



**U.S. Department of Justice  
Office of the Inspector General  
Evaluation and Inspections Division**

# **The Department of Justice's Terrorism Task Forces**

**June 2005**

**Report Number I-2005-007**

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## EXECUTIVE DIGEST

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The September 11, 2001, terrorist attacks prompted the Department of Justice (Department) to redefine its mission, objectives, and priorities to focus its top priority on counterterrorism. As a result, the Attorney General elevated counterterrorism to the Department's first strategic goal and shifted the Department's resources to eliminating terrorist networks, preventing terrorist operations, and prosecuting perpetrators of terrorist acts. The Department also directed the formation or expansion of terrorism task forces and councils (with members from many federal, state, and local agencies and private industry) that coordinate and integrate intelligence and law enforcement functions to achieve the Department's counterterrorism goal.

In this review, the Office of the Inspector General (OIG) assessed the role and operations of these terrorism task forces and councils. We examined whether the task forces and councils were achieving their purposes; whether gaps, duplication, and overlap existed in counterterrorism coverage; and how the performance of the task forces and councils is measured. We collected information through interviews of senior Department officials, task force and council managers and members, and state and local law enforcement officials; a survey of task force managers and members; document reviews; and direct observation of task force and council activities.

Specifically, we reviewed the following task forces and councils:

Deputy Attorney General's National Security Coordination Council (NSCC): The NSCC, composed of senior Department officials with responsibility for national security matters, defines, coordinates, and enhances the Department's counterterrorism strategy and resolves national security issues.

U.S. Attorneys' Anti-Terrorism Advisory Councils (ATACs): The purpose of ATACs is to 1) facilitate the exchange of information at the federal, state, and local levels and between the public and private sectors; 2) conduct counterterrorism training; and 3) coordinate terrorism prosecutorial and investigative strategies within the Department. The Attorney General directed that each of the 93 U.S. Attorneys operate an ATAC. The Counterterrorism Section (CTS) of the Department's Criminal Division provides assistance to ATAC Coordinators in the development, coordination, and prosecution of terrorism cases. The Executive Office for U.S. Attorneys (EOUSA) provides administrative support to the ATACs.

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Federal Bureau of Investigation's (FBI's) Joint Terrorism Task Forces (JTTFs): The JTTFs are operational units that conduct field investigations of actual or potential terrorism threats. Unlike the other entities reviewed in this report, the JTTFs existed before September 11, 2001. The FBI has established 103 JTTFs nationwide.

FBI's National Joint Terrorism Task Force (NJTTF): The NJTTF provides administrative, logistical, and training support to the JTTFs. The NJTTF also coordinates special information and intelligence gathering initiatives assigned by FBI headquarters and synthesizes terrorism intelligence for use by the JTTFs, member agencies, and other agencies in the intelligence community.

FBI's Foreign Terrorist Tracking Task Force (FTTTF): The FTTTF provides data to the JTTFs, NJTTF, and other government agencies that 1) prevents terrorists and their supporters from entering the United States, 2) locates those who are already present, and 3) facilitates the terrorism investigative process.

## **RESULTS IN BRIEF**

### **PROGRESS MADE**

#### **The Task Forces and Councils Contribute to the Department's Counterterrorism Efforts.**

We found that the Department's terrorism task forces and advisory councils generally function as intended, without significant duplication of effort, and they contribute to the Department's goal to prevent terrorism and promote national security. The task forces and advisory councils provide distinct yet complementary forums for sharing terrorism-related information and intelligence and investigating terrorist threats. The task forces and councils also have strengthened the Department's infrastructure devoted to counterterrorism and have developed a national network of representatives from federal, state, and local agencies, and private industry to work on terrorism prevention efforts.

In addition, the task forces have taken steps to ensure that a broader group of law enforcement officials have the security clearances needed to receive and share information about terrorism issues and that information is disseminated through meetings or electronic forums. The various federal, state, and local agency members are important "force multipliers" in the Department's counterterrorism efforts. They have facilitated the development

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of human assets to collect terrorism-related intelligence, and have assisted in investigations of leads against terrorist groups.

Although the task forces and councils have aided the Department's counterterrorism efforts, we believe that improvements to the operations of the task forces and councils can be made.

## **IMPROVEMENTS NEEDED FOR FURTHER PROGRESS**

### **The NSCC'S Role is Unclear for Long-Term Counterterrorism Planning, Centralizing and Coordinating Counterterrorism Policy and Operations, and Monitoring Policy Implementation by the Components.**

Current and former Deputy Attorneys General and NSCC members told us that the NSCC serves as a forum for Department agency heads to share counterterrorism information and advance the Department's position on national security issues. However, the NSCC does not fully perform its long-term planning, policy, and monitoring functions, as established in Attorney General guidance. The NSCC members provided us with two examples of past or present policy coordination, but could not provide any examples of the NSCC's role in centralizing counterterrorism policy and operations, conducting long-term counterterrorism planning, or monitoring the implementation of counterterrorism policy in the Department.

### **The FBI, CTS, and EOUSA Have No National Training Plans for the Task Forces and Councils, Notification of Available Training Is Ad Hoc, and Non-FBI Task Force Members Believe That FBI Members Get Preferential Treatment for Training.**

The majority of task force and council members we interviewed or surveyed had no prior experience with counterterrorism before joining the task force or advisory council. Identifying terrorists and terrorist threats, conducting a terrorism investigation, developing sources, or planning for terrorist incidents were all new subjects for most of them. More than half (51 percent) of the survey respondents reported that they required training in counterterrorism to better perform their task force and council responsibilities.

Although many training courses are available to task force and advisory council members, FBI, CTS, and EOUSA officials stated that they had not developed national training plans for members. Without national training plans, counterterrorism training for task force and council members has been determined locally and has varied widely. There are no training standards for task force members that define minimum mandatory training. The lack of

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standards may affect the members' receipt of training. Although the FBI has trained many task force members in counterterrorism, our survey results showed that 29 percent of all JTTF, NJTTF, and FTTTF members had not received any counterterrorism training since becoming members. Many of the non-FBI task force members we interviewed and surveyed stated that they received no notification of training and were unaware of what training was available. To make training information and courses more available to task force members, the FBI has now included training on its intranet website, which is accessible to all members. However, some non-FBI task force members believed that FBI agents were offered more opportunities for counterterrorism training or believed that training was available only to FBI members.

The ATAC Coordinators we interviewed stated that they want guidance on the type of training that should be offered to ATAC members and on how to identify trainers. ATAC Coordinators stated that the provision of training, particularly training on terrorism prevention and planning, to law enforcement personnel and community members is a new responsibility for them. Therefore, the ATAC Coordinators need guidance and assistance from national leaders.

**The FBI Has No Structured, Systemwide Orientation Program for New Task Force Members and Has Not Defined the Roles and Responsibilities of its Task Force Members in Writing.**

Approximately 40 percent of both FBI and non-FBI JTTF, NJTTF, and FTTTF survey respondents did not receive an orientation to the task force. When an orientation was provided, the type of orientation varied widely and the content was inconsistent. Given the rapid pace with which the NJTTF, FTTTF, and many of the JTTFs started up after September 11, 2001, the lack of a formal orientation was understandable. However, three years later, a formal standardized orientation still does not exist for new JTTF and NJTTF task force members. In September 2004, the FTTTF developed an orientation for its members.

We also found that the FBI does not have signed Memorandums of Understanding (MOUs) that define the roles, responsibilities, information sharing protocols, and length of commitment with all of the agencies participating on the JTTFs, FTTTF, and NJTTF. The FBI did not have MOUs with all of the agencies assigned to the pre-September 11 JTTFs, and those MOUs that existed were not updated to reflect the post-September 11 JTTF mission. Since November 2003, the FTTTF has had draft MOUs pending with the Department of Homeland Security (DHS) and intelligence community participants.

