoners does the real political prisoners disservice. There are no political prisoners in this country."

. . . .

Officially, he is correct.

This is a constitutional democracy, the argument goes, in which those seeking to change the political or social order have the means to do so in a legal, nonviolent manner. The path to independence for Puerto Rico, for instance, leads through Congress and the courts, not bomb laboratories and underground political cells.

It is ironic, though, writes American University law Professor Nicholas Kittrie in *Rebels with a Cause: The Mind and Morality of Political Offenders*, that a nation with such a rich history of "dissent, civil disobedience, dissidence, rebellion and revolution" has consistently sought to "downplay or even overlook the very existence of political offenses and offenders on these shores."

Kittrie asserts that "from colonial times to the present" there is a formidable list of people jailed in the United States for political offenses.

Those on the list who are currently imprisoned, their defenders claim, include Lopez Rivera; American Indian Movement member Leonard Peltier, serving a life sentence for the shooting death of a federal officer at the 1973 siege of Wounded Knee; Mumia Abu-Jamal, a former Black Panther who is under a death sentence for shooting a Philadelphia police officer; and former Roman Catholic priest Phillip Berrigan, an anti-war protester who is serving a two-year sentence for damaging a U.S. Navy warship.

According to the Interfaith Prisoners of Conscience Project, which operates under the auspices of the National Council of Churches, there are about 150 people in U.S. prisons who could be classified as political prisoners.

"There is no question that in the United States today there are political prisoners," said the Rev. Michael Yasutake, an Episcopal priest from Chicago who leads the Interfaith project. "If we define a political prisoner as one who has been convicted by the U.S. government for his or her beliefs, associations and practices, how can there be any question?"

Native Americans fighting for their sovereignty, nuns jailed for protesting nuclear war, Vietnam veterans opposing the war they served in, African-Americans pushing for a place in the mainstream. If, their supporters say, they are serving time for deeds committed in the pursuit of their ideals, they are political prisoners.

And on a bright spring day recently, supporters of the causes marched through downtown Washington to the White House to deliver the message.

One of them was Angela Davis, the militant Black Panther who was jailed for 6 months in 1972 for her part in the attempted prison escape of fellow militant George Jackson. She was eventually acquitted and today is a professor at the University of California at Santa Cruz.

"What we have to deal with is the inability of most people to think critically about what is happening in this country," she said. "Of course there are people in prison specifically for their political beliefs and activities



and as long as the government refuses to acknowledge this, we have to keep on building a movement that will bring down the walls."

For Oscar Lopez Rivera, the argument over whether he is a political prisoner is moot. He did what he had to do and it is simply his fate that gave him the most powerful nation on earth as an enemy.

"America is the worst place to be a political prisoner," he said. "The primary reason there is so little focus on us as political prisoners is that the colonizer we are fighting is the United States, and we must not underestimate how powerful the U.S. can be in bringing attention to an issue. If the U.S. decides there are political prisoners in China, or Cuba, or that Tibet has the right to self-determination, then the rest of the world takes notice.

"It's a question of who is doing the defining. We have been defined by the U.S. as almost an irrelevant issue. And so that's what we are."

The Puerto Rico 15

DYLCIA PAGAN, 51 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 55 years.

ELIZAM ESCOBAR, 50 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 60 years.

IDA LUZ RODRIGUEZ, 47 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 75 years.

ADOLFO MATOS, 47 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, weapons charges. Sentence: 70 years.

CARMEN VALENTIN, 52 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 90 years.

CARLOS ALBERTO TORRES, 45 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 70 years.

RICARDO JIMENEZ, 42 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 90 years.

ALICIA RODRIGUEZ, 44 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, firearms charges. Sentence: 55 years.

LUIS ROSA, 37 In custody since: April 4, 1980. Convictions: In 1981 of seditious conspiracy, armed robbery, weapons charges. Sentence: 75 years.

OSCAR LOPEZ RIVERA, 55 In custody since: May 27, 1981. Convictions: In 1981 of seditious conspiracy, armed robbery, and weapons charges; and in 1987 for using a telephone to promote unlawful activity. Sentence: 55 years in 1981; 15 years in 1987. Terms are consecutive.

The Houston Chronicle June 07, 1998, Sunday  
Obtained by Judicial Watch, Inc. Via FOIA

ALEJANDRINA TORRES, 58 In custody since: June 29, 1983. Convictions: Seditious conspiracy, possession of firearms, unlawful storage of explosives. Sentence: 35 years, plus 5 years probation.

EDWIN CORTES, 43 In custody since: June 29, 1983. Convictions: Seditious conspiracy, possession of firearms, unlawful storage of explosives, conspiracy to commit armed robbery. Sentence: 35 years, plus five years probation.

ALBERTO RODRIGUEZ, 45 In custody since: March 21, 1986. Convictions: Seditious conspiracy, conspiracy to commit armed robbery, firearms possession. Sentence: 35 years, plus five years probation.

ANTONIO COMACHO NEGRON, 52 In custody since: March 21, 1986. Convictions: Conspiring to, and transporting stolen money across state lines. Sentence: 15 year. Negrón was released earlier this year after serving 12 years, but is back in detention because he refused to comply with the conditions of his release.

JUAN SEGARRA PALMER, 48. In custody since: Aug. 30, 1985. Convictions: Bank robbery, conspiracy to commit bank robbery and transportation of stolen money across state lines. Sentence: 55 years.

CORRECTION-DATE: June 10, 1998

CORRECTION:

CORRECTION: The name of Puerto Rico's representative to Washington was misspelled in this story. His name is Carlos Romero-Barcelo.

GRAPHIC: Photos: 1. Oscar Lopez Rivera ( color ); 2. Gravesite of Andres Figueroa Cordero ( color ); 3. Rafael Cancel Miranda ( b/w, p. 16 ); 4. Abandoned building in Old San Juan, Puerto Rico ( b/w, p. 16 ); Graph: 5. The Puerto Rico 15 ( TEXT, p. 16 ); 1-4. Steve Ueckert / Chronicle, 5. B.C. Oren / Chronicle

LANGUAGE: ENGLISH

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The Associated Press State & Local Wire

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August 11, 1999, Wednesday, AM cycle

SECTION: State and Regional

LENGTH: 469 words

HEADLINE: Puerto Rican leaders applaud clemency; fellow fighters 'offended'

BYLINE: By MANUEL ERNESTO RIVERA, Associated Press Writer

DATELINE: SAN JUAN, Puerto Rico

BODY:

Puerto Rico's governor applauded President Clinton's offer Wednesday to grant clemency to 16 members of an independence group involved in bomb attacks. But their fellow activists were angered by conditions imposed by Clinton.

