



## Testimony

[Home](#) • [News](#) • [Testimony](#) • [The Terrorist Threat Confronting the United States](#)



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**Before the Senate Select Committee on Intelligence  
Washington, DC**

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Good morning Chairman Graham, Vice-Chairman Shelby and members of the committee. I am Dale Watson, the Executive Assistant Director of the FBI over counterterrorism and counterintelligence. I am pleased to have this opportunity to appear before your committee and I convey Director Mueller's regrets for not being able to be with you today. This morning I would like to discuss the domestic and international terrorist threat facing the United States and the measures the FBI is taking to address this threat.

The terrorist attack of September 11, 2001, marked a dramatic escalation in a trend toward more destructive terrorist attacks which began in the 1980s. Before the September 11 attack, the October 23, 1983 truck bombings of U.S. and French military barracks in Beirut, Lebanon, which claimed a total of 295 lives, stood as the most deadly act of terrorism. The attacks of September 11 produced casualty figures more than ten times higher than those of the 1983 barracks attacks.

The September 11 attack also reflected a trend toward more indiscriminate targeting among international terrorists. The vast majority of the more than 3,000 victims of the attack were civilians. In addition, the attack represented the first known case of suicide attacks carried out by international terrorists in the United States. The September 11 attack also marked the first successful act of international terrorism in the United States since the vehicle bombing of the World Trade Center in February 1993.

Despite its unprecedented scope and destruction, the September 11 attack underscored many of the trends in international terrorism identified in recent years by the U.S. intelligence community (Central Intelligence Agency, National Security Agency, Defense Intelligence Agency, the Bureau of Intelligence and Research of the State Department, intelligence elements of the departments of Defense, Treasury, Energy, and the Drug Enforcement Administration, and intelligence/counterterrorism elements of the FBI). Among these has been an apparent shift in operational intensity from traditional sources of terrorism--state sponsors and formalized terrorist organizations--to loosely affiliated extremists. This trend has been paralleled by a general shift in tactics and methodologies among international terrorists that focus on producing mass casualties. These trends underscore the serious threat that international terrorists continue to pose to nations around the world, particularly the United States.

At the same time, the United States also faces significant challenges from domestic terrorists. In fact, between 1980 and 2000, the FBI recorded 335 incidents or suspected incidents of terrorism in this country. Of these, 247 were attributed to domestic terrorists, while 88 were determined to be international in nature.

Threats emanating from domestic and international terrorists will continue to represent a significant challenge to the United States for the foreseeable future. Further, as terrorists continue to refine and expand their methodologies, the threats they pose will become even greater.

### Background

The FBI divides the terrorist threat facing the United States into two broad categories--domestic and international.

Domestic terrorism is the unlawful use, or threatened use, of violence by a group or individual based and operating entirely within the United States (or its territories) without foreign direction committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

International terrorism involves violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or any state, or that would be a criminal violation if committed within the jurisdiction of the United States or any state. Acts are intended to intimidate or coerce a civilian population, influence the policy of a government, or affect the conduct of a government. These acts transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate, or the locale in which perpetrators operate.

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Robert S. Mueller, III, Director, Federal Bureau of Investigation, Statement Before the Senate Judiciary Committee, Washington, D.C.
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Eric Velez-Villar, Assistant Director, Directorate of Intelligence, Federal Bureau of Investigation, Statement Before the House Homeland Security Committee, Subcommittee on Counterterrorism and Intelligence, Headquarters,
- 12.14.11 Oversight of the Federal Bureau of Investigation**  
Robert S. Mueller, III, Director, Federal Bureau of Investigation, Statement Before the Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law, Washington, D.C.

As events during the past several years demonstrate, both domestic and international terrorist organizations represent threats to Americans within the borders of the United States.

During the past decade we have witnessed dramatic changes in the nature of the terrorist threat. In the 1990s, right-wing extremism overtook left-wing terrorism as the most dangerous domestic terrorist threat to the country. During the past several years, special interest extremism--as characterized by the Animal Liberation Front (ALF) and the Earth Liberation Front (ELF)--has emerged as a serious terrorist threat. The FBI estimates that ALF/ELF have committed approximately 600 criminal acts in the United States since 1996, resulting in damages in excess of 42 million dollars.

However, as the events of September 11 demonstrated with horrible clarity, the United States also confronts serious challenges from international terrorists. The transnational Al-Qaeda terrorist network headed by Usama Bin Laden has clearly emerged as the most urgent threat to U.S. interests. The evidence linking Al-Qaeda and Bin Laden to the attacks of September 11 is clear and irrefutable. The law enforcement and military response mounted by the United States has done much to weaken the organizational structure and capabilities of Al-Qaeda. Despite the military setbacks suffered by Al-Qaeda, however, it must continue to be viewed as a potent and highly capable terrorist network with cells around the world. As we hold this hearing, Al-Qaeda is clearly wounded, but not dead; down but not out.