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**The JTTFs and ATACs Have Not Coordinated Their Efforts to Fully Interact and Share Information With Law Enforcement Agencies and First Responders in Remote Areas.**

Although the FBI and ATACs have ongoing efforts to interact and share information with law enforcement agencies and first responders in remote areas, some ATACs and JTTFs have not used all their resources to reach remote agencies that do not have representatives on the task forces and councils. The state and local law enforcement agencies with members on a JTTF or ATAC were satisfied with the amount and type of terrorism information shared. In contrast, those law enforcement agencies that were outside of the metropolitan areas and that did not have task force or council members were not as satisfied. Most remote law enforcement agencies often do not have the resources or the distance is too far to commit representatives to a JTTF and ATAC, but they still need information on terrorism from the federal government as well as terrorism-related training. The JTTFs and ATACs do not have coordinated strategies with each other to address the gaps in information sharing and training. Because terrorism and the terrorism threat may be found throughout the country, remote areas cannot be overlooked.

**The FBI Has Not Fully Developed Outcome-Oriented Performance Measures for All Task Forces or for the Individual Members. CTS and EOUSA Have No Performance Measures for the ATAC Program.**

The FBI has not developed performance measures for the NJTTF and FTTTF. Although the FBI has measures for the JTTFs as part of the field offices, many of the measures are output oriented rather than outcome oriented for the counterterrorism program. CTS and EOUSA have not developed performance measures for the ATAC program. Consequently, the FBI, CTS, and EOUSA do not have sufficient criteria to help assess their strategies, operations, and resources for the task forces and councils.

We found no established or implemented performance measures for individual task force members, and only one ATAC Coordinator we interviewed had been directly given a set of performance measures. EOUSA distributed suggested performance measures for ATAC Coordinators to the USAOs; however, ATAC Coordinators we interviewed and surveyed told us that they did not have performance measures. Without performance measures, individuals do not have guidance for prioritizing and directing their work and measuring their own progress in meeting the mission of the task force or council. Our survey results showed that 75 percent of FTTTF, JTTF,

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and NJTTF respondents did not receive performance measures; and 78 percent of the ATAC Coordinators did not receive performance measures.

**Oversight and Management of the ATAC Program Has Been Fragmented and Coordinators Do Not Have Adequate Guidance on Their Roles or on Structuring and Managing ATACs.**

The roles of EOUSA and CTS in the ATAC program are not fully understood by the ATAC Coordinators, who are uncertain which component is in charge of the ATAC program. CTS, EOUSA, and the USAOs have responsibilities for parts of the ATAC program, but no one organization within the Department has responsibility for fully managing the program. Consequently, we found that neither CTS nor EOUSA adequately monitors and assesses the ATACs' operations. Further, to determine additional funding requirements and needs, EOUSA did not strategically analyze and assess how each ATAC had spent its \$100,000 allocation to purchase communications equipment and provide training for state and local law enforcement agencies, including first responders.

In addition, CTS and EOUSA have not developed enough written guidance that clearly delineates the roles and responsibilities of the ATAC Coordinators. According to ATAC Coordinators that we interviewed, they do not receive sufficient guidance from the Department, CTS, or EOUSA on ATAC operations and structure. ATAC Coordinators told us they do not have a guide to use in identifying members and training opportunities, sponsoring terrorism exercises, preventing terrorism, or developing mechanisms to aid in the dissemination of information. As a result, operations of ATACs and their compliance with Department directives varied across judicial districts.

**The FBI Has Not Provided the FTTTF Stable Leadership or Adequate Resources and Has Assigned the FTTTF Responsibilities Outside Its Mission; As a Result, the FTTTF's Database and Risk Assessment Work is Behind Schedule.**

The FTTTF's leadership, organizational structure, and physical location changed repeatedly as the Department and the FBI were determining the FTTTF's most appropriate organizational alignment. Some FTTTF members we interviewed stated that with each change in director and management oversight, the priorities changed, the supervision became more fragmented, and the mission more unclear. The FTTTF also is not staffed fully with adequate personnel from the FBI and other agencies. Further, the FTTTF was assigned additional responsibilities not directly related to its mission, such as setting up the Terrorist Screening Center, a separate organization from the FTTTF,

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and screening foreign nationals seeking pilot certification (this responsibility was successfully transferred to the Department of Homeland Security in October 2004).

As a result of instability in leadership and organizational structure, numerous relocations, inadequate staffing, and additional responsibilities, the FTTTF's acquisition of government databases and development of risk assessment software is behind schedule and impairs the effectiveness and efficiency of analyses the task force is required to perform. To fulfill its mission, the FTTTF requires electronic access to large sets of data, including databases from many federal agencies, open source and private industry data, and access to the most sensitive materials from law enforcement and intelligence sources. The FTTTF's initial goal was to obtain state-of-the-art information technology with sophisticated analytical tools to mine these databases for suspicious patterns and conduct risk assessments to identify high-risk individuals. However, the FTTTF still has not acquired the number and type of databases it needs and is almost a year behind in completing its risk assessment prototype.

**Although the FBI Has Reallocated Considerable Resources to Counterterrorism, the JTTFs Have Certain Staffing Shortages and Turnover in Leadership, and Some JTTFs Experience Problems With Space and Information Technology Connectivity.**

We found that the JTTFs had inadequate administrative and analytical support, had high turnover in task force leadership, and exceeded their authorized staffing levels. Since September 11, 2001, the FBI has expanded the number of JTTFs across the country (for a total of 103), and the FBI Director mandated that every terrorism lead must be addressed. The FBI reallocated special agent and support staff to the counterterrorism program; however, addressing every lead results in a demanding workload that is surpassing these resources available to the task forces. At all sites we visited, we found that the JTTFs were exceeding their authorized staffing levels for FBI agents by 75 to 125 percent by borrowing personnel from other FBI programs (such as drugs or white-collar crime) within the field or resident agency office. However, the number of support staff has not increased proportionately to the workload expansion.

The FBI rotates managers in the field to provide opportunities for gaining varied experience. However, this frequent rotation affected the structure and stability of the JTTFs, terrorism investigations, and an important pilot information sharing project. Many JTTF members we interviewed stated that the lack of continuity in leadership created

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inconsistencies in the JTTFs' management, work prioritization, and operations.

We found that some JTTF members were working in cramped conditions that hampered communication, slowed work processes, and limited the JTTFs' ability to add additional members. Twenty-eight percent of the JTTF survey respondents rated the quality of their space as "poor" or "very poor." The lack of adequate work space has caused some JTTFs to limit the number of their member agencies. The FBI stated that it has fulfilled the basic requested requirements of JTTFs and field offices and acquired additional office space in offsite locations. However, the acquisition of some offsite locations has been delayed.

We also found that the JTTFs do not have adequate connectivity to information technology systems to support the members' needs. NJTTF and JTTF members described the FBI's computer systems and connectivity as "outdated" and "unreliable." Further, most offices are ill-equipped to allow members access to the Internet and non-FBI JTTF members direct access their parent agencies' databases and systems, which limits the amount of data searches that the JTTF members can complete onsite to assist investigations. Instead, non-FBI task force members must return to their parent agencies to perform data queries, which is time consuming and inefficient.

**Despite the Critical Link Between Drug Trafficking and Terrorism, the Drug Enforcement Administration (DEA) Has Minimal Membership on the Task Forces.**

Although Congress, the DEA, and the Department's leadership recognize the link between drug trafficking and terrorism (often called narco-terrorism), in comparison with other Department law enforcement components, the DEA has the lowest level of membership on the JTTFs. As of January 2005, the DEA has assigned only one full-time member to the JTTFs. Further, the DEA did not assign a permanent representative to the NJTTF until April 2004, approximately two years after the NJTTF's inception. According to the NJTTF and JTTF members we interviewed, the DEA has been "noticeably absent" from the Department's terrorism task force efforts. The DEA has a network of national and international sources, but the JTTF members' access to and use of these sources is limited because the DEA is not an active JTTF member. The DEA has identified points of contact, instead of full-time members, in its field offices to serve as liaisons to the JTTFs. Additionally, the DEA field offices and the headquarters Special Coordination Unit share counterterrorism information directly with the

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JTTFs. However, the points of contacts are unclear about their role in relation to the JTTF.

