



# Domestic Counterterrorism

The attacks of September 11 and the catastrophic loss of life and property that resulted have redefined the mission of federal, state, and local law enforcement authorities. While law enforcement agencies will continue to investigate and prosecute criminal activity, they should now assign priority to preventing and interdicting terrorist activity within the United States.

Effectively reorienting law enforcement organizations to focus on counterterrorism objectives requires decisive action in a number of areas. Many of the necessary steps have already been taken, although additional work remains to be done before law enforcement agencies collectively can pursue the counterterrorism mission with maximum effect. The federal government has already instituted initiatives that have increased information sharing and the coordination of operations throughout the law enforcement community. Not only are the federal law enforcement and U.S. intelligence agencies communicating better with each other, the entire law

enforcement community—international, federal, state, and local—is now sharing more information. In addition, law enforcement agencies at all levels of government have worked to enhance coordination of their counterterrorism operational activities so that our collective efforts complement each other.

While the intelligence and law enforcement communities have made progress in the areas of information sharing and coordination, major shortcomings continue to exist in other important areas. Our government's ability to identify key sources of funding for terrorist activity and the methods used to finance terrorist operations remains inadequate. The U.S. government has not yet developed a satisfactory system to analyze information in order to predict and assess the threat of a terrorist attack within the United States. The federal government needs to do a better job of utilizing the distinct capabilities of state and local law enforcement to prevent terrorism by giving them access, where appropriate, to the information in our federal

databases, and by utilizing state and local information at the federal level. The FBI-led Joint Terrorism Task Forces, by including participants from state and local law enforcement as well as federal agencies, draw on state and local capabilities, and enhance intergovernmental coordination.

## National Vision

We will redefine our law enforcement mission to focus on the prevention of all terrorist acts within the United States, whether international or domestic in origin. We will use all legal means—both traditional and non-traditional—to identify, halt, and, where appropriate, prosecute terrorists in the United States. We will prosecute or bring immigration or other civil charges against such individuals where appropriate and will utilize the full range of our legal authorities. We will pursue not only the individuals directly engaged in terrorist activity, but also their sources of support: the people and organizations that knowingly fund the terrorists and those that provide them with logistical assistance. To achieve these aims, we will strengthen our federal law enforcement community. In addition, we will augment the scope and quality of information available to all law enforcement. In that regard, we will build and continually update a fully integrated, fully accessible terrorist watch list. When we have identified any suspected terrorist activities, we will then use all the tools in our Nation’s legal arsenal, including investigative, criminal, civil, immigration, and regulatory powers to stop those who wish to do us harm.

## Major Initiatives

Several chapters, such as *Intelligence and Warning*, *Border and Transportation Security*, and *Protecting Critical Infrastructure and Key Assets*, are closely interrelated with *Domestic Counterterrorism*. (See, for example, “Tactical Preventive Action” in the *Intelligence and Warning* chapter.) This chapter only discusses counterterrorism initiatives and actions that do not fall under other critical mission areas.

**Improve intergovernmental law enforcement coordination.** An effective domestic counterterrorism effort requires the participation of law enforcement personnel at all levels of government, as well as the coordination of all relevant agencies and officials. Toward this end, the FBI is expanding the Joint Terrorism Task Forces (JTTFs), now operating in 47 field offices, to all 56

FBI field offices by August 2002. The Task Forces have primary operational responsibility for terrorism investigations that are not related to ongoing prosecutions. The JTTFs, whose participants represent numerous federal agencies and state and local law enforcement, combine the national and international investigative capacity of the federal government with the state and local “on-the-beat” knowledge and capabilities.

**Facilitate apprehension of potential terrorists.** In order to apprehend suspected terrorists before they have the opportunity to execute their plans, we must ensure that law enforcement officers are able to access information on suspected terrorists. Several initiatives are underway to create fully accessible sources of information relating to suspected terrorists. First, the Department of Justice has expanded and will continue to expand the data included in the FBI’s National Crime Information Center (NCIC) database, which is accessible to approximately 650,000 state and local law enforcement officers. The names and identifying information of subjects of domestic and foreign terrorism investigations have already been entered into the database. The Department of Justice is adding to the NCIC database the names of over 300,000 fugitive aliens in violation of final orders of deportation. In addition, the Attorney General has directed the FBI to establish procedures with the Department of State to enable inclusion of data from the TIPOFF System—which provides information on known or suspected terrorists to immigration and consular officers—into the NCIC database. The ultimate objective of this effort is to ensure that the “cop on the beat” has access to pertinent information regarding potential terrorists.

The FBI is also establishing a consolidated terrorism watch list that will serve as a central access point for information about individuals of investigative interest. The watch list will be fully accessible to the law enforcement and intelligence communities, and will include information derived from FBI and Joint Terrorism Task Force investigations, the intelligence community, the Department of Defense, and foreign governments.

The Attorney General has directed the FBI, through its Legal Attaches, to establish procedures to obtain fingerprints, other identifying information, and available biographical data of all known or suspected terrorists who have been identified and processed by foreign law enforcement agencies, and to enter such data into the FBI’s Integrated Automated Fingerprint Identification System and other appropriate databases.