The FBI has moved aggressively during the past decade to enhance its abilities to prevent and investigate acts of terrorism against U.S. interests wherever they are planned. The FBI operates 44 Legal Attache offices (Legats) in countries around the world to help ensure that investigative resources are in place to support the FBI's expanding focus on counterterrorism and international organized crime. In the 20 years since President Reagan designated the FBI as the lead agency for countering terrorism in the United States, Congress and the Executive Branch have taken important steps to enhance the federal government's counterterrorism capabilities. The FBI's counterterrorism responsibilities were expanded in 1984 and 1986, when Congress passed laws permitting the Bureau to exercise federal jurisdiction overseas when a U.S. national is murdered, assaulted, or taken hostage by terrorists, or when certain U.S. interests are attacked. Since the mid-1980s, the FBI has investigated more than 500 extraterritorial cases. In addition to the investigation into the September 11 attack, several other ongoing extraterritorial investigations rank among the FBI's most high profile cases, including our investigation into the 1996 bombing of Khobar Towers in Saudi Arabia, which killed 19 U.S. servicemen; the bombings of the U.S. Embassies in Kenya and Tanzania, which killed 12 Americans; and the bombing of the USS Cole, which claimed the lives of 17 U.S. sailors.

As evidenced by our enhanced ability to conduct counterterrorism investigations overseas, the evolution of the FBI's response to terrorism during the past decade reflects the changing dynamics of terrorism. In the direct aftermath of the 1993 World Trade Center bombing the FBI began to focus investigative attention on the then-emerging phenomenon of Sunni extremism and its operational manifestation in the radical international jihad movement. This effort paid almost immediate dividends when investigators uncovered and thwarted a plot by a loosely affiliated group of international terrorists led by Shaykh Omar Abdel Rahman to bomb landmarks throughout New York City during the summer of 1993.

This morning, I would like to briefly discuss the current terrorist threat in the United States, as well as the FBI's efforts to address the threat posed by domestic and international terrorists.

#### Terrorist Threat in the United States

The threat of terrorism to the United States remains despite proactive law enforcement efforts and significant legislative counterterrorism initiatives. The overall level of terrorist-related acts in the United States declined in the early 1990s, when compared to figures for the 1970s and 1980s, but has increased steadily during the past five years. There were two terrorist acts recorded in the United States in 1995, three in 1996, four in 1997, five in 1995, 12 in 1999 and 8 in 2000 (FIGURES COMBINE TERRORIST INCIDENTS AND SUSPECTED TERRORIST INCIDENTS). While terrorist designations for the year 2001 are currently being finalized, one incident, the attack of September 11, produced higher casualty figures than all previous terrorist incidents in the United States combined. Relatively high numbers of terrorist plots prevented by law enforcement in recent years further underscore the continuing terrorist threat.

#### Domestic Terrorism

Domestic right-wing terrorist groups often adhere to the principles of racial supremacy and embrace antigovernment, antiregulatory beliefs. Generally, extremist right-wing groups engage in activity that is protected by constitutional guarantees of free speech and assembly. Law enforcement becomes involved when the volatile talk of these groups transgresses into unlawful action.

On the national level, formal right-wing hate groups, such as the National Alliance, the World Church of the Creator (WCOTC) and the Aryan Nations, represent a continuing terrorist threat. Although efforts have been made by some extremist groups to reduce openly racist rhetoric in order to appeal to a broader segment of the population and to focus increased attention on antigovernment sentiment, racism-based hatred remains an integral component of these groups' core orientations.

Right-wing groups continue to represent a serious terrorist threat. Two of the seven planned acts of terrorism prevented in 1999 were potentially large-scale, high-casualty attacks being planned by organized right-wing extremist groups.

The second category of domestic terrorists, left-wing groups, generally profess a revolutionary socialist doctrine and view themselves as protectors of the people against the "dehumanizing effects" of capitalism and imperialism. They aim to bring about change in the United States and believe that this

Committee, Washington, D.C.

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More

change can be realized through revolution rather than through the established political process. From the 1960s to the 1980s, leftist-oriented extremist groups posed the most serious domestic terrorist threat to the United States. In the 1980s, however, the fortunes of the leftist movement changed dramatically as law enforcement dismantled the infrastructure of many of these groups, and the fall of communism in Eastern Europe deprived the movement of its ideological foundation and patronage.