**DHS's Bureau of Immigration and Customs Enforcement (ICE) Has Not Provided its JTTF Members Needed Direction, Has Not Cross-Trained Supervisors in Their New Areas of Responsibility, and Has Not Provided Enough Staff to Perform Task Force Work.**

Many JTTF task force members from ICE told us that they received little direction from ICE or that the direction they did receive was contradictory. They also stated that the supervisors in the ICE field offices did not have functional knowledge to provide guidance to task force members. JTTF members stated that former immigration agents on the JTTFs were supervised by former customs staff that has not been cross-trained in immigration matters. The majority of JTTF members described the FBI supervision on the task force as positive, but they said that task force members also need guidance and supervision from their parent agencies on specific agency-related matters.

Most JTTF and FTTTF members and supervisors also stated that additional ICE agents, particularly former immigration agents, are needed on both task forces since most international terrorism cases have some link to immigration. Even the ICE agents who were formerly customs agents emphasized the need for additional agents with immigration experience on the JTTFs and FTTTF. The NJTTF Director, at the request of the DHS ICE, conducted a staffing needs assessment by asking the JTTF field supervisors to determine how many ICE agents were needed on each of their task forces. The results of this assessment showed that in November 2003 there were 159 full-time and 22 part-time ICE agents on 86 JTTFs. The JTTFs had requested an additional 138 full-time ICE agents. As of October 26, 2004, ICE had 269 full-time members and 42 part-time members on JTTFs. However, it is not clear if this increase is a result of the NJTTF needs assessment submitted to DHS in November 2003, or as a result of the increase in the overall number of JTTFs. A former senior ICE representative on the FTTTF stated he personally contacted a high-ranking manager at DHS and asked for additional personnel for the FTTTF, but he did not receive a response.

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## OIG CONCLUSIONS AND RECOMMENDATIONS

We concluded that the task forces and councils have enhanced information sharing, partnerships, and investigative capabilities for the Department's counterterrorism efforts. The task forces and councils have separate functions that generally are not duplicative, and they have strengthened the Department's counterterrorism infrastructure and relationships with other federal, state, local, and private agencies. Although we recognize that the task forces and councils were established or expanded quickly after the terrorist attacks of September 11, 2001, the Department has not ensured their organizational development or that all their functions have been accomplished. We believe some improvements to their operations could be made. For example, we concluded that the Department 1) does not use the NSCC for centralizing counterterrorism planning, policy, and operations, and monitoring policy implementation across the Department; 2) has not ensured that the JTTFs and ATACs have a coordinated strategy for sharing information with law enforcement agencies and first responders in remote areas; 3) has not clearly defined what organization has oversight authority for the ATAC program; 4) has not ensured the FTTTF's timely acquisition of databases and development of its risk assessment tool for terrorist tracking; and 5) has not ensured sufficient task force membership from certain internal and external organizations to facilitate counterterrorism efforts.

From an organizational development perspective, we concluded that the Department 1) has not ensured sufficient minimum training in counterterrorism, which is a new subject to many task force and council members; 2) has not ensured stability and continuity in task force leadership; 3) has not addressed continuing problems with computer connectivity that interfere with task force work; and 4) has not fully developed adequate performance measures to determine the outcomes of the task forces and councils and the contributions of individual members.

Our report contains 28 recommendations to help the Department improve the operations of the counterterrorism task forces and councils:

- The Department should determine whether the NSCC is the most appropriate forum for performing long-term counterterrorism planning, centralizing and coordinating counterterrorism policy and operations, and monitoring policy implementation.
- The FBI should develop a national training plan for each task force, and CTS and EOUSA should develop a national training plan for ATACs.

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- The FBI should develop a formal standardized orientation program for all new JTTF and NJTTF members and provide it within 30 days of the new member's start date.
  - The FBI should finalize MOUs with all agencies participating on the Department's terrorism task forces.
  - The FBI, CTS, EOUSA, and USAOs should work jointly to develop a coordinated strategy to consistently reach out to remote areas. The USAOs also should work with state homeland security task forces to coordinate activities related to information sharing and training.
  - The FBI, CTS, and EOUSA should develop overall performance measures for their respective task forces and members and councils.
  - The Department should clarify what organization has oversight for the ATAC program, and CTS and EOUSA should provide guidance to their staff and the ATAC Coordinators on their roles and on structuring and managing ATACs.
  - The FBI should ensure long-term, stable leadership, organizational structure, and housing for the FTTTF, determine the appropriate level of resources for the FTTTF to accomplish its mission, and address obstacles encountered by the FTTTF in acquiring databases from other agencies.
  - The FBI should determine staffing requirements and allocations, ensure stability in JTTF leadership, and plan for activating new, and upgrading existing, JTTFs with adequate space and equipment.
  - The DEA should increase its membership on the JTTFs and work with the FBI to assess the optimum locations for new DEA members, and issue written guidance that defines the roles and responsibilities of the DEA's JTTF members and points of contact.
  - The Deputy Attorney General should work jointly with DHS officials to ensure sufficient DHS membership on the Department's task forces.

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## TABLE OF CONTENTS

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<b>INTRODUCTION</b> .....	1
Purpose .....	1
Scope and Methodology .....	1
Report Organization and Content.....	5
<b>BACKGROUND</b> .....	6
UNDERSTANDING THE TASK FORCES AND COUNCILS.....	7
National Security Coordination Council .....	7
Anti-Terrorism Advisory Councils .....	11
Joint Terrorism Task Forces .....	15
National Joint Terrorism Task Force .....	21
Foreign Terrorist Tracking Task Force .....	25
<b>RESULTS OF THE REVIEW</b> .....	29
PROGRESS MADE	
Task Forces and Councils Have Distinct Functions That are Generally Not Duplicative .....	29
Task Forces and Councils Have Improved the Sharing of Information .....	32
Task Forces and Councils Have Improved and Expanded Partnerships in the Field and Headquarters.....	50

---

The JTTFs are Implementing the FBI’s New Counterterrorism Investigative Strategy and the FBI has Improved Access to Automated and Investigative Information .....	56
---	----

NEEDED IMPROVEMENTS

Department-Level Issues:

The NSCC’s Role is Unclear for Long-term Counterterrorism Planning, and Centralizing and Coordinating in the Department .....	59
Recommendation .....	63
No National Training Plans Exist for the Task Forces and Councils .....	65
Lack of Minimum Training Standards May Affect Task Force Members Receipt of Training .....	68
Training Needs Assessments Were Either Outdated or Never Completed .....	70
Some Members Receive No Notification of Training .....	72
Non-FBI Task Force Members Perceive Inequities in Training Offered to FBI Members Versus Non-FBI Members .....	73
Recommendations .....	75
The FBI Has Not Developed a Structured, Systemwide Orientation Program for New Task Force Members .....	76
The FBI Has Not Provided Written Guidance That Defines the Roles and Responsibilities of Task Force Members .....	81
Recommendations .....	82

---

The JTTFs and ATACs Have Not Coordinated Their Efforts to Fully Reach Out to and Share Information with Remote Areas ..... 84

Recommendation ..... 93

The FBI, CTS, and EOUSA Have Not Fully Developed Performance Measures for the Task Forces and Councils or Individual Task Force Members ..... 94

Recommendations..... 101

### ATAC-Specific Issues

The Roles of CTS, EOUSA, and USAOs in the ATAC Program are Unclear, No One Entity has Full Responsibility for Program Management, and Oversight is Fragmented..... 104

EOUSA Does Not Strategically Analyze the ATACs' Budget to Evaluate the Need for Additional Funding..... 106

The Department, CTS, and EOUSA Have Not Provided Enough Guidance to ATAC Coordinators and Compliance With the Attorney General's Mandate to Maintain an ATAC Varies Across Judicial Districts ..... 108

Recommendations..... 114

### FTTTF-Specific Issues

The FBI Has Not Provided Stable Leadership, Organizational Structure, or Adequate Resources to the FTTTF. The FBI Has Assigned Responsibilities to the FTTTF Outside of Its Defined Mission ..... 115

The FTTTF Is Behind Schedule in Its Acquisition of Databases and Development and Implementation of its Risk Assessment Tool..... 124

The FTTTF Has Not Adequately Marketed Its Services and Many JTTF and NJTTF Members Did Not Use Its Services to Aid Their Investigations ..... 127