The Attorney General has also modified certain guidelines to give the FBI greater latitude to conduct

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essential counterterrorism investigative activities in the United States, and to utilize commercially available computer databases in support of counterterrorism investigations, consistent with Constitutional standards. Such databases serve a key function in the effort to apprehend suspected terrorists before they carry out any terrorist act as the data contained therein can reveal patterns of criminal behavior. The Department of Justice currently is engaged in “data-mining” projects that utilize computer technology to analyze information to reveal patterns of behavior consistent with terrorist activities. For example, utilizing law enforcement and intelligence information as well as public source data, the Foreign Terrorist Tracking Task Force employs risk modeling algorithms, link analysis, historic review of past patterns of behavior, and other factors to distinguish persons who may pose a risk of terrorism from those who do not.

*Continue ongoing investigations and prosecutions.* The Nation’s law enforcement community currently is investigating both confirmed and suspected terrorist activity. The largest and most extensive investigation is “Penttbom”—the FBI’s inquiry into the attacks of September 11. “Penttbom” is the largest criminal investigation in history, currently involving the cooperation of numerous federal agencies, state and local law enforcement, and the intelligence and law enforcement agencies of foreign countries. Several prosecutions are now underway as a result of the “Penttbom” investigation, including the prosecution of Zacarias Moussaoui on charges of conspiring with Osama bin Laden and others to carry out the attacks of September 11.

Our counterterrorism efforts also include the investigation and prosecution of foreign and domestic terrorists unrelated to the September 11 attacks, as well as the pursuit of individuals who provide logistical support to terrorists. In addition, law enforcement agencies are pursuing a more aggressive preventive strategy by investigating and dismantling criminal rings throughout the country that sell false driver’s licenses, certifications for the transportation of hazardous materials, passports, and visas.

As the chief federal law enforcement officer, the Attorney General—relying heavily on the FBI—will lead federal law enforcement efforts in investigations and prosecutions, while coordinating with the Department of Homeland Security and other federal law enforcement agencies, as well as state and local authorities. State and local law enforcement personnel, operating within each community, are indispensable to our domestic counterterrorism efforts, playing several

critical roles, including uncovering and reporting unusual behavior and security anomalies.

*Complete FBI restructuring to emphasize prevention of terrorist attacks.* Our Nation’s highest law enforcement objective must be the prevention of terrorist acts—a significant shift from pre-September 11 objectives. In order to focus the mission of the federal law enforcement community on prevention, the federal government, working with Congress, needs to restructure the FBI and other federal law enforcement agencies, reallocating certain resources and energies to the new prevention efforts.

The FBI already has made several structural changes to reflect the primacy of the counterterrorism mission. For example, in the fall of 2001, the Director of the FBI established new positions responsible for strengthening information sharing and coordination with state and local law enforcement agencies.

The FBI Director recently announced the second phase of the reorganization, under which significant resources will be committed to preventing terrorist attacks, pending congressional approval. The plan increases the FBI’s counterterrorism investigative capabilities and flexibility by shifting hundreds of field agents from criminal investigations to counterterrorism investigations and activities. At the same time, this shift allows each field office to meet national programmatic objectives for the FBI’s highest priority—preventing terrorist attacks within the United States.

The plan also seeks to build within the FBI a concentrated, national, centralized, and deployable expertise on terrorism issues. This requires both ensuring that information and knowledge in the field offices gets relayed to headquarters and creating expertise that can be easily accessed by and deployed to field offices. In order to respond to the need for a more flexible and mobile deployment of highly knowledgeable counterterrorism agents, the FBI plans to devote a portion of the increased personnel to “Flying Squads.” These squads, consisting of agents with specific counterterrorism expertise, will travel to field offices when their expertise is needed, and will bring valuable information back to FBI headquarters for analysis. Reflecting the global nature of the terrorist reality, the “Flying Squads” will also be deployed overseas when necessary. In addition, the FBI will augment its overseas presence and partnerships by increasing the number of Legal Attaches around the world, who will fall under the authority of our Ambassadors.

The plan also includes the establishment of a new, expansive multi-agency National Joint Terrorism Task Force at FBI Headquarters that will complement the Joint Terrorism Task Forces established in local FBI

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field offices and improve collaboration and information sharing with other agencies. (See *Intelligence and Warning* chapter for additional discussion on FBI restructuring.)

*Target and attack terrorist financing.* A cornerstone of our counterterrorism effort is a concerted interagency effort to target and interdict financing of terrorist operations. The FBI's Financial Review Group and Operation Green Quest at the U.S. Customs Service, proposed to be a component of the Department of Homeland Security, have spearheaded the enforcement component of the terrorist finance interdiction effort. The Review Group is a multi-agency effort led by the FBI to investigate suspicious financial transactions in order to uncover and prosecute terrorist financing and develop predictive models to help identify future illegal financing. Operation Green Quest, launched by the Department of Treasury at the Customs Service, works to freeze the accounts of, and seize the assets of, individuals and organizations that finance terrorist groups. Going forward, the FBI should lead the federal government law enforcement campaign against

terrorist financing, with support from the Department of Homeland Security.

*Track foreign terrorists and bring them to justice.* The federal government has two key missions in regard to tracking foreign terrorists: barring terrorists or terrorist-supporting aliens from the United States and tracking down and deporting any who have illegally entered our country. The Foreign Terrorist Tracking Task Force at the Department of Justice currently performs this function. The Task Force is also charged with facilitating coordination and communication among the agencies with immigration and enforcement responsibilities.