Terrorist groups seeking to secure full Puerto Rican independence from the United States through violent means represent one of the remaining active vestiges of left-wing terrorism. While these groups believe that bombings alone will not result in change, they view these acts of terrorism as a means by which to draw attention to their desire for independence. During the 1970s and 1980s numerous leftist groups, including extremist Puerto Rican separatist groups such as the armed forces for Puerto Rican National Liberation (FALN--Fuerzas Armadas de Liberacion Nacional Puertorriquena), carried out bombings on the U.S. mainland, primarily in and around New York City. However, just as the leftist threat in general declined dramatically throughout the 1990s, the threat posed by Puerto Rican extremist groups to mainland U.S. communities decreased during the past decade.

Acts of terrorism continue to be perpetrated, however, by violent separatists in Puerto Rico. As noted, three acts of terrorism and one suspected act of terrorism have taken place in various Puerto Rican locales during the past four years. These acts (including the March 31, 1998 bombing of a superaqueduct project in Arecibo, the bombings of bank offices in Rio Piedras and Santa Isabel in June 1998, and the bombing of a highway in Hato Rey in 1999) remain under investigation. The extremist Puerto Rican separatist group, Los Macheteros, is suspected in each of these attacks. The FBI has not recorded any acts of terrorism in Puerto Rico since 1999.

Anarchists and extremist socialist groups--many of which, such as the workers' world party, reclaim the streets, and carnival against capitalism, have an international presence--at times also represent a potential threat in the United States. For example, anarchists, operating individually and in groups, caused much of the damage during the 1999 WTO ministerial meeting in Seattle. The third category of domestic terrorism, special interest terrorism differs from traditional right-wing and left-wing terrorism in that extremist special interest groups seek to resolve specific issues, rather than effect widespread political change. Special interest extremists continue to conduct acts of politically motivated violence to force segments of society, including the general public, to change attitudes about issues considered important to their causes. These groups occupy the extreme fringes of animal rights, pro-life, environmental, anti-nuclear, and other movements. Some special interest extremists--most notably within the animal rights and environmental movements--have turned increasingly toward vandalism and terrorist activity in attempts to further their causes.

In recent years, the Animal Liberation Front (ALF)--an extremist animal rights movement--has become one of the most active extremist elements in the United States. Despite the destructive aspects of ALF's operations, its operational philosophy discourages acts that harm "any animal, human and nonhuman." Animal rights groups in the United States, including ALF, have generally adhered to this mandate. A distinct but related group, the Earth Liberation Front (ELF), claimed responsibility for the arson fires set at a Vail (Colorado) ski resort in October 1998, which caused 12 million dollars in damages. This incident remains under investigation. Seven terrorist incidents occurring in the United States during 2000 have been attributed to either ALF or ELF. Several additional acts committed during 2001 are currently being reviewed for possible designation as terrorist incidents.

### **International Terrorism**

The United States faces a formidable challenge from international terrorists. The September 11 attack and the bombing of the USS Cole in the Yemenese port of Aden in October 2000, as well as the prevention of an apparent attempt by Richard Reid to destroy a Paris-to-Miami flight in December 2001, underscore the range of threats to U.S. interests posed by international terrorism.

In general terms, the international terrorist threat to U.S. interests can be divided into three categories: the radical international jihad movement, formalized terrorist organizations, and state sponsors of international terrorism. Each of these categories represents a threat to U.S. interests abroad and in the United States.

The most serious international terrorist threat to U.S. interests today stems from Sunni Islamic extremists, such as Usama Bin Laden and individuals affiliated with his Al-Qaeda organization. Al-Qaeda leaders, including Usama Bin Laden, had been harbored in Afghanistan since 1996 by the extremist Islamic regime of the Taliban. Despite recent military setbacks suffered by the Taliban and the apparent death of Al-Qaeda operational commander Mohamed Atef resulting from a U.S. bombing raid, Al-Qaeda must continue to be viewed as a potent and highly capable terrorist network. The network's willingness and capability to inflict large-scale violence and destruction against U.S. persons and interests--as it demonstrated with the September 11 attack, the bombing of the USS Cole in October 2000, and the bombings of two U.S. embassies in east Africa in August 1998, among other plots--makes it a clear and imminent threat to the United States.

However, the threat from Al-Qaeda is only a part of the overall threat from the radical international jihad movement, which is composed of individuals of varying nationalities, ethnicities, tribes, races, and terrorist group memberships who work together in support of extremist Sunni goals. One of the primary goals of Sunni extremists is the removal of U.S. military forces from the Persian gulf area, most notably Saudi Arabia. The single common element among these diverse individuals is their commitment to the radical international jihad movement, which includes a radicalized ideology and agenda promoting the use of violence against the "enemies of Islam" in order to overthrow all governments which are not ruled by Sharia (conservative Islamic) law. A primary tactical objective of this movement has been the planning and implementation of large-scale, high-profile, high-casualty terrorist attacks against U.S. interests and citizens, and those of its allies, worldwide.