---

Recommendations.....	128
JTTT-Specific Issues	
The JTTTs Experience Certain Staffing Shortages and Turnover In Leadership .....	130
Some JTTTs Have Experienced Problems with Space and Information Technology Connectivity .....	138
Recommendations.....	142
External Factors	
DEA Has Minimal Membership on the JTTTs.....	144
Recommendations.....	147
ICE Has Not Provided Task Force Members Needed Direction, Has Not Cross-trained Supervisors or Agents in Their New Areas of Responsibility, and Has Not Provided a Sufficient Number of Members To Perform Task Force Work .....	148
ICE Assigns Non-JTTT Tasks to its Members on The JTTT.....	155
Recommendation .....	158
Functions Performed by the States' Homeland Security Task Forces Are Viewed as Duplicative to Those of the ATACs .....	159
Recommendation .....	160
<b>CONCLUSION</b> .....	161
<b>APPENDIX I:</b> Summary of Issues and Recommendations .....	163
<b>APPENDIX II:</b> Terrorism Task Forces and Councils .....	170
<b>APPENDIX III:</b> Electronic Systems Used by the Task Forces.....	174
<b>APPENDIX IV:</b> Survey Instrument and Results .....	176
<b>APPENDIX V:</b> NSCC Memorandum .....	237
<b>APPENDIX VI:</b> ATAC Memorandums.....	239
<b>APPENDIX VII:</b> FTTTF Memorandums .....	249

---

<b>APPENDIX VIII:</b>	ODAG Response .....	255
<b>APPENDIX IX:</b>	OIG Analysis of the ODAG’s Response .....	257
<b>APPENDIX X:</b>	CRM Response .....	259
<b>APPENDIX XI:</b>	OIG Analysis of the CRM’s Response.....	267
<b>APPENDIX XII:</b>	EOUSA Response .....	272
<b>APPENDIX XIII:</b>	OIG Analysis of EOUSA’s Response .....	283
<b>APPENDIX XIV:</b>	FBI Response .....	294
<b>APPENDIX XV:</b>	OIG Analysis of the FBI’s Response.....	305
<b>APPENDIX XVI:</b>	DEA Response.....	315
<b>APPENDIX XVII:</b>	OIG Analysis of the DEA’s Response .....	318
<b>APPENDIX XVIII:</b>	DHS Response.....	321
<b>APPENDIX XIX:</b>	OIG Analysis of the DHS’s Response.....	328

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## LIST OF ACRONYMS

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ACS	Automated Case Support System
ADIC	Assistant Director in Charge
ASAC	Assistant Special Agent in Charge
ATAC	Anti-Terrorism Advisory Council
ATF	Bureau of Alcohol, Tobacco, Firearms, and Explosives
ATTF	Anti-Terrorism Task Force
AUSA	Assistant United States Attorney
BOP	Federal Bureau of Prisons
CBP	Customs and Border Protection, U.S. Department of Homeland Security
CIA	Central Intelligence Agency
CIFA	Counterintelligence Field Activity, Department of Defense
CRM	Criminal Division, U.S. Department of Justice
CTS	Counterterrorism Section, Criminal Division, U.S. Department of Justice
DEA	Drug Enforcement Administration
DHS	U.S. Department of Homeland Security
DOD	U.S. Department of Defense
EARS	Evaluation and Review Staff, EOUSA
EOUSA	Executive Office for United States Attorneys
FBI	Federal Bureau of Investigation
FISA	Foreign Intelligence Surveillance Act
FTTTF	Foreign Terrorist Tracking Task Force
FY	Fiscal Year
GAO	U.S. Government Accountability Office
ICE	Immigration and Customs Enforcement, U.S. Department of Homeland Security
IDW	Investigative Data Warehouse
INS	Immigration and Naturalization Service
JMD	Justice Management Division
JTTF	Joint Terrorism Task Force
LECC	Law Enforcement Coordinating Committee
LEO	Law Enforcement Online
LESC	Law Enforcement Support Center
MOU	Memorandum of Understanding
NCTC	National Counterterrorism Center
NJTTF	National Joint Terrorism Task Force
NLETS	National Law Enforcement Telecommunication System
NSSC	National Security Coordination Council

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NYPD	New York City Police Department
ODAG	Office of the Deputy Attorney General, U.S. Department of Justice
OIG	Office of the Inspector General, Department of Justice
OIPR	Office of Intelligence Policy and Review
RAO	Resident Agency Office
RTTF	Regional Terrorism Task Force
SAC	Special Agent in Charge
SEVIS	Student and Exchange Visitor Information System
SCIF	Sensitive Compartmented Information Facility
SSA	Supervisory Special Agent
TFOS	Terrorist Financing Operations Section
TSA	Transportation Security Administration, U.S. Department of Homeland Security
TSC	Terrorist Screening Center
TTIC	Terrorist Threat Integration Center
TURK	Time Utilization and Recordkeeping System
US-VISIT	United States Visitor and Immigrant Status Indicator Technology
USAO	United States Attorney's Office
USMS	U.S. Marshals Service
VGTOF	Violent Gang and Terrorist Organization File
WMD	Weapons of Mass Destruction

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# INTRODUCTION

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## **Purpose**

The Office of the Inspector General (OIG) assessed the role of the Department of Justice's (Department) terrorism task forces and councils in achieving the Department's strategic goal of preventing terrorism and promoting the nation's security.<sup>1</sup>

## **Scope and Methodology**

The review focused on the following Department task forces and councils:<sup>2</sup>

- The Deputy Attorney General's National Security Coordination Council (NSCC);
- The United States Attorneys' Offices' (USAOs) 93 Anti-Terrorism Advisory Councils (ATACs) (formerly named the Anti-Terrorism Task Forces); and
- The Federal Bureau of Investigation's (FBI)
  - Joint Terrorism Task Forces (JTTFs),
  - National Joint Terrorism Task Force (NJTTF), and
  - Foreign Terrorist Tracking Task Force (FTTTF).

We examined how the task forces and councils address the Department's strategic goal to prevent terrorism, whether their functions and operations are duplicative or overlap, the adequacy of the guidance and

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<sup>1</sup> *Strategic Plan, Fiscal Years 2003-2008*, U.S. Department of Justice, p. 2.4.

<sup>2</sup> During our review, several other task forces and organizations with a terrorism focus were formed, such as the Terrorist Screening Center, the Terrorist Threat Integration Center, the Justice Intelligence Coordinating Council, the Treasury Department's Office of Terrorism and Financial Intelligence, and the Department of Homeland Security Anti-Terrorism Task Force. An analysis of the similarities and differences between these new groups and the task forces and councils discussed in this report was beyond the scope of our evaluation. Another OIG review assessed the operations of the Terrorist Screening Center.

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oversight provided to the task forces and councils, and how the performance of the task forces and councils is measured.

Our fieldwork, conducted from June 2003 through January 2005, included interviews, document reviews, field site visits, a web-based survey, and observation through attendance at two training conferences and four meetings.

Interviews: We conducted 278 interviews with senior Department and other government officials, task force managers and members, and individuals who were involved with, or affected by, the terrorism task forces' or advisory councils' operations. We interviewed 57 senior officials in the following Department components.