"I believe (Clinton) did this in the most prudent and just manner possible," pro-statehood Gov. Pedro Rossello said after the White House stunned this U.S. territory with the clemency announcement.

Rossello has long opposed clemency for the prisoners - seen by many here as political prisoners - as long as they refused to renounce violence or profess remorse for their actions.

A Clinton administration official said the members of the Armed Forces of National Liberation, known as FALN for its initials in Spanish, would be freed from prison or have fines lifted if they agreed to renounce violence, refrain from meeting with other independence leaders and obey stringent guidelines barring them from using weapons.

A crowd of supporters gathered on the steps of San Juan's Catholic Cathedral Wednesday evening, preparing to celebrate news of pardons. The mood was dampened, however, when an activist read out Clinton's conditions.

"This is an injustice," said Clarissa Lopez, daughter of Oscar Lopez, who was one of two prisoners who under the clemency would still have to serve some time. Three others in the group would have their fines lifted while 11 would be immediately freed.

Lolita Lebron - an independence activist who participated in a 1954 shooting attack on the U.S. House of Representatives - said she was "offended" by the demand that Puerto Ricans give up armed struggle.

"These are shameful demands," said Lebron, who in 1979 was granted clemency for the shooting attack by President Jimmy Carter.

"The president has insulted the dignity of the Puerto Rican nation and those who fight for its liberty," Lebron said.

The short-lived release of Antonio Camacho Negrón, a member of the Macheteros guerrilla group, in February 1998, showed why some prisoners may reject the terms.

Camacho Negrón was paroled after serving 10 years for the 1983 robbery of a Wells Fargo armored truck in West Hartford, Conn., to fund guerrilla attacks. But after missing interviews with his parole officer and meeting with other independence activists in violation of his parole rules, Camacho Negrón was returned to prison by federal agents.

Anibal Acevedo Vila, a leader of Puerto Rico's pro-commonwealth party, said he was "surprised" by the conditions attached to the clemency offer, but called offer "a step forward."

Under the commonwealth status quo, the 3.8 million islanders are U.S. citizens. They serve in the military and receive billions from Washington - but pay no federal taxes, cannot vote for president and have only a non-voting delegate in Congress.

LANGUAGE: ENGLISH



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October 22, 1995 Sunday, CHICAGOLAND FINAL EDITION

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LENGTH: 7780 words

HEADLINE: TERRORISM ON TRIAL: JUSTICE AND THE FALN

SUBLINE: By Gary Marx, a Tribune reporter.

BODY:

Carlos Torres and eight other members of the FALN are crammed into a van parked on Hamilton Avenue in Evanston.

It's April 4, 1980, a cloudless spring day. Torres and his colleagues are dressed in jogging outfits, but they aren't in Evanston to burn off calories. They're set to rob an armored truck carrying \$200,000 in cash that is parked at Northwestern University's loading dock. And they are packing a sawed-off shotgun and eight handguns.

Carlos Torres is feeling good. The FALN (the Spanish acronym for Fuerzas Armadas de Liberacion Nacional-Armed Forces of National Liberation) has pulled off big-time robberies around the country and none of the group has been nabbed by the police. Now they need more cash to finance their guerrilla war to end the United States' hold over Puerto Rico.

It's been a bloody, six-year battle.

Since 1974, the FALN has killed five people and injured more than 70 others in dozens of bombings and armed attacks in Chicago and New York. Torres and the FALN want to make Uncle Sam bleed and to spark an insurrection by Puerto Ricans seeking to free their homeland-something FALN members believe will end the second-class status of Puerto Ricans living in the U.S.

But the United States government won't budge. And Puerto Ricans aren't rising up to join the FALN's war. Torres isn't worried. History is on their side. Colonialism, he believes, is doomed.

Suddenly, three Evanston police cars pull up and block the FALN van. Two officers approach. Torres looks at his watch. It's 3:30 p.m.

"Officer, what's the problem?" Torres asks. The officer gives Torres a long, low appraisal before telling him that they had a report from neighbors that some kids were partying in the van.

Torres is thinking that everything is still cool. He's been a fugitive for four years. He's No. 1 on the FBI's "most wanted" list. Torres has been stopped before by cops. He knows how to talk his way out of a jam.

"Step outside," the officer tells Torres.

"I want everybody to get out," says a second officer as he jerks open the van's back door.

The FALN members pile out.

"You see, there's nothing going on," Torres says to the cops in a guarded tone. "There's no smoking. It doesn't smell like reefer does it? So what's the problem?"

One officer pokes his head inside the van. Still nothing. The FALN members are milling about when Alfredo Mendez begins to panic. His fake moustache is slipping.

Mendez tries to move away from the van. A cop orders him to stop.

"What the hell is going on here?" the cop yells as he spots the moustache. Torres' stomach clenches. One of the cops orders three of the FALN women to drop their purses.

A handful of officers bolt from their police cars with weapons drawn. Torres and his comrades are busted.

"Prison was not a deterrent to us. We were committed revolutionaries," recalls Torres, 42, who grew up in Oak Park and is currently serving time at the federal prison in Oxford, Wis. "I was angry because I realized that I was going to be in jail for a long time. I wouldn't be able to carry on our struggle."

Torres and more than a dozen other FALN members—including Chicagoans Edwin Cortes, Alicia Rodriguez, Luis Rosa, Alejandrina Torres, Alberto Rodriguez, Oscar Lopez, Carmen Valentin, Ida Luz Rodriguez and Ricardo Jimenez—were given 5- to 105-year prison terms on charges ranging from seditious conspiracy to armed robbery, possession of a stolen motor vehicle and various weapons violations. Chicagoan Haydee Beltran, then Torres' wife, was the only FALN member convicted of murder. She is serving a life sentence but is eligible for parole.

