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FBI goes fishing, casting a scary chill

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The agents said they are investigating espionage involving two indicted lobbyists for the pro-Israel lobbying group AIPAC, the American Israel Public Affairs Committee, and they wanted me to tell them the names of former Jack Anderson reporters who were pro-Israel in their views or who had pro-Israeli sources. I told them I felt uncomfortable passing on what would be secondhand rumors.

If I didn't want to name names, the agents said, they could mention initials and I could nod yes or no. That was a trick Robert Redford and Dustin Hoffman used in "All the President's Men." I didn't name any initials, either.

I tried to explain to the agents why it was extremely unlikely there could be anything in our files relevant to their criminal case: Jack Anderson had been sick with Parkinson's disease since 1986 and had done very little original investigative reporting after that.

If the agents had done even rudimentary research, they would have known that. The fact that they didn't was disturbing, because it suggested that the bureau viewed reporters' notes as the first stop in a criminal investigation rather than as a last step reluctantly taken only after all other avenues have failed. That's the standard the FBI is supposed to use under Justice Department guidelines designed to protect media freedom.

I decided there were good reasons not to help the FBI:

Whistle-blowing sources would be scared off from confiding in reporters about abuses of power if they had reason to fear that the government would find out about it by rifling through journalistic files even past the grave. And the public justifiably won't trust the press if it's turned into an arm of law enforcement.

I told the FBI that although I was no longer an investigative reporter, my sympathies still remained with my fellow journalists. "We're not after the reporters," Agent Martell replied. "Just their sources."

I didn't find that a comforting response.

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Ultimately the courts may have to decide whether we make the Anderson papers available to the federal government. But I am proud that my university and the Anderson family are resisting the FBI's fishing expedition into these files.

Mark Feldstein is director of the journalism program at George Washington University and a former investigative correspondent for CNN in Washington. His book "Poisoning the Press: Richard Nixon, Jack Anderson and the Rise of Washington's Scandal Culture" will be published next year. He wrote this article for The Washington Post.

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