**Table 1: Senior Department Officials Interviewed**

<b>Department Component</b>	<b>Officials Interviewed</b>
Office of the Deputy Attorney General	<ul style="list-style-type: none"><li>• United States Deputy Attorney General (current and former)</li><li>• Principal Associate Deputy Attorney General</li><li>• Senior Counsel for National Security Affairs</li><li>• Chief of Staff (former)</li></ul>
Criminal Division, Counterterrorism Section	<ul style="list-style-type: none"><li>• Section Chief</li><li>• National ATAC Coordinator</li><li>• Regional ATAC Coordinators (4)</li></ul>
Drug Enforcement Administration	<ul style="list-style-type: none"><li>• Administrator</li><li>• Chief of Operations</li></ul>
Executive Office for U.S. Attorneys	<ul style="list-style-type: none"><li>• Counsel to the Director's Staff (former point of contact for ATACs)</li><li>• Supervising Counsel to Director's Staff (current point of contact for ATACs)</li></ul>

Department Component	Officials Interviewed
Federal Bureau of Investigation	<ul style="list-style-type: none"> <li>• Director, FBI</li> <li>• Counterterrorism Division <ul style="list-style-type: none"> <li>○ Executive Assistant Director (current and former)</li> <li>○ Deputy Assistant Director, Operational Support</li> <li>○ Unit Chief, National Joint Terrorism Task Force</li> <li>○ Director, Foreign Terrorist Tracking Task Force</li> <li>○ Training Coordinators (2)</li> </ul> </li> <li>• Assistant Director, Inspections Division</li> <li>• Training Division – <ul style="list-style-type: none"> <li>○ Assistant Director Training Academy</li> <li>○ Dean of Academic Studies Training Academy (current and former)</li> </ul> </li> <li>• Field Offices – <ul style="list-style-type: none"> <li>○ Special Agent in Charge (7)</li> <li>○ Assistant Special Agent in Charge (9)</li> </ul> </li> </ul>
Federal Bureau of Prisons	<ul style="list-style-type: none"> <li>• Director, Bureau of Prisons</li> </ul>
Office of Intelligence Policy and Review	<ul style="list-style-type: none"> <li>• Chief Counsel of Intelligence Policy</li> </ul>
United States Attorneys’ Offices	<ul style="list-style-type: none"> <li>• United States Attorneys (9)</li> <li>• Deputy United States Attorney</li> </ul>
United States Marshals Service	<ul style="list-style-type: none"> <li>• Director</li> </ul>

In addition to the Department’s senior officials identified above, we interviewed 186 ATAC, JTTF, NJTTF, and FTTTF supervisors, members, and coordinators. These 186 individuals represented federal, state, and local government; law enforcement; the intelligence community; private industry; and the military. We also interviewed 12 police executives (commissioners, chiefs, deputy chiefs, and sheriffs) who had direct contact with the task forces and councils, and 20 state and local law enforcement and first responders who were not represented on the task forces. We also interviewed the Assistant Secretary and the Chief of Operations for the Department of Homeland Security’s Immigration and Customs Enforcement (DHS ICE).

Document Reviews: We reviewed Presidential Directives and Executive Orders, and Attorney General and Deputy Attorney General memorandums, directives, and guidance issued concerning the task forces and councils. We also reviewed documents provided by the FBI, Executive Office for U.S. Attorneys (EOUSA), USAOs, Counterterrorism Section (CTS) within the Criminal Division, and the Office of the Deputy Attorney General concerning the management of the task force and advisory council operations. Additionally, we reviewed Government Accountability Office (GAO) reports,

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congressional testimony, DHS Office of the Inspector General reports, and other related reports that impacted on, or were related to, the operation of the task forces and advisory councils.

Field Site Visits: We completed 13 site visits to USAOs and the FBI's field offices and resident agency offices (RAOs).<sup>3</sup> We visited:

- Sites from all four areas of the country (east, west, north, and south);
- A range of large and small field offices and judicial districts; and
- Sites with a JTTF and an ATAC, sites with a JTTF but no ATAC in close proximity, sites with an ATAC but no JTTF in close proximity, and sites with neither a JTTF or ATAC in close proximity.<sup>4</sup>

Survey: To obtain information from a greater number of task force and council members, we prepared a web-based survey. We pretested it with members from a selected ATAC and JTTF as well as with previously interviewed FTTTF and NJTTF members. We made changes to the survey based upon the pretest results. In January 2004, we distributed survey passwords and instructions to a total of 1,810 ATAC, JTTF, FTTTF, and NJTTF members. Two hundred of the e-mail invitations were returned as undeliverable, reducing the total sample size to 1,610.<sup>5</sup> Respondents were given three weeks to complete the survey. We received 704 completed surveys, an overall response rate of 44 percent. Appendix IV contains a copy of the survey instrument and results.

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<sup>3</sup> RAOs are FBI satellite offices established to provide services throughout the jurisdiction of the field office.

<sup>4</sup> The sites visited were: New York City, New York; San Francisco, California (including Oakland); Anchorage, Alaska; Spokane, Washington; Coeur d' Alene, Idaho (FBI office only); Salt Lake City, Utah; St. Louis, Missouri; Boston, Massachusetts; Portland, Maine; Oklahoma City, Woodward (FBI office only), and Enid, Oklahoma; and San Juan, Puerto Rico.

<sup>5</sup> The NJTTF, EOUSA, and USAOs provided the e-mail addresses that we used in our survey.

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In selecting our survey sample, we used a simple random sampling methodology for the ATACs (10 percent of the ATAC population).<sup>6</sup> To ensure representation from Department members, we first selected all the non-FBI Department members on the JTTFs and then randomly selected the remaining members to equal a 10 percent sample. Because the FBI has a large number of employees on the JTTFs, we included them in the simple random selection. The NJTTF and FTTF have small populations; therefore, we surveyed all participants of those task forces whom we had not interviewed.

Observations: In September 2003, we attended the JTTF National Conference, which focused on topics such as terrorism investigations, information dissemination, asset recruitment, and law enforcement coordination. In March 2004, we attended the ATAC Coordinators and Crisis Management Coordinators Conference, which covered topics such as implementation of the Attorney General National Security Guidelines, FBI databases and resources, community outreach to Muslims, and Foreign Intelligence Surveillance Act (FISA) prosecution issues.

We also attended two JTTF meetings (one Executive Board and one full membership), one NJTTF meeting, and one ATAC meeting to observe the interactions of the participants and the types of information shared.

## **Report Organization and Content**

This report provides a summary of our findings and recommendations concerning the Department's terrorism task forces and councils. The information is presented in three major sections: 1) background on the task forces' and councils' history, mission, functions, and structure; 2) the task forces' and councils' accomplishments; and 3) issues we concluded can be improved. The appendices provide additional information and details on information sharing systems, the OIG's survey results, and Department memorandums relating to the task forces and councils.

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<sup>6</sup> *Simple random sampling* allows individuals to be randomly chosen from the sampling frame such that everyone has an equal chance of being selected for participation in the survey.

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## BACKGROUND

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The September 11, 2001, terrorist attacks prompted the Department to redefine its mission, objectives, and priorities to focus on counterterrorism. Attorney General Ashcroft elevated counterterrorism to the Department's first strategic goal and stated that the Department will devote "all the resources necessary to disrupt, weaken, and eliminate terrorist networks, prevent or thwart terrorist operations, and to bring to justice the perpetrators of terrorist acts."<sup>7</sup>

As part of these changes, Attorney General Ashcroft directed the formation or expansion of terrorism task forces and councils that coordinate and integrate intelligence and law enforcement efforts related to counterterrorism issues. These task forces included the Deputy Attorney General's NSCC, the U.S. Attorneys' ATACs; and the FBI's JTTFs, NJTTF, and FTTF. The following synopsis describes the councils' and task forces' mission, history, functions and operations, membership and management, and budget. Appendix II consolidates this information in a table.

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<sup>7</sup> *FY 2001 Performance Report/FY 2002 Revised Final Performance Plan/FY 2003 Performance Plan*, U.S. Department of Justice, p.1.

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## UNDERSTANDING THE TASK FORCES AND COUNCILS

### The National Security Coordination Council (NSCC)

**Mission:** To ensure a more seamless coordination of all Department functions relating to national security, particularly its efforts to combat terrorism.

**History:** The Attorney General announced the creation of the NSCC on March 5, 2002, to provide a more coordinated effort to combat terrorism and address other national security challenges, both within the Department and in the Department's interaction with other law enforcement and intelligence agencies.

**Functions and Operations:** By Attorney General Memorandum, the NSCC was formed to:

- Centralize and coordinate policy, resource allocation, operations, and long-term planning of Department components regarding counterterrorism, counterespionage, and other major national security issues;
- Monitor the implementation of Department policy to ensure that components are taking necessary and appropriate actions to prevent and disrupt the occurrence of terrorist attacks in the United States;
- Provide an institutionalized Department forum for crises management;

#### Facts in Brief

**History:** Established by the Attorney General on March 5, 2002.

**Functions:** Assists the Department's leadership in defining, coordinating, and enhancing the Department's counterterrorism strategy. Reviews and allocates the Department's counterterrorism budget. Frames national security issues for the Attorney General's resolution.