#### Richard Reid

On December 22, 2001, Richard C. Reid was arrested after a flight attendant on American Airlines Flight 63 observed him attempting to apparently ignite an improvised explosive in his sneakers while onboard the Paris-to-Miami flight. Aided by passengers, attendants overpowered and subdued Reid and the flight was diverted to Logan International Airport in Boston, Massachusetts.

Evidence strongly suggests that Reid, who was traveling on a valid British passport, is affiliated with the Al-Qaeda network. Reid has been indicted on nine counts, including placing an explosive device on an aircraft and attempted murder. FBI investigation has determined that the explosives in Reid's shoes, if detonated in certain areas of the passenger cabin, could have blown a hole in the fuselage of the aircraft.

#### Zacarias Moussaoui

Investigation also has revealed that Reid and another indicted subject, Zacarias Moussaoui, were known associates. Moussaoui came to the attention of the FBI while taking flight training classes in Minnesota in August 2001. Moussaoui had paid over \$8,000 in cash for flight simulator lessons on a 747-400, which far exceeded his training level as a pilot. Moussaoui showed unusual interest in the instructor's comment that airplane cabin doors could not be opened during flight. In addition, his flight instructor was concerned that Moussaoui expressed interest only in learning how to take off and land the 747-400. In preparation for high fidelity simulator training, he expressed strong interest in "piloting" a simulated flight from London's Heathrow Airport to John F. Kennedy Airport in New York. When the instructor took his concerns to the FBI, Moussaoui was interviewed by Special Agents from the FBI and the U.S. Immigration and Naturalization Service (INS). He was determined to be an INS overstay and was detained by the INS on August 16, 2001. Following his detention, Moussaoui refused to allow a search to be conducted of his possessions, to include a laptop computer and a computer disc. Attempts were made to obtain authority to conduct a search of this computer. However, due to the lack of probable cause and lack of predication, neither a criminal nor intelligence search could be conducted. Following the September 11 attack a criminal search of the computer was conducted. Nothing was located which connected Moussaoui with the events of September 11; however, information about crop-dusting was located on the computer. As a result, crop dusting operations in the United States were grounded briefly on two occasions in September 2001. On December 11, 2001, the United States District Court for the Eastern District of Virginia indicted Moussaoui on six counts of conspiracy for his role in the events of September 11, 2001.

The second category of international terrorist threat is made up of formal terrorist organizations. These autonomous, generally transnational, groups have their own personnel, infrastructures, financial arrangements, and training facilities. They are able to plan and mount terrorist campaigns on an international basis, and several actively support terrorist-related activities in the United States. Extremist groups such as Palestinian Hamas, the Irish Republican Army, the Egyptian El-Gama Al-Islamiyya (IG), and Lebanese Hizballah have supporters in the United States, though the activities of these U.S.-based cells revolve primarily around fund-raising, recruiting, and low-level intelligence gathering.

Hizballah is a formal organization that has carried out numerous anti-U.S. attacks overseas, including the October 1983 vehicle bombing of the U.S. Marine Barracks in Lebanon. With the exception of the Al-Qaeda network, Hizballah is responsible for the deaths of more Americans than any other terrorist group in the world. On June 21, 2001, the United States indicted 14 subjects--13 Saudis and 1 Lebanese national--for their suspected involvement in the June 1996 bombing of Khobar Towers in Saudi Arabia. Nineteen U.S. airmen died in the blast; Saudi Hizballah is suspected of carrying out the attack. To date, Hizballah has never carried out a terrorist attack in the United States.

State sponsors of terrorism make up the third category of international terrorist threat. The primary state sponsors are Iran, Iraq, Sudan, and Libya. These countries view terrorism as a tool of foreign policy. Syria, which is also on the U.S. Department of State's list of state sponsors of terrorism, has not been directly involved in conducting terrorist activity for a number of years but still provides a safe haven to international terrorist groups and loosely affiliated extremists. North Korea and Cuba--also on the Department of State's list of state sponsors--have significantly reduced their direct involvement with terrorism due, in part, to the rapidly diminishing capacity of their economies to support such activity.

In perhaps the most infamous case of state sponsored terrorism, Libya is believed to be behind the December 1988 bombing of Pan Am Flight 103 over Lockerbie, Scotland, which killed 270 people (259 people on the plane and 11 on the ground). On April 5, 1999, the Libyan government turned over two former intelligence operatives, Abd al Basit al-Megrahi and Lamin Kalifah Fhima, to be tried in the Netherlands by a special Scottish court for the bombing. Several years earlier, the FBI had placed al-Megrahi and Fhima on its Top Ten Most Wanted Fugitives list, marking the only time that officers of a foreign government were placed on the list. On January 31, 2001, the three-judge court convicted al-Megrahi of murder for his role in the bombing. Fhima was acquitted by the court and released.