Torres and his fellow revolutionaries refused to enter a plea, to cross-examine prosecution witnesses, to present witnesses of their own or to appeal the guilty verdicts. The FALN argued they were an anti-colonial movement that under international law was legitimately fighting for Puerto Rican independence.

They were prisoners of war, not criminals subject to the judgment of "Yanqui courts." History would vindicate them, they believed. They would be martyrs, heroes, the founding fathers of a new nation, a proud, independent Puerto Rico.

But 15 years later Puerto Rico remains formally attached to the United States under commonwealth status. And in the short focus of history, the FALN appears to be an anomaly: a fringe group of bright, committed young activists pushed magically into radicalism by their own uncompromising ideology and by a myopic view of Puerto Rican history.

Law enforcement officials say the FALN never had more than three dozen members and several hundred hard-core supporters. And while there had been sporadic armed attacks in Puerto Rico for decades carried out by independentistas, more than 85 percent of Puerto Rico's 3.3 million residents have consistently voted to maintain the island's ties to the U.S.

Within the Puerto Rican community in the U.S., which numbers more than 2 million people, Torres and his fellow revolutionaries are all but forgotten. Community leaders say many young Puerto Ricans have never heard of the FALN.

Prison has silenced the FALN's guns, and its voices as well. But today, after years behind bars, Torres and his FALN colleagues desperately want to be heard. They have a gnawing sense of anger and frustration. FALN members want to tell Puerto Ricans and all Americans that they were not lunatics, that the FALN's War to Liberate Puerto Rico was right, it is right, and Puerto Rico will someday be free.

But the FALN members want to tell America something else, too. They've done enough time and want out of prison. Eighteen months ago, lawyers representing 13 FALN members and two other imprisoned Puerto Rican nationalists applied for a residential pardon.

The pardon application argues that the 15 Puerto Rican independentistas already have served far more time in prison than others convicted of serious crimes and are being held to set an example and deter terrorist attacks by others.

President Clinton is unlikely to take up the pardon issue before the 1996 elections. No president will risk political suicide by appearing to be soft on terrorists.

In the wake of the April 16 bombing of the Federal Building in Oklahoma City, terrorism is a hot-button issue. And Oklahoma City tragically demonstrates the consequences of politically motivated violence. But are the Puerto Rican nationalists being treated fairly? Does their punishment fit their crimes?

A campaign is under way. In New York, Chicago and elsewhere, Puerto Rican activists are gathering signatures on petitions asking Clinton to free the FALN inmates. Meetings in churches, homes and community organizations are teaching Puerto Ricans about the FALN. Letters, telephone calls and e-mail are part of the effort to pressure the White House into releasing the prisoners.

In an open letter to Clinton published Dec. 9, 1994, in The New York Times, more than two dozen prominent Puerto Ricans—including two former governors of the island, the presidents of the Puerto Rican House and Senate and three U.S. representatives of Puerto Rican ancestry—called on Clinton to "release the 15 Puerto Rican men and women imprisoned in the United States for their activities seeking independence for Puerto Rico." U.S. Reps. Luis Gutierrez (D.-Chicago), Jose Seranno (D.-New York), and Nydia M. Velazquez (D.-New York) wrote directly to Clinton in March 1995 requesting the release of the Puerto Rican prisoners.

"Most people would agree that 14 or 15 years in prison for what they were convicted of is a severe sentence," says Gutierrez, explaining that the FALN members seeking a pardon were convicted of sedition, weapons charges and other crimes—not murder. "They have served that. They've done hard time. They are

erving what is in effect a life sentence . . . and a life sentence is unreasonable."

The prisoners are middle-aged now, soft-spoken and thoughtful. Many of them are teenage kids. Most say they want to go home and do grass-roots community work in impoverished inner-city neighborhoods such as Chicago's Humboldt Park. Many have been model prisoners, corrections officers say.

So why not release them? Because Torres and most other FALN members refuse to announce armed revolution.

"I would continue to be a member, sympathizer and advocate of Puerto Rican independence, and I would do everything I could to help the Puerto Rican independence movement," said Torres, leaning forward in his chair as he spoke. Law enforcement officials, judges, prosecutors and some Puerto Ricans including Carlos Romero-Barcelo, Puerto Rico's nonvoting delegate to the U.S. House of Representatives say the refusal of most FALN members to categorically give up the gun is reason enough to keep them locked up.

The FALN planted bombs in banks, retail stores, police stations, federal buildings and military bases. They put guns to innocent people's heads and threatened to kill them.

Nowhere in the pardon application do FALN members express remorse for their actions or regret for the deaths and injuries they caused. Releasing the FALN merely sends the wrong message to anyone thinking of committing a terrorist act and could risk more innocent lives, opponents of the pardon say.

"They were trying to overthrow the government, and they had weapons and bombs," says U.S. District Judge Thomas R. McMillen, who in 1981 sentenced 10 FALN members, including Torres and Rosa, to 55- to 75-year prison terms. "They would serve out their sentences. They are unreconstructed revolutionaries."

The 13 FALN members are incarcerated in some of America's toughest prisons and several are locked up here in the Midwest. Carlos Torres, Alicia Rodriguez and Luis Rosa are three of them, all Chicago born, all still committed revolutionaries.

With a tiny machete decorated with a Puerto Rican flag dangling from his neck, Luis Rosa, a short, stocky man with a boyish face, sits in a tiny visitors room just inside the steel-barred entrance to the Menard Correctional Center in Winstate Illinois. His gray T-shirt and belt buckle are also decorated with the red, white and blue Puerto Rican flag.

Rosa is sending a message: Fifteen years in prison hasn't weakened his commitment. "My political ideas revolve around my country's right to independence," said Rosa, 34, who was 19 when he was arrested in Evanston and is serving a 105-year sentence for armed robbery, armed violence, possession of a stolen motor vehicle and seditious conspiracy. "That hasn't changed," he said, and I doubt that will change. I am still motivated by the same things I was in the 1970s."

Rosa's political beliefs emerged after the tragedy attending his birth on August 6, 1960. His father was slain earlier the same day. Rosa's mother, Dolores, a Puerto Rican immigrant living in Chicago's West Town neighborhood,

went into labor after she learned that her husband had been robbed and drowned in Lake Michigan. The murder was never solved.