**Size:** 1 headquarters-based council for Department of Justice executives.

**Membership:** 10 permanent members, including the Deputy Attorney General, the Attorney General's Chief of Staff, Assistant Attorneys General for the Criminal Division and Office of Justice Programs, the Counsel of the Office of Intelligence Policy and Review, and the heads of the Department's components (Bureau of Alcohol, Tobacco, Firearms, and Explosives, Bureau of Prisons, FBI, Drug Enforcement Administration, and the U.S. Marshals Service).

**Management Structure:** Under the direction of the Deputy Attorney General, with support provided by his staff.

**Budget:** FY 2003, \$2 million (total). No separate line item after FY 2003.

**How to Join:** Restricted to Department leadership; guests are invited periodically to attend.

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- Promote coordination and information-sharing within the Department, between the Department and other federal agencies and interagency bodies, and between the Department and state and local law enforcement authorities, to prevent, prepare for, and respond to terrorist attacks within the United States;
  - Frame national security issues for resolution by the Deputy Attorney General or the Attorney General; and
  - Ensure that positions advanced by the Deputy Attorney General on behalf of the Department at interagency meetings of the National Security Council, the Homeland Security Council, and other interagency forums reflect input from Department national security components.<sup>8</sup>

Attorney General Ashcroft further stated that the NSCC would help the Department “develop, direct, and execute its counterterrorism strategy to eliminate terrorist threats before they develop into terrorist acts.”<sup>9</sup>

Examples of work performed and projects undertaken by the NSCC relating to the coordination of national security issues include the following:

- A sub-group of the NSCC coordinated an interagency planning process for post-conflict reconstruction activities prior to Operation Iraqi Freedom. This sub-group continues to coordinate the implementation of plans for the reconstruction of the justice, police, and corrections sectors of Iraq. A similar process exists under the NSCC for coordinating reconstruction activities in Afghanistan.
- An NSCC working group, chaired by a member of the Deputy Attorney General’s staff, coordinated the Department’s contributions to and review of the publication of the DHS Interim National Response Plan, the National Incident Management System, and the

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<sup>8</sup> *Establishment of the National Security Coordination Council*, Memorandum for Heads of Department Components, U.S. Department of Justice, Attorney General John Ashcroft, March 2002.

<sup>9</sup> News Conference, National Security Coordination Council, Attorney General John Ashcroft, March 5, 2002.

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National Response Plan, which are mandated by Homeland Security Presidential Directive-5.

- The NSCC coordinated a memorandum from the Attorney General regarding the response to a terrorist threat that delegated the authority for components to provide support to FBI offices around the country.

Membership and Management: The Deputy Attorney General is the NSCC chairperson, and the NSCC's permanent members include the following officials with responsibility for national security matters:

- Chief of Staff to the Attorney General
- Director, FBI (with appropriate participation by the FBI Executive Assistant Director for Counterterrorism/Counterintelligence)
- Assistant Attorney General, Criminal Division (with appropriate participation by the Counterterrorism Section, the Office of International Affairs, and other Division components)
- Assistant Attorney General, Office of Justice Programs
- Counsel, Office of Intelligence Policy and Review (OIPR)
- Administrator, Drug Enforcement Administration (DEA)
- Director, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Director, Bureau of Prisons (BOP)
- Director, U.S. Marshals Service (USMS)

Other senior Department officials, as well as senior officials from the CIA and other government agencies are invited to attend NSCC meetings when appropriate.

The NSCC receives staff support from attorneys and administrative personnel in the Office of the Deputy Attorney General. The NSCC incorporated the functions and personnel of the former Executive Office of National Security.

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Budget: In FY 2003, the NSCC was allocated \$2 million. No separate line-item existed for the NSCC in FY 2004 or FY 2005.

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## The Anti-Terrorism Advisory Councils (ATACs) (formerly Anti-Terrorism Task Forces)

**Mission:** To coordinate the dissemination of terrorism information and the development of investigative and prosecutive strategies throughout the United States.

**History:** Immediately after September 11, 2001, the Attorney General directed all U.S. Attorneys to establish an Anti-Terrorism Task Force (ATTF) and appoint an experienced Assistant United States Attorney (AUSA) as the ATTF Coordinator in each district. In a September 17, 2001, memorandum, the Attorney General instructed each ATTF to coordinate the implementation of an operational plan for preventing terrorism, serve as the conduit of information about suspected terrorists between federal and local agencies, and coordinate the district's response to a terrorist incident. The memorandum also required each ATTF Coordinator to work with the designated Regional Coordinator in CTS to ensure consistent application of terrorism prosecution strategies and to provide guidance to the task forces.<sup>10</sup>

The ATTF Coordinators convened their first meetings on September 18, 2001. The Deputy

### Facts in Brief

**History:** Created by the Attorney General on September 17, 2001, and renamed Anti-Terrorism Advisory Councils on September 25, 2003.

**Functions:** Facilitate the exchange of information between its members and conduct counterterrorism training. Coordinate terrorism prosecutorial and investigative strategies among the CTS, the FBI's JTTFs, and USAOs.

**Size:** 93 task forces, one in each judicial district (the judicial districts for Guam and Northern Mariana Islands combined ATACs).

**Membership:** Approximately 11,000 members, comprising federal, state, and local law enforcement; first responders; public health managers; utility companies; and private industry security.

**Management Structure:** Each U.S. Attorney appoints a senior Assistant U.S. Attorney to coordinate the ATAC's operations. Intelligence Research Specialists assist the Coordinator. EOUSA and CTS provide administrative support and operational oversight.

**Budget:** FY 2002 – \$9.3 million (\$100,000 for each task force) for use until expended, but not later than September 2004. Three ATACs received extensions until December 2004 and three others until March 2005.

FY 2004 – No further allocation for ATACs.

**How to Join:** Requests made through the local USAO. Security clearance not required.

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<sup>10</sup> *Anti-terrorism Plan Memorandum for all U.S. Attorneys*, U.S. Department of Justice, Attorney General John Ashcroft, September 17, 2001.

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Attorney General also issued further guidance to the ATTF Coordinators on membership, mission, and the relationship with the FBI and the JTTFs.<sup>11</sup>

In September 2003, the Attorney General renamed the task forces the Anti-Terrorism Advisory Councils (ATACs) to better describe their activities.<sup>12</sup> The new name helped to clarify their mission and differentiate them from other terrorism-related task forces.

Functions and Operations: The ATACs are responsible for coordinating the exchange of terrorism-related information, as well as providing or facilitating counterterrorism training, for all appropriate parties in a judicial district. The ATACs hold meetings, organize training sessions for members, and have purchased communication equipment for state and local law enforcement. The ATAC Coordinators also work jointly with the FBI and the JTTFs in terrorism investigations and prosecutions.

Membership and Management: There are approximately 11,000 members in the 93 ATACs across the country. Members include federal, state, and local law enforcement officers; first responders; private industry security personnel; and individuals from any other relevant organization that has a need for terrorism-related threat information. While JTTF membership is limited to law enforcement personnel with security clearances, the ATAC is open to a broader range of participants and does not require security clearances for its members.

ATACs are coordinated by an experienced AUSA. Each USAO was given funds to hire an Intelligence Research Specialist, who provides support to the ATAC Coordinator and is often used to support the district's JTTF. According to the Attorney General's memorandum, each U.S. Attorney has the autonomy to operate the ATAC to fit the district's needs.

CTS appointed Regional ATAC Coordinators (located at the Criminal Division in Washington, D.C.) who provide assistance to ATAC Coordinators in the development, coordination, and prosecution of terrorism cases.

CTS has established a National ATAC Coordinator position, filled annually on a rotating basis by a field ATAC Coordinator, to provide

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<sup>11</sup> *Guidance for Anti-terrorism Task Forces Memorandum*, U.S. Department of Justice, Deputy Attorney General Larry Thompson, October 8, 2001.