Of the seven nations listed by the United States as state sponsors of terrorism, Iran represents the greatest threat to the United States. Despite a moderation in its public anti-U.S. rhetoric since the 1997 election of Mohammed Khatemi as president, the government of Iran, which is controlled by conservative clerics opposed to Khatemi, continues to target dissidents and support anti-western terrorism, both financially and logistically.

#### **Weapons of Mass Destruction (WMD)**

The trend toward high-profile, high-impact attacks comes at a time when interest is growing among domestic and international extremists in weapons of mass destruction (WMD). A series of anthrax-related cases and threats occurring since September 2001 provide a glimpse into emerging terrorist

scenarios of the 21st century.

A series of bioterrorism incidents using *b. anthracis* spores sent through the mail have resulted in 22 anthrax cases and five deaths since October 3, 2001. The initial anthrax cases occurred among persons with known or suspected contact with opened letters contaminated with *b. anthracis* spores. Later, investigations identified four confirmed cases and one suspected case among postal workers who had no known contact with contaminated opened letters. This suggests that sealed envelopes contaminated with anthrax passing through the postal system may be the source of these exposures. The number of contaminated envelopes passing through the postal system is under investigation.

Leads continue to be investigated; however, no suspect has been identified. On November 9, 2001, the FBI issued a behavioral/linguistic assessment of the offender based on the known anthrax parcels. As stated in this assessment, the offender is believed to be an adult male who has access to a source of anthrax and possesses the knowledge and expertise to refine it. The FBI heads a multi-agency effort to identify the perpetrator of these deadly attacks.

Since October 2001 the FBI has responded to over 8,000 reports of use or threatened use of anthrax or other hazardous materials. The current rash of anthrax threats represents a large spike in a trend of increased WMD cases that began in the mid-1990s. During the past four years, there has been a very limited number of cases in the United States that actually involved use or threatened use of ricin. There had been no criminal cases involving actual use of anthrax in the United States prior to October 2001. To date, no evidence definitely links Al-Qaeda or any other terrorist organization to these cases.

### **Cyber / National Infrastructure**

During the past several years the FBI had identified a wide array of cyber threats, ranging from defacement of web sites by juveniles to sophisticated intrusions sponsored by foreign powers. Some of these incidents pose more significant threats than others. The theft of national security information from a government agency or the interruption of electrical power to a major metropolitan area obviously would have greater consequences for national security, public safety, and the economy than the defacement of a web-site. But even the less serious categories have real consequences and, ultimately, can undermine public confidence in web-based commerce (E-commerce) and violate privacy or property rights. An attack (or "hack") on a web site that closes down an e-commerce site can have disastrous consequences for a web-based business. An intrusion that results in the theft of millions of credit card numbers from an online vendor can result in significant financial loss and, more broadly, reduce consumers' willingness to engage in e-commerce.

Beyond criminal threats, cyber space also faces a variety of significant national security threats, including increasing threats from terrorists.

Terrorist groups are increasingly using new information technology and the Internet to formulate plans, raise funds, spread propaganda, and engage in secure communications. Cyberterrorism—meaning the use of cyber tools to shut down critical national infrastructures (such as energy, transportation, or government operations) for the purpose of coercing or intimidating a government or civilian population—is clearly an emerging threat.

On January 16, 2002, the FBI disseminated an advisory via the National Law Enforcement Telecommunications System regarding possible attempts by terrorists to use U.S. municipal and state web sites to obtain information on local energy infrastructures, water reservoirs, dams, highly enriched uranium storage sites, and nuclear and gas facilities. Although the FBI possesses no specific threat information regarding these apparent intrusions, these types of activities on the part of terrorists pose serious challenges to our national security.

### **The FBI Response to Terrorism**

The FBI has developed a strong response to the threats posed by domestic and international terrorism. Between fiscal years 1993 and 2003, the number of Special Agents dedicated to the FBI's counterterrorism programs grew by approximately 224 percent (to 1,669—nearly 16 percent of all FBI special agents). In recent years, the FBI has strengthened its counterterrorism program to enhance its abilities to carry out these objectives.

#### The FBI Counterterrorism Center

As you are aware, congressional appropriations have helped strengthen and expand the FBI's counterterrorism capabilities. To enhance its mission, the FBI centralized many specialized operational and analytical functions in the FBI Counterterrorism Center.

Established in 1996, the FBI Counterterrorism Center combats terrorism on three fronts: international terrorism operations both within the United States and in support of extraterritorial investigations, domestic terrorism operations, and countermeasures relating to both international and domestic terrorism.

Eighteen federal agencies maintain a regular presence in the center and participate in its daily operations. These agencies include the Central Intelligence Agency, the Secret Service, and the Department of State, among others. This multi-agency arrangement provides an unprecedented opportunity for information sharing, warning, and real-time intelligence analysis.