Living on her husband's Social Security, Hipolita struggled to pay the rent and the family—which also included Luis's older brother Felix—was evicted from a half-dozen apartments before finally settling in a second-floor apartment on California Avenue in Humboldt Park above a corner store owned by her father.

Rosa remembers the humiliation of being ejected from one apartment after another, and he suspects it was because his family was Puerto Rican; the landlords were all white. White people told him not to speak Spanish. White youths came to Frederic Chopin Elementary School when he was 11 and scrawled in huge letters on a school yard wall, "Kill a Rican Day." From then on, he says, white gangs invaded his West Town neighborhood and "terrorized" young Puerto Rican kids.

Rosa, who was a student at Chopin, and his brother formed a small gang to defend their neighborhood. Frequent street battles erupted, and some of Rosa's friends were shot and stabbed in the fights. Rosa was never injured, but he was arrested for "inciting a riot."

After that, he says, the police harassed him. They picked him up and dropped him off in a rival gang's territory. "We didn't see the police as the protectors of our community," he said. "If we saw a squad car and the police were not in it, we would take every chance possible to throw rocks at it."

Rosa took part in his first political meeting when he was 13. The subject: how to stop police brutality. Held in a basement church in West Town, the meeting was organized by a handful of Puerto Rican activists, including Jose Torres, a Congregational minister and the father of Carlos Torres, who later became a FALN leader. The group was planning a protest march to the Chicago Police 13th District station at 937 N. Wood St.

During the protest, attended by more than 200 people, Rosa grabbed a bullhorn and led demonstrators in chants against the police. It was heady stuff for a poor kid from the barrio. "From then on, I became very active politically and in the community marches," Rosa said with more than a touch of pride.

The seminal event for Rosa and several other future FALN members was the bloody student rioting in February 1973 at Tuley High School, a heavily Puerto Rican school on the Northwest Side that was later renamed Clemente High School. At Tuley, hundreds of Latino students and community leaders clashed with police over a demand that school officials fire a white principal the protesters accused of being insensitive to the Latino community. More than two dozen injuries and arrests punctuated the week-long riots, which ended in the principal's ouster.

A year later, Rosa participated in violent, rock-throwing demonstrations and student walkouts at Clemente High. He also began to campaign for the release of five Puerto Rican nationalists convicted of trying to assassinate President Harry Truman in 1950 and injuring five U.S. representatives in a shooting in 1954. To Rosa, the five imprisoned nationalists were heroes.

In 1977 President Jimmy Carter, under pressure from Latin American leaders claiming that the five nationalists had served enough time in prison and from

administration officials who said the prisoners no longer posed a terrorist threat, freed one of the nationalists because he was dying of colon cancer. In 1979, Carter pardoned the four remaining nationalists.

One of them, Figueroa Cordero, who had served 23 years, visited Chicago the day after he was released and was greeted by Rosa and hundreds of jubilant Puerto Ricans in a West Town church.

"After the activities," Rosa recalls, "he tapped me on the shoulder, extended his arms and embraced me. I thanked him for his sacrifices and for his lessons. That was very inspirational and emotional."

Carlos Torres was a bright, shy, well-mannered kid, the kind of boy everybody expected to be a banker, lawyer or businessman. Instead, he became an armed revolutionary. It was inevitable, Torres says. The conditions of life dictated it.

Born in Ponce, Puerto Rico, on Sept. 19, 1952, Carlos Torres was 7 when his father, Jose, moved the family—including Carlos' two sisters—to New York City. Four years later, he took his three children to Chicago, where he became the pastor at the First Congregational Church at Ashland and Washington Avenues.

The Torres family, including Jose's second wife, Alejandrina, who later became an FALN member, lived next door to the church until 1966, when the family moved to Oak Park. Four years later, Carlos Torres graduated from Oak Park-River Forest High School.

Carlos Torres' childhood was relatively privileged: He attended a parochial grammar school and was active in the Boy Scouts. "Like any parent, wanted the best for his kids," said Torres, seated in a large visitors room at the Federal Prison in Oxford, Wis. "He wanted us to have the best chance, and that included leaving the ghetto."

But Jose was also involved in the Civil Rights movement—he marched in Selma, Ala., in 1965 with Dr. Martin Luther King—and often invited prominent black leaders, including the activist comedian Dick Gregory, to speak at his predominantly black church. Carlos said his father supported the movement because "he knew that it would impact Spanish-speaking people in a positive way."

"As his son, as a member of the church, I was exposed to that," Torres explained. "I was 10, 11, 12 years old, and I was listening to the messages. I was beginning to understand how our own people were being discriminated against. I could see the conditions the Puerto Rican people lived under in the United States."

Torres became aware of the fight for Puerto Rican independence when he was a junior in high school. His father suggested that he take a Puerto Rican history course at Aspira, a grass-roots Puerto Rican organization in Chicago.

In the first class, a Puerto Rican anthropologist told the students of the Taino Indians who originally inhabited the Caribbean island, of the Spanish conquest led by Christopher Columbus and Ponce de Leon, of Spain's ceding Puerto Rico to the United States in 1898 as war booty, and of the first insurrections by Puerto Ricans against U.S. control. Torres learned about Pedro Albizu



Campos, a Harvard-trained lawyer who returned to Puerto Rico in the 1930s to found the modern Puerto Rican independence movement, and about the five nationalists imprisoned in the U.S.

That class changed his life. "For the first time, I was being taught a history that stood apart from what I had heard in school. In school, Puerto Rico was secondary, something small, something inferior in relation to this country. It was portrayed like a little backwater. That was its image. From that day on, an independentista was born."

Torres did not immediately become an activist. He graduated from high school and spent two years studying sociology at Southern Illinois University before moving back to Chicago, where he would enroll at the University of Illinois at Chicago, in 1972. That's when he met Oscar Lopez, a Vietnam veteran and experienced community organizer who later became an FALN leader. Lopez taught Torres the basics of grass-roots organizing, and Torres and a handful of other Puerto Ricans began working to improve housing, education, health care and employment opportunities and to tackle the issue of police brutality. They also campaigned vigorously for the release of the five nationalist prisoners.

Torres was arrested in the 1973 Tuley High School demonstrations, where he went door-to-door in the Humboldt Park area trying to mobilize the community behind the student protesters. Six months later, Torres was arrested with three dozen demonstrators after they staged a nine-hour sit-in at UIC's administration building, protesting what many believed was the university's discriminatory admissions policy against Latinos. UIC officials eventually established a program to recruit more Latino students.

Despite the concessions, Torres quit UIC the following year and took a job in the billing department at Commonwealth Edison. Torres continued to devote himself to community organizing but became increasingly frustrated at his inability to change the fundamental realities facing Puerto Rican immigrants in the U.S.

"This is a society that preaches equality and political participation, but what you get in reality is so much resistance to any change," Torres explained. Our demonstrations always began with a legitimate request to include us in whatever decisions were being made. At the end of the day, they would arrest us. They were telling us that you have a right to ask, and that's all. If you go beyond that, you end up in jail."

Alicia Rodriguez also participated in the student protests at UIC-and later joined the FALN. But Rodriguez's political activism came relatively late in life, though the seeds of revolution were planted early. Rodriguez was born in Chicago in 1953 and raised in Old Town. Her parents immigrated to the U.S. with three other children-including Alicia's older sister Ida Luz-from Mayaguez, Puerto Rico only a few years before.

Like Luis Rosa's and Carlos Torres' families, the Rodriguez family was part of a huge wave of Puerto Rican immigrants that moved to the U.S. in the 1950s for economic opportunity. Rodriguez says her family was poor but not desperate. Eventually Rodriguez's parents and her aunt and uncle were able to pool their money to buy two row houses in Old Town.

The extended family lived in the two buildings in a largely mixed neighborhood that included large numbers of Poles and Italians. Rodriguez never felt discriminated against in her community. That came during her first year at St. Vincent-De Paul School at 2135 N. Kenmore Ave.

"I remember my first experience with racism," recalls Rodriguez, 41, sitting in the visitors room at Illinois' maximum-security Dwight Correctional Center. "I was going to 1st grade, and I walked into the classroom and everyone spoke English. I didn't speak a word of English. The teacher sat me in the back of the room and completely ignored me the entire year. I flunked the grade. It was so humiliating."

She also got into fights with her classmates who told Rodriguez that she "stunk" ; the pungent smell from the Caribbean-spiced food she ate lingered on her clothes. As the only Latina in the school, she felt "completely isolated."

Rodriguez's father, sensing his daughter's unhappiness, transferred Alicia and his other children to St. Michael Parochial School at 1648 N. Hudson Ave., though it was a struggle for him to pay the tuition. Rodriguez repeated 1st grade, but this time the teacher put her in the front of the class and taught her English. Rodriguez excelled academically at St. Michaels.

But the pain of being different, not fitting in, feeling inferior, lingered. She became increasingly enraged when bank tellers, store owners and other people treated her parents "like scum" because they didn't speak English. Rodriguez felt like a foreigner here.

The cathartic event for Rodriguez was her first visit to Puerto Rico. It was a three-week trip in 1974. Rodriguez was 21. Curled up in the passenger seat of her family's car on the three-hour trip from the airport in San Juan to her family's home in Mayaguez, Rodriguez stared out the window and saw one huge factory after another. "We are on these highways and I'm looking out at these chimneys spewing out black clouds of smoke. I'm asking my family, 'What is that?' They said, 'Well, I don't know.' 'What do you mean you don't know?' " Rodriguez responded.

When Rodriguez arrived at her cousin's house in Mayaguez, she was shocked to find the home teetering on a hillside with no indoor plumbing. The sand at a nearby beach was pitted with huge globs of oil, and swimmers were not allowed to go into the heavily polluted water. Situated nearby was a huge fish processing factory run by a U.S. company.

"I realized there was no regard for the environment," said Rodriguez, who was biology major at UIC and had studied the environmental devastation of Lake Erie.

Rodriguez returned to Puerto Rico for brief trips in 1975 and 1976. During her life, she has spent only nine weeks on the island. But Rodriguez's conclusions were definitive: "I felt a jolt and that electric current still vibrates. Puerto Ricans weren't running Puerto Rico. Total ownership and control was in the hands of the United States."

Rodriguez, Torres and Rosa will not say when they joined the FALN or how the group was formed. They consider such details the secrets of a revolutionary organization. But they began to link the conditions of Puerto Ricans living in

the U.S. to what they perceived as the colonial status of their homeland. They believed Puerto Rico was being raped by U.S. corporations lured to the island by generous tax breaks allowed under its U.S. commonwealth status.

Eventually, Torres and his fellow revolutionaries concluded that the only way to help Puerto Ricans, including immigrants in the U.S., was to liberate the Caribbean island.

To Torres and his fellow revolutionaries, the decision to go to war against the United States was a natural step. Its logic was irrefutable. FALN members saw armed revolution as their only alternative—something they were forced into by the U.S. government's unwillingness to free their homeland.

"You just don't randomly pick up arms. You have to really believe in something," said Rodriguez, whose sister Ida Luz also joined the FALN. "It took some time for me to reach that decision, but when I did, there was no turning back."

It was lunch time at the historic Fraunces Tavern, with its yellow colonial facade and quaint atmosphere, just off Wall Street in the heart of New York City's financial district. The 18th Century tavern was packed with investment bankers and financial analysts.

Suddenly, a bomb exploded. Diners were thrown from their tables. Windows were shattered. Walls and stairways collapsed. There was blood everywhere.

Four people were killed and 57 were injured in the Jan. 24, 1975, blast. An obscure group named the FALN took credit for the bombing, saying they targeted "reactionary corporate executives" in retaliation for what they claim was "the CIA-ordered bomb" in a restaurant that killed two Puerto Rican nationalists.

The FALN's war on America had begun. One bomb after another exploded in New York and Chicago. Marshall Fields, Bonwit-Teller, Chicago Police Department headquarters, the Holiday Inn on Lake Shore Drive, and the Standard Oil of Indiana building on Randolph Street were all hit by the FALN.

The bombs, often placed in garbage cans, restrooms or left on window ledges outside buildings, were fashioned from batteries, blasting caps, wire and several pounds of dynamite.

The FBI responded to the blasts by forming a team of investigators that canvassed the Puerto Rican communities in Chicago and New York to try to identify and capture the bombers.