<sup>12</sup> *Responsibilities of Anti-terrorism Advisory Councils (ATACs) Memorandum for all U.S. Attorneys*, U.S. Department of Justice, Attorney General John Ashcroft, September 24, 2003.

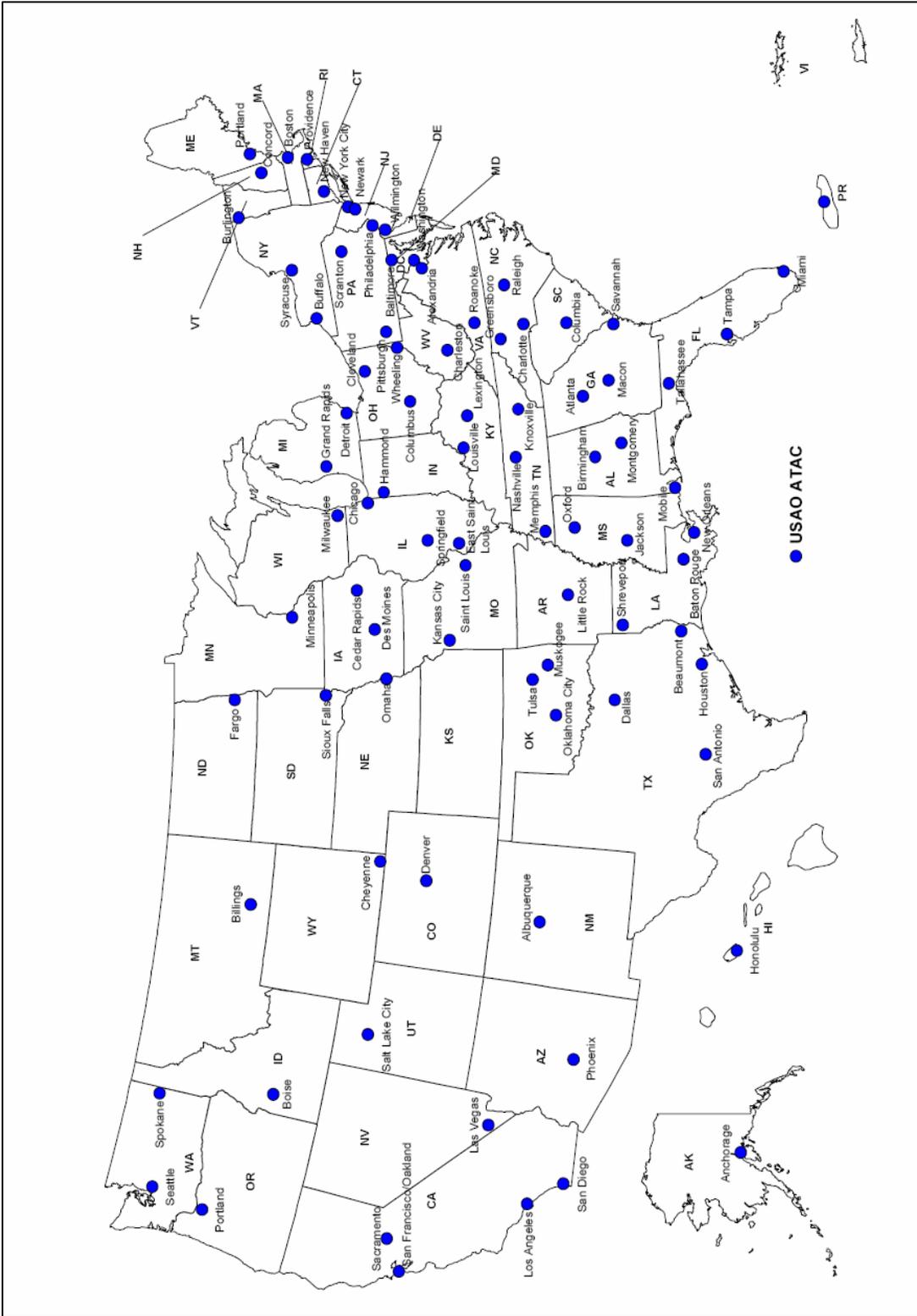
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additional support to ATACs and to provide headquarters with a field perspective.

EOUSA provides administrative support to the ATACs. One staff person in EOUSA is responsible for providing support to ATACs.

Budget: The ATAC program received \$9.3 million in FY 2002 to purchase communication equipment and organize anti-terrorism training for state and local law enforcement agencies. Each USAO received a onetime allocation of \$100,000 to expend originally by December 2003 (extended to September 2004, and then to December 2004 for three ATACs and to March 2005 for three other ATACs). Since FY 2002, the ATACs have not received any additional appropriations. EOUSA and CTS do not separately identify the funds used for ATAC duties.

**Figure 1: Anti-Terrorism Advisory Council Locations**



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## The Joint Terrorism Task Forces (JTTFs)

**Mission:** To detect and investigate terrorists and terrorist groups and prevent them from carrying out terrorist acts directed against the United States.

**History:** In 1979, the New York City Police Department (NYPD) and the FBI's New York City field office formed a task force to jointly investigate bank robberies that were affecting New York City's financial community. The FBI and the NYPD each committed 11 members to start the task force. The FBI recognized the value of the task force concept in its investigative processes and subsequently applied the concept to the counterterrorism program.

The FBI established the first JTTF in May 1980 in the New York City field office. The New York City JTTF grew to include additional NYPD members and members from other federal, state, and local law enforcement agencies. Each of the member agencies signed a Memorandum of Understanding (MOU) that identified the task force's objectives as responding to and investigating terrorist incidents or terrorist-related criminal activities and investigating domestic and foreign terrorist groups.<sup>13</sup>

The FBI expanded the terrorism task force concept to other field offices and by 1996 there were JTTFs in 11 of the FBI's 56 field offices.

### Facts in Brief

**History:** Started in 1979 as a concept to address bank robberies. The first JTTF was implemented in 1980 in the FBI's New York City field office. The FBI subsequently applied the task force concept to its counterterrorism program in other field offices.

**Functions:** Operational unit that conducts field investigations of actual or potential terrorism threats.

**Size:** 35 task forces before September 11, 2001, 103 task forces as of March 2005.

**Membership:** 912 members before September 11, 2001. As of January 2005, 5,085 federal, state, and local members from law enforcement, intelligence, the military, and other agencies.

**Management Structure:** Housed in the FBI's field and satellite offices, the members are assigned taskings and managed by an FBI Supervisory Special Agent.

**Budget:** FY 2004, \$286 million (total), FY 2005, \$375 million (total).

**How to Join:** Requested through or invited by local FBI field office. Parent agency and the FBI sign an MOU. Members must obtain a Top Secret security clearance.

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<sup>13</sup> An MOU is an agreement between two or more agencies that defines the roles, responsibilities, and length of commitment for each of the affected parties.

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Over the next several years, the number of terrorist incidents, suspected terrorist incidents, and terrorist preventions increased.<sup>14</sup> The FBI subsequently activated JTTFs in additional field offices, bringing the total to 35 JTTFs in FY 2000. After September 11, 2001, the FBI expanded its JTTF coverage to the remaining 21 field offices and began to create JTTF annexes in its resident agency offices (RAOs). A JTTF annex operates identical to a JTTF in a FBI field office. At the end of FY 2002, the FBI had 66 total JTTFs (56 field office JTTFs and 10 JTTF annexes). Since FY 2002, 37 additional JTTF annexes were established, bringing the total number of JTTFs to 103.

Functions and Operations: The JTTFs are squads within the FBI's field offices, and select RAOs, that focus primarily on addressing terrorism threats and preventing terrorist incidents. The JTTFs are the "operational" units within the Department's counterterrorism initiative because they respond to terrorism leads and conduct terrorism investigations. The JTTFs also pool the resources and expertise of multiple agencies to collect and share counterterrorism intelligence. The JTTFs share classified and unclassified information with their federal, state, and local partners and hold meetings for their members and agency liaisons.