#### Interagency Cooperation

This sense of cooperation also has led to other important changes. During the past several years, the FBI and CIA have developed a closer working relationship that has strengthened the ability of each agency to respond to terrorist threats and has improved the ability of the U.S. government to respond to terrorist attacks that do occur.

An element of this cooperation is an ongoing exchange of personnel between the two agencies. Included among the CIA employees detailed to the FBI's Counterterrorism division is a veteran CIA case officer who serves as the Deputy Section Chief for International Terrorism. Likewise, FBI agents are detailed to the CIA, and a veteran special agent serves in a comparable position in the CIA's Counterterrorist center.

#### The National Infrastructure Protection Center

Created in 1998, the National Infrastructure Protection Center (NIPC) is an interagency center housed at FBI headquarters that serves as the focal point for the government's effort to warn of and respond to cyber intrusions, both domestic and international. NIPC programs have been established in each of the FBI's 56 field offices.

#### The FBI Laboratory

The FBI Laboratory division has developed a robust response capability to support counterterrorism investigations worldwide. The FBI's mobile crime laboratory provides the capability to collect and analyze a range of physical evidence on-scene, and has been deployed at major crime scenes, including the World Trade Center bombing, Khobar Towers, and the East African Embassy bombings. The mobile crime laboratory contains analytical instrumentation for rapid screening and triage of explosives and other trace evidence recovered at crime scenes.

The Laboratory also provides the capacity to rapidly respond to criminal acts involving the use of chemical or biological agents with the mobile, self-contained Fly Away Laboratory (FAL). The FAL consists of twelve suites of analytical instrumentation supported by an array of equipment which allows for safe collection of hazardous materials, sample preparation, storage, and analysis in a field setting. The major objectives of the mobile crime laboratory and the FAL are to enhance the safety of deployed personnel, generate leads through rapid analysis and screening, and to preserve evidence for further examination at the FBI Laboratory. In addition, the Laboratory has developed agreements with several other federal agencies for rapid and effective analysis of chemical, biological, and radiological materials. One partnership, the Laboratory Response Network, is supported by the Centers for Disease Control and Prevention and the Association of Public Health Laboratories for the analysis of biological agents.

#### Threat Warning

Because warning is critical to the prevention of terrorist acts, the FBI also has expanded the terrorist threat warning system first implemented in 1989. The system now reaches all aspects of the law enforcement and intelligence communities. Currently, sixty federal agencies and their subcomponents receive information via secure teletype through this system. The messages also are transmitted to all 56 FBI field offices and 44 Legats.

If threat information requires nationwide unclassified dissemination to all federal, state, and local law enforcement agencies, the FBI transmits messages via the National Law Enforcement Telecommunications System. In addition, the FBI disseminates threat information to security managers of thousands of U.S. commercial interests around the country through the Awareness of National Security Issues and Response (ANSIR) program. If warranted, the expanded NTWS also enables the FBI to communicate threat information directly to the American people.

On September 11, the FBI issued a nationwide terrorist threat advisory via the National Threat Warning System; this advisory is in place through March 11, 2002, unless extended by the FBI. Since the terrorist attack of September 11, the FBI has disseminated 37 warnings via the NTWS. The FBI also has issued over 40 be on the lookout (BOLO) alerts via the NLETS system. BOLO alerts provide the names of individuals who are of investigative interest to the FBI.

Through a 24-hour watch and other initiatives, the NIPC also has developed processes to ensure that it receives relevant information in real-time or near-real-time from all relevant sources, including the U.S. intelligence community, FBI criminal investigations, other federal agencies, the private sector, emerging intrusion detection systems, and open sources. This information is quickly evaluated to determine if a broad-scale attack is imminent or underway. If a chemical, biological, nuclear or radiological material is threatened, the FBI Weapons of Mass Destruction Operations Unit (WMDOU) conducts an interagency assessment to determine the credibility of the threat, utilizing subject matter experts and federal agencies with relevant authorities. Based on the credibility of the threat, the WMDOU will coordinate the appropriate response by federal assets. As a result of this analysis, the FBI can issue warnings using an array of mechanisms, and disseminate warnings to appropriate entities in the U.S. government and the private sector so that they can take immediate protective steps.

#### **The Future**

I would like to conclude by talking briefly about steps we can take to further strengthen our abilities to prevent and investigate terrorist activity.

#### Encryption

One of the most important of these steps involves the FBI's encryption initiative. Communication is central to any collaborative effort—including criminal conspiracies. Like most criminals, terrorists are naturally reluctant to put the details of their plots down on paper. Thus, they generally depend on oral or electronic communication to formulate the details of their terrorist activities.

Although the FBI, and the law enforcement community at large, fully supports the development and use of innovative technologies to ensure that the United States remains competitive in today's global market, we remain extremely concerned about the serious public safety threat posed by the

proliferation and misuse of technologies that prevent law enforcement from gaining access to the plaintext of terrorist and/or serious criminal-related evidence obtained through either court-authorized electronic surveillance or the search and seizure of digital evidence.

The use of commercially available, non-recoverable encryption products by individuals engaged in terrorist and other serious criminal activity can effectively prevent law enforcement access to this critical evidence. Law enforcement's inability to gain access to the plaintext of encrypted communications and/or computer evidence in a timely manner seriously impairs our ability to successfully prevent and prosecute terrorist and/or other serious criminal acts.

This significant challenge to effective law enforcement poses grave and serious public safety consequences. Unless the FBI enhances its ability for gathering and processing computer data obtained through electronic surveillance, search and seizure of computer evidence, and its ability to gain access to the plain text of encrypted evidence, investigators and prosecutors will be denied timely access to valuable evidence that could be used to prevent and solve terrorist and other serious criminal acts.

#### Joint Terrorism Task Forces

Cooperation among law enforcement agencies at all levels represents an important component of a comprehensive response to terrorism. This cooperation assumes its most tangible operational form in the Joint Terrorism Task Forces that are authorized in 44 cities across the nation. These task forces are particularly well-suited to responding to terrorism because they combine the national and international investigative resources of the FBI with the street-level expertise of local law enforcement agencies. This cop-to-cop cooperation has proven highly successful in preventing several potential terrorist attacks. Perhaps the most notable cases have come from New York City, where the city's Joint Terrorism Task Force has been instrumental in thwarting two high-profile international terrorism plots--the series of bombings planned by Shaykh Rahman in 1993 and the attempted bombing of the New York City subway in 1997.

Not only were these plots prevented, but today, the conspirators who planned them sit in federal prisons thanks, in large part, to the comprehensive investigative work performed by the Joint Terrorism Task Force.

Given the success of the Joint Terrorism Task Force concept, the FBI has established 15 new JTTFs since the end of 1999. By the end of 2002 the FBI plans to have established or authorized JTTFs in each of its 56 field divisions. By integrating the investigative abilities of the FBI and local law enforcement agencies these task forces represent an effective response to the threats posed to U.S. communities by domestic and international terrorists.

#### Expansion of FBI Legats

The FBI's counterterrorism capabilities also have been enhanced by the expansion of our Legat offices around the world. These small offices can have a significant impact on the FBI's ability to track terrorist threats and bring investigative resources to bear on cases where quick response is critical. As I've mentioned, the FBI currently operates 44 such Legat offices. Many of these have opened within the past five years in areas of the world where identifiable threats to our national interests exist. We cannot escape the disquieting reality that in the 21st century, crime and terrorism are carried out on an international scale. The law enforcement response must match the threat. By expanding our first line of defense, we improve the ability of the United States to prevent attacks and respond quickly to those that do occur. Given the nature of the evolving terrorist threat and the destructive capabilities now available to terrorists, the American people deserve nothing less. The expansion of the number of FBI Legal Attache offices (Legats) around the world has enhanced the ability of the FBI to prevent, respond to, and investigate terrorist acts committed by international terrorists against U.S. interests worldwide. As evidenced by developments in the Embassy Bombing cases in East Africa, the ability to bring investigative resources to bear quickly in the aftermath of a terrorist act can have significant impact on our ability to identify those responsible. I encourage Congress to support our efforts to counter the international terrorist threat by continuing to support expansion of our Legat program.

#### **Results**

Improved analysis and operational capabilities combined with increased cooperation and integration have enhanced the FBI's ability to investigate and prevent acts of terrorism.

Dozens of domestic extremists have been indicted and prosecuted during the past ten years. Among these are Timothy McVeigh, who carried out the bombing of the Murrah Federal Building in Oklahoma City in 1995. McVeigh was executed in June 2001 for perpetrating the worst act of domestic terrorism ever conducted in the United States. More recently, on January 25, 2002, anti-abortion extremist Clayton Lee Waagner was given a combined sentence of over 30 years in prison for various theft and firearms violations. Waagner is also suspected of sending over 250 hoax anthrax letters to reproductive services clinics in October and November 2001.

During the past ten years, more than 60 subjects associated with international terrorism have been prosecuted in the United States. These include Ramzi Yousef, operational mastermind of the 1993 World Trade Center bombing and a plot to bomb U.S. airliners transiting the far east (convicted in May 1997); Tsutomu Shirotsuki, Japanese Red Army member who fired rockets at the U.S. Embassy compound in Jakarta, Indonesia, in 1986 (convicted in November 1997); and Gazi-Abu Mezer and Lafi Khalil, extremists who, in 1997, nearly carried out a plan to bomb the New York City subway system (convicted in July 1998). Yousef and Shirotsuki were among the 16 fugitives indicted for terrorist-related activities that have been rendered to the United States from overseas since 1987. The 1997 plot to bomb the New York subway was narrowly averted by the FBI/New York City Police Department Joint Terrorism Task Force.

On October 18, 2001, four Al-Qaeda members received life sentences for their roles in a conspiracy to kill Americans which resulted in the August 1998 embassy bombings in East Africa. Mohamed Rashed Daoud al-Owhali, Khalfan Khamis Mohamed, Wadih el-Hage, and Mohamed Sadeek Odeh were convicted earlier in 2001 in the Southern District of New York (SDNY) on a variety of charges related to the embassies bombing plot. Two other subjects in this case are awaiting trial in the SDNY.

In December 1999 the coordinated efforts of the FBI and other law enforcement/intelligence agencies were instrumental in responding to the millennium threat exposed when Ahmed Ressam was apprehended attempting to smuggle explosives across the U.S.-Canadian border near Seattle. On April 6, 2001, after a three-week trial in Los Angeles, Ressam was found guilty on all counts brought against him. On March 7, 2001, Abdelghani Meskini, another individual suspected of involvement in the plot to bomb the Los Angeles airport, had pled guilty in the Southern District of New York to charges of providing material support to Ressam. On July 13, 2001, a third suspect subject, Mokhtar Haouari, was convicted of charges related to the plot. In January of this year, Haouari was sentenced to 24 years in prison for his role in supporting Ressam's plot to carry out terrorist activity in the United States. One indicted subject, Abdelmajid Dahoumane, is in Algerian custody.

In addition, numerous individuals have been indicted for their involvement in terrorist activities and are currently being sought by the FBI. Usama Bin Laden and 15 other subjects stand indicted for their roles in Al-Qaeda and the 1998 U.S. embassy bombings in East Africa. Three additional subjects are in custody in the United Kingdom but are expected to be extradited soon to stand trial in the SDNY.

In October 2001 the FBI established the Most Wanted Terrorists program to focus expanded attention on indicted terrorist suspects. Usama Bin Laden was among the first 22 names placed on this list. In June 1998 Bin Laden had been named to the FBI's Top Ten Most Wanted Fugitives list.

### Conclusion

Despite the current focus on international terrorism, it is important to remain cognizant of the full range of threats that confront the United States. These threats continue to include domestic and international terrorists. While the majority of attacks perpetrated by domestic terrorists have produced low casualty figures, the 169 lives claimed in the Oklahoma City bombing and the potential very heavy loss of lives that could have resulted from various thwarted plots demonstrate the interest among some domestic extremists in inflicting mass casualties.

On September 11, 2001, the scope and sophistication of the international radical jihad movement was demonstrated with horrendous clarity when 19 hijackers commandeered four commercial airliners, crashing two of them into the World Trade Center, one into the Pentagon, and the other into a remote field in Pennsylvania. This attack resulted in more casualties than any other terrorist act ever recorded.

Even as the Al-Qaeda command structure in Afghanistan is destroyed, Al-Qaeda cells in countries around the world will continue to pose a threat to U.S. and other western interests. The plotters who carried out the September 11, 2001 attack maintained a low profile and appeared to actively avoid coming to the attention of law enforcement agencies. Such operational discipline underscores the challenge to U.S. law enforcement agencies in uncovering and disrupting Al-Qaeda cells in the United States. Although the public mind often groups international terrorists into a standard stereotype, such a view fails to accommodate subtle but important differences in goals and tactics among different extremist movements. For example, the low-level operational scope of 17 November (assassinations, small-scale bombings centered primarily in Athens) reflects the limited, ethnocentric strategic goal of the organization (a nationalist Greek state). By contrast, the high-impact, transnational operational focus of Al-Qaeda and other groups associated with the international radical jihad movement clearly underscores a strategic goal to confront the United States and other western interests with high-casualty attacks on a global scale. Despite the military setbacks suffered by Al-Qaeda, extremists adhering to the international jihad movement will continue to focus on attacks that yield significant destruction and high casualties, thus maximizing worldwide media attention and public anxiety. It also appears likely that as governments "harden" (or make more secure) official targets, such as embassies and international schools, these terrorists will increasingly seek out more vulnerable "softer" targets, such as high-profile offices of multinational firms and Americans traveling and working abroad.

Terrorism represents a continuing threat to the United States and a formidable challenge to the FBI. In response to this threat, the FBI has developed a broad-based counterterrorism program, based on robust investigations to disrupt terrorist activities, interagency cooperation, and effective warning. While this approach has yielded many successes, the dynamic nature of the terrorist threat demands that our capabilities continually be refined and adapted to continue to provide the most effective response.