But people who knew anything about the FALN weren't talking. And while the bombings had a certain amateurish quality to them—many devices failed to explode—the FALN were a tightly structured group that knew how to avoid infiltration by law enforcement officials and carry out armed attacks even after their key members—including Carlos Torres—were forced underground in 1976.

The FALN established a network of safe houses—including four in East Rogers Park, one in Uptown and one on the South Side—where they constructed bombs, hid firearms and communications equipment, and planned attacks. FALN members wore gloves in the safe houses to avoid leaving fingerprints. In public, the FALN dressed conservatively and avoided all political demonstrations.

Jeremy Margolis, a former Assistant U.S. Attorney who coordinated Chicago's terrorism task force from 1976 to 1984, said the FALN's tactic of keeping a low profile frustrated investigators. "Typically, members of the support groups were more strident than those involved in the underground," said Margolis, who in 1981 successfully prosecuted 10 FALN members in federal court. "It turns out the people actually making the bombs were polite and respectful to law enforcement officials."

"They were absolutely, 100 percent dedicated to their cause, and informants, who typically provide so much information to law enforcement, were of no value," Margolis recalls. "That is the basic reason for their success. They were true believers, totally committed to their cause."

The FALN financed its operations primarily through armed robberies. They got most of their dynamite from robbing a mining company in Colorado. And they traveled mostly in stolen vehicles. FALN members never told anyone-not even their closest family and friends-that they were members of the clandestine group.

Alicia Rodriguez said she used two safe houses in East Rogers Park to plan attacks and make bombs. She also visited a safe house in Milwaukee, where her sister Ida Luz and FALN member Oscar Lopez lived as fugitives.

Carlos Torres and his wife, Haydee Beltran, worked out of a safe house in New Jersey. "As human beings, it wore on us being severed from our families, friends and communities," remembers Torres, who did not contact his family in Chicago during his four years as a fugitive. "You do feel the absence, separation and all the pressure you can imagine. The government is looking for you. You see our name and face on television. There is all that tension and apprehension."

Despite the federal manhunt, however, Torres was so confident that law enforcement officials would not find him that he and his family lived 1122 blocks from FBI offices and a block away from police headquarters-even as he and his wife continued to carry out armed attacks.

The FALN hit the Gulf & Western and Chrysler Buildings in Manhattan. They bombed the U.S. Justice Department building in Washington. And in Chicago, the FALN's targets included the Merchandise Mart, the County Building, a military recruiting center, the Great Lakes Naval Training Center in North Chicago and Woodfield Mall in Schaumburg. The County Building blast caused \$25,000 in damages; The Great Lakes explosion blew out windows and ripped up paving; A security guard suffered minor burns in the Woodfield firebombing.

Asked why the FALN bombed a suburban shopping mall, retail stores, banks and the headquarters of large U.S. corporations, Luis Rosa said simply: "They all had interests in Puerto Rico. We were attacking them in their pocketbooks. Capitalists understand it more when they feel it in their pocketbooks. We were retaliating for their dealings on the island, and hopefully getting them to leave the island."

The FALN's most gutsy assault came March 15, 1980, when a half-dozen members, armed with pump-action shotguns, .22-caliber rifles and .38-caliber revolvers, stormed the Carter-Mondale presidential campaign headquarters at 109 N. Dearborn. "This is an armed takeover!" Oscar Lopez shouted as he burst into the headquarters at 8:45 a.m. "This is the FALN!" They ransacked files, ripped

Telephone cables from walls and spray-painted "No Statehood For Puerto Rico" in huge red letters on a wall.

The attack lasted less than an hour. No one was hurt. The FALN immediately issued a communique claiming the raid was to protest the first U.S. presidential primaries scheduled to be held in Puerto Rico. "Here is a country that is subjected to enslavement, and you have the audacity to hold primaries in a country that you are colonializing," said Rosa. "That's equivalent to telling a slave to vote on their master."

It was midafternoon on April 4, 1980, and Jeremy Margolis was practicing his hooting at an outdoor range on the Great Lakes Naval Training Center when his pager went off. It was a call from the FBI's Chicago headquarters.

The Evanston police had arrested 11 heavily armed men and women. Some police thought they were Iranian terrorists; others suspected they were Puerto Ricans. Margolis and a dozen FBI agents sped to the station.

"When I first arrived, I went straight to the lockup to see who we had," Margolis remembers.

Margolis and the agents quickly identified Carlos Torres, Haydee Beltran and da Luz Rodriguez from FBI photographs. The feds had finally nailed a large FALN group, even though Alicia Rodriguez, Rosa and the remaining detainees were not fully identified until several days later.

But Margolis wasn't gloating. He was nervous and edgy. He wanted to know how the FALN got to Evanston, what they were doing there and why they were so heavily armed. He wanted to know if any other FALN members had eluded the Evanston police. Margolis ordered the police to search the area where the arrests were made and tighten security at the Evanston police station in case somebody tried to spring the detainees.

Margolis and his colleagues then tried interrogating the captives, who were handcuffed to chairs in different rooms and chanting, "Long live the FALN!" and "Independence For Puerto Rico!" One by one, the FALN detainees were brought out for interrogation, which lasted for hours.

"We got nothing out of them," said Margolis with disgust. "Once it became clear they were not going to talk, we shifted the focus of our investigation." More than 200 investigators from the FBI, the Illinois Department of Law Enforcement and the Chicago Police Department began tracing the phony personal identifications, automobile registrations and other documents found on the suspects. The immediate objective of the investigation, code-named "Operation HIFAL," was to dismantle the FALN's infrastructure.

It was a frantic race against the clock. The stakes were high. Margolis had to find the FALN safe houses and apartments before they were cleaned out by FALN members who had eluded capture. The remaining FALN would surely mount another attack, Margolis was thinking. They would surely retaliate.

The legwork paid off. The feds traced Torres' fake identification to an apartment in Jersey City, N.J., where Torres, Beltran and their child had lived. They traced another false identification to the FALN house in Milwaukee and discovered four FALN safe houses in Chicago.

A duffel bag and rifle found at the Milwaukee safe house linked the FALN to an armed robbery at the Oak Creek National Guard Armory in Wisconsin. Investigators found a hand sketch of the Carter-Mondale Headquarters in Chicago and several documents stolen in the raid. They also recovered a typewriter that investigators testified was the source of FALN communiques claiming credit for several Chicago bombings.

Three weeks after their arrest, Alicia Rodriguez and Luis Rosa appeared before Judge James M. Bailey for their arraignment at the Cook County Criminal Courts Building at 26th Street and California Avenue. As they entered the courtroom flanked by sheriff's deputies, Rodriguez grabbed Rosa's left hand and they shouted, "Que Viva, Puerto Rico Libre!"

Standing before the bench, Rosa and Rodriguez wheeled around, faced the courtroom packed with family members and FALN supporters, and began screaming liberation slogans in Spanish and English. "We did not recognize the jurisdiction of these courts," said Rosa, paraphrasing what he told the spectators. "These courts are illegal, and they cannot try us because we are prisoners of war."

Rodriguez was yanked out of the courtroom by deputies. Bailey then ordered deputies to turn Rosa around so that he was facing the bench. "You have anything to say?" Bailey asked Rosa after he read the charges of armed robbery, armed violence and possession of a motor vehicle to the defendant.

Rosa ignored the judge. He whipped around and began shouting again to the audience. A melee ensued. Rosa and two deputies started punching and kicking each other. The courtroom erupted as people leaped to their feet and shrieked, "Viva Puerto Rico!"

"Clear the court!," Bailey shouted, his words drowned out by FALN supporters.

"It was the most difficult trial," Bailey said. "They wouldn't cooperate with anybody. I had to tell them what their constitutional rights were and, if they didn't participate, what would happen to them. The problem is they wouldn't shut up."

Bailey, who slapped Rosa and Rodriguez with contempt of court charges, decided to tape shut the two defendants' mouths the only two times Rosa and Rodriguez appeared in court-for the arraignment and sentencing. Rosa and Rodriguez boycotted the trial itself and refused to mount any defense; they listened to the proceedings from a lockup behind the courtroom.

During the trial, several witnesses testified that Rosa and Rodriguez committed an armed robbery of a rental car agency just before they were arrested in Evanston. FBI experts described in detail the weapons confiscated in Evanston from Rosa, Rodriguez and other captured FALN members. Investigators told the jury about the bomb-making equipment found at the FALN safe houses and the evidence linking Rosa, Rodriguez and other FALN members to various bombings and the Carter-Mondale headquarters takeover.

It took the jury 54 minutes to convict Rosa and Rodriguez of all charges. Bailey sentenced each of the two defendants to 30 years in prison. "To me, a good place for a freedom fighter to be is sitting in the joint," Bailey explained. "You've got to worry about people who basically say they are going

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o go ahead and hurt civilians."

Bailey's trial set the tone for subsequent criminal court and federal trials filled with disruptions, political diatribes, quick convictions and heavy prison sentences for the 11 FALN members captured in Evanston. Rosa is serving a combined 105-year sentence; Rodriguez is serving an 85-year sentence; Torres received an 88-year sentence.

In 1981 Oscar Lopez was arrested during a routine traffic stop in Glenview, and is serving a 70-year sentence at the super-maximum security penitentiary in Florence, Col. Three other FALN members were convicted in 1985 and sentenced to 5 years in prison after federal investigators infiltrated two FALN cells and ideotaped members assembling explosive devices, planning prison breakouts and discussing bombing targets.

The FALN's last suspected attack was a series of bombings on New Year's Eve, 1983, that severely injured three New York City police officers. Two suspected FALN members remain fugitives. "I am convinced we got most of them," said Margolis. "They did not have more than a couple dozen. But nobody knows for sure."

Jan Susler takes a deep breath and looks at the reporter long and steady. She's skeptical. She's afraid he'll get it wrong.

"The FALN are really lovely human beings," says Susler, a lawyer representing the group. "They aren't the kinds of people that have horns and a tail. They are intelligent, gifted and tolerant."

It is Susler's job--along with New York Attorney Michael Deutsch--to make the FALN's legal case for a presidential pardon. It's a tough sell, and she knows it. Susler, who practices out of The Peoples Law Office near the corner of Division St. and Milwaukee Ave., wrote the 70-page pardon application.

Susler thought that Clinton just might consider the issue--until the Oklahoma City bombing. Now, she doubts the president will touch it, at least not right away. The Republicans would tear him up politically. Most Americans lump all so-called terrorists into the same pot. They don't recognize the difference between Timothy McVeigh, the prime Oklahoma City suspect, and the FALN.

The FALN's pardon request rests on three basic premises: that the FALN's armed attacks were not illegal under international law, that the FALN's prison sentences are punitive, unjust and disproportionate, and that the FALN's pardon request fits within the general tradition in the United States for granting presidential pardons.

Susler says the FALN's attacks were justified under international law because the FALN considers Puerto Rico to be a colony of the U.S. Under the United Nations rules, individuals can use any means necessary, including armed revolution, to free their homeland. It's not just a right but a patriotic duty. International law is very clear: Colonialism is a crime against humanity," Susler says.

U.S. Justice Department statistics also show that the Puerto Ricans' sentences are on average seven times as long as those of others sentenced for violent crimes. The 11 Puerto Ricans convicted in 1981 received an average

ison sentence of 70.2 years; the average sentence for other defendants convicted in federal court of violent offenses was 10.5 years, Susler says.

Moreover, Susler argues that the FALN have already served far more time in prison than others convicted of serious crimes. The Puerto Ricans have spent on average 14 years behind bars; the average sentence served for murder is 6.5 years. "If they had been criminals, they wouldn't still be in prison," Susler argues. "To explain their outrageous sentences, it all boils down to the same thing: It's who they are, and what they stand for. It's all got political overtones."

Finally, Susler argues that more than a dozen presidents, from George Washington to Abraham Lincoln to Franklin Roosevelt to Jimmy Carter, have granted presidential pardons, even to those who took up arms against the government. George Washington pardoned Whiskey Rebellion participants and Abraham Lincoln pardoned deserters from the Civil War and supporters of the Confederacy.

The FALN, the pardon application concludes, "acted out of political motivation, not for profit or greed, and have already paid a high price for their conduct; their conduct in prison has been unimpeachable; their families have suffered hardship and deprivation as a result of their lengthy incarceration. They are skilled, intelligent people who pose no risk to the community. All these are the basis on which the U.S has granted pardons."

Activists in Puerto Rico and in U.S. cities such as New York, Chicago, Philadelphia, Hartford, Boston and San Francisco are using the pardon application-along with the Dec. 9, 1994, open letter to The New York Times and the public support of three U.S. representatives-as a fulcrum for intensifying their campaign to seek the FALN's release. The strategy is to increase political pressure on Clinton by building grass-roots support in Puerto Rican, Latino and other minority communities and among religious groups and students.

The campaign in Chicago is headquartered in the Puerto Rican Cultural Center 1671 N. Claremont Ave, where huge, modernist murals of the FALN prisoners-along with a large Puerto Rican flag emblazoned with the words "Patriots, Freedom"-dominate the facade of the building. In the last six months, activists have held more than 150 meetings of 10 to 15 people in private homes throughout West Town, Humboldt Park, Logan Square and other neighborhoods to inform residents about the plight of the FALN.

Community and student activists have set up tables at Northeastern, DePaul and Loyola universities, UIC, and the University of Chicago-and used larger events such as the Puerto Rican Day Parade-to distribute literature and speak out about the Puerto Rican prisoners. Activist religious leaders are also denouncing the continued incarceration of the FALN and other Puerto Rican prisoners.

Lourdes Lugo, Chicago coordinator of the National Committee to Free the Puerto Rican Prisoners of War and Political Prisoners, says that in Chicago alone more than 30,000 letters have been sent to Clinton requesting a pardon in the last six months. The National Committee is trying to collect 500,000 signatures on a petition asking Clinton to free the FALN prisoners and to build momentum to somehow get the issue taken up at next year's Democratic National Convention in Chicago. "We are trying to include as many sectors as possible



no either for humanitarian or political reasons feel that these people should be free," said Lugo.

No polls have been taken in Puerto Rico or the United States to gauge public support for a pardon, but many scholars say a majority of Puerto Ricans in the U.S. and on the island would support the release of the FALN. Last year, a conference representing more than 100 large mainstream U.S. Puerto Rican groups, including the National Puerto Rican Coalition, unanimously approved a resolution backing a pardon.

"It's like they are misguided heroes," says Olga Jimenez-Wagenheim, professor of Latin American and Caribbean history at Rutgers University, referring to the FALN. "Puerto Ricans are very forgiving, and these individuals strike a nationalistic chord. It tugs at your heartstrings. It's that love of nation and country that every Puerto Rican has. Every Puerto Rican deep down inside is a nationalist."

But in a 1993 non-binding plebiscite on the issue of Puerto Rico's status with the U.S.—the last time islanders voted on the issue—only 4 percent of the voters cast ballots for independence; more than 90 percent voted to remain a commonwealth or to become a state.

At least one prominent Puerto Rican politician, Carlos Romero-Barcelo, is adamantly opposed to an FALN pardon. Romero-Barcelo is Puerto Rico's non-voting delegate in the U.S. House of Representatives and a former governor of the island. He says the FALN aren't "political prisoners" but common crooks. No, they're worse, he says. More dangerous.

"Political prisoners are people who are in prison for their political beliefs, not people who violate the law," says Romero-Barcelo, who recently wrote a letter to Clinton urging him to keep the FALN behind bars.

Romero-Barcelo, who also is opposed to Puerto Rican independence, says it's singular for the FALN to compare their sentences with those of other criminals sentenced in federal court. Terrorist acts are aggravating circumstances judges cannot ignore. "These are people who acted in cold blood with the purpose of imposing their will," Romero-Barcelo says. "These are the worst crimes in a democracy. If they said they are sorry for what they've done, they accepted their guilt, then maybe my thoughts would be different. But they refuse to say that. How can we responsibly set them free? What if they kill somebody else? What do we say, 'Too bad'?"

Alicia Rodriguez, Luis Rosa and Carlos Torres say they have nothing to be sorry for and have no intention of renouncing armed revolution. "Armed struggle is an option for all peoples on the Earth," said Carlos Torres.

Asked if he is optimistic about eventually being pardoned and about Puerto Rico's gaining its independence, Torres said: "I am optimistic about life in general. I have faith that people will eventually create enough pressure so that the U.S. government will have to release us and that Puerto Rico will be free."

Suddenly, a prison counselor watching Torres signals that it's time for the interview to end. "I have to go," Torres says politely before being quickly escorted out of the prison's visitors room.

It's clearly a tragedy for such intelligent and politically committed individuals as Torres and the other FALN members to be wasting their lives behind bars. But the FALN attacks killed and injured dozens of civilians.

Will President Clinton grant the FALN a pardon? Probably not. At a minimum, the FALN will first have to renounce armed violence and agree to pursue their goal of Puerto Rican independence peacefully.

So Torres, Rodriguez and Rosa are likely to spend years more in prison. Until the memory of their actions fades from public consciousness. Until releasing them no longer carries a heavy domestic political cost.

Until society can be certain that the FALN's war is finally over.

GRAPHIC: PHOTOS 19PHOTOS: Clockwise from lower left: Arrested April 4, 1980, FALN members shout from behind a screen on a prisoner bus; a week later FALN supporters protest at the Cook County Criminal Courts Building; a 1976 explosion at police headquarters injures five; a 1975 FALN communique attacks "American fascists." Insets: Police mug shots of FALN's Luis Rosa (from left), Carlos Torres and Alicia Rodriguez. Tribune photo by Carl Hugare, Tribune photo by Ovie Carter, UPI photo, AP wirephoto; inset photos (from left) courtesy of Menard Correctional Center, Tribune files and Dwight Correctional Center.; PHOTOS (color): Carlos Torres, Alicia Rodriguez and Luis Rosa today: Freedom from prison is their goal. Photos by Gary Marx.; PHOTO: Debris litters the sidewalk outside New York's historic Fraunces Tavern on Jan. 1, 1974, after a bomb exploded, killing four people. FALN's war on America had begun. UPI photo.; PHOTO: The van in which nine FALN members bent on robbing Northwestern University were nabbed in 1980. Photo for the Tribune by Joan Mudd.; PHOTO: A FBI photo from videotape shows FALN members making a bomb.

LANGUAGE: ENGLISH

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