Examples of some prominent cases the JTTFs participated in include:

- 1997 – Conviction of Ramzi Yousef and Eyad Mahmoud Ismal for conspiracy in the 1993 World Trade Center bombing.
- 1997 – Prevention of several domestic terrorism acts by members of the True Knights of the Ku Klux Klan.
- 2001 – Investigation of a Hizbollah cell through the arrests and convictions of 20 individuals in North Carolina. A related investigation by the Detroit JTTF has yielded 14 convictions.

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<sup>14</sup> The FBI defines a terrorist incident as a "violent act or an act dangerous to human life, in violation of the criminal laws of the United States, or of any state, to intimidate or coerce government, the civilian population, or any segment thereof, in furtherance of political or social objectives. Suspected terrorist incident is a potential act of terrorism for which responsibility cannot be attributed to a known or suspected group. Terrorism prevention is a documented instance in which a violent act by a known or suspected terrorist group or individual with the means and a proven propensity for violence is successfully interdicted through investigative activity." See: *Terrorism in the United States 1999*, FBI, Counterterrorism Threat Assessment and Warning Unit, Counterterrorism Division, p. ii.

- 2001 - Dismantling of the Holy Land Foundation for Relief and Development, an organization that allegedly has links to Hamas.
- 2003 – The Palestine Islamic Jihad, or PIJ, activities and capabilities in the U.S. were severely undercut by the arrests of the U.S. PIJ leader, Sami al-Arian, and three of his top lieutenants. There has been no indication of a new U.S. PIJ leadership since the arrest of al-Arian.
- 2004 – In Virginia, Mohammed Ali al-Timini, the spiritual leader of the Virginia Jihad training group disrupted last year, was indicted for his involvement in the recruitment of U.S. citizens for extremist training and jihad preparation. On April 22, 2005, a Virginia jury convicted al-Timini on all ten counts of indictment.
- 2004 – In New York, Yassin Muhiddin Aref was arrested on money laundering charges connected to a possible terrorist plot to kill a Pakistani diplomat.
- 2004 –In Detroit, Mahmoud Youssef Kourani was indicted and convicted in the Eastern District of Michigan on one count of Conspiracy to provide material support to Hizballah.

Additionally, the FBI uses the JTTFs to coordinate security measures for all national special events, such as the 2004 Democratic and Republican National Conventions, the 2004 Summer Olympics, the 2003 National Collegiate Athletic Association’s Division I Basketball and Hockey Tournaments, and the 2002 Winter Olympics.

Membership and Management: The FBI reported the following numbers for JTTF membership in June 2004.

**Table 2: JTTF Membership**

<b>Members</b>	<b>Pre-9/11</b>	<b>FY 2004</b>
FBI	614 (67%)	1,844 (43%)
Other Federal Agencies	155 (17%)	1,197 (28%)
State and Local	143 (16%)	1,204 (29%)
Total	912 (100%)	4,245 (100%)

Sources: *The FBI’s Counterterrorism Program Since September 2001*, issued June 2004.

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The JTTFs' membership increased from its pre-September 11, 2001, number of 912 task force members to 5,085 members in January 2005. Members serve on the JTTFs either full time or part time and report to an FBI Supervisory Special Agent (SSA). The JTTFs' operations in the field offices are managed directly by an FBI SSA who reports to an Assistant Special Agent in Charge (ASAC) at the division office. For JTTFs in RAOs, the SSA reports to the Special Agent in Charge (SAC) or Assistant Director in Charge (ADIC) of the respective field office.

The JTTFs are primarily divided into two major sections: international terrorism and domestic terrorism. FBI offices with larger JTTFs further divide their functions and create squads that focus on specific topics.

JTTF members must obtain a Top Secret security clearance. Agency liaisons to the JTTF serve as "points of contact" and do not require security clearances. The JTTFs also develop partnerships among law enforcement; the intelligence community; the military; and federal, state, and local government. The JTTF members can include, but are not limited to:

- Federal partners:
  - Central Intelligence Agency
  - U.S. Department of Commerce
  - U.S. Department of Defense: Naval Criminal Investigative Service, Air Force Office of Special Investigations, Defense Criminal Investigative Service
  - U.S. Department of Energy
  - U.S. Department of Homeland Security: U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, U.S. Transportation Security Administration, U.S. Coast Guard, U.S. Secret Service
  - U.S. Department of Justice: U.S. Marshals Service; Bureau of Alcohol, Tobacco, Firearms and Explosives; Federal Bureau of Prisons
  - U.S. Department of Treasury: Treasury Inspector General for Tax Administration
  - Environmental Protection Agency
  - U.S. Nuclear Regulatory Commission
  - U.S. Capitol Police
  - U.S. Park Police
- State partners:
  - State police
  - State highway patrols

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- Departments of public safety
  - Transit administrations
  - National Guard
  - State bureaus of investigation
  - State attorneys' offices
  - State universities and colleges
  - State departments of justice
  
  - Local and private industry partners:
    - Police departments (city, county)
    - Sheriff departments
    - University police departments
    - Transportation authorities (railroad, port, airport, and other law enforcement entities that support transportation)
    - Utility companies

Budget: In FY 2003, the FBI received \$216 million to fund the JTTFs' operations, and in FY 2004 the amount received increased to \$285 million. The FY 2005 JTTF budget is \$375.2 million.



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## The National Joint Terrorism Task Force (NJTTF)

**Mission:** To support the JTTFs and to enhance communication, coordination, and cooperation among federal, state, and local government agencies by providing a point of fusion for terrorism intelligence.

**History:** The rapid post-September 11, 2001, growth in the number of JTTFs increased the need for coordination between the JTTFs and the FBI's headquarters. In July 2002, the FBI formed the NJTTF to coordinate the flow of information on threats and leads between the FBI headquarters and the JTTFs and to function as the "hub" of support for the JTTFs throughout the United States.<sup>15</sup>

**Functions and Operations:** The NJTTF operates a multi-agency task force with staff from the intelligence, law enforcement, defense, diplomatic, public safety, and homeland security communities. The NJTTF provides administrative, logistical, policy, financial, and training support and guidance to the JTTFs. It works with other FBI headquarters units to identify tools that promote information sharing between state and local law enforcement and the JTTFs.

According to the FBI the NJTTF serves as the "point of fusion" for terrorism intelligence for the JTTFs, member agencies, and others in the intelligence community. Using its access to databases provided by its members, the NJTTF conducts assessments of terrorism intelligence and combines them into analytical products. It also verifies terrorism information through the NJTTF members' interaction and interpretation.

### Facts in Brief

**History:** Established by the FBI Director in July 2002.

**Functions:** Provides administrative, logistical, and training support to the JTTFs. Coordinates special information and intelligence gathering initiatives assigned from FBI headquarters. Assesses and combines intelligence into analytical products.

**Size:** 1 headquarters-based task force.

**Membership:** 62 members from 40 agencies, including federal, state, and local agency representatives from law enforcement, defense, diplomatic services, public safety, and homeland security.

**Management Structure:** An FBI Unit Chief and DHS Deputy Unit Chief jointly manage its operations. Managed by the FBI's Counterterrorism Division under the Deputy Assistant Director for Operations.

**Budget:** FY 2004, \$5.1 million (total), \$2.8 million (non-personnel).

**How to Join:** Requested through or invited by the FBI. Parent agency and the FBI sign an MOU. Members must obtain and maintain a Top Secret security clearance.

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<sup>15</sup> *Joint Terrorism Task Force Report to Congress*, FBI, October 2003, p. 7.

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During crisis situations, the NJTTF's members support the FBI's Strategic Intelligence Operations Center and provide information that addresses the crisis or terrorist act.

The NJTTF coordinates terrorism projects that require JTTF intelligence gathering and consolidates the information received from the JTTFs into reports that are disseminated to the specific units in the Counterterrorism Division, JTTFs, FBI Legal Attaches (LEGATs) and other government agencies.

Membership and Management: The NJTTF has 62 members (15 FBI and 47 representatives from other government agencies). The participating agencies are listed on the following page.<sup>16</sup> All members must obtain a Top Secret security clearance. The NJTTF accepts members from state and local law enforcement agencies on a temporary basis through its Fellowship and Scholarship Programs. The NJTTF Fellowship Program accepts members from state and local law enforcement agencies for 6-month assignments. The NJTTF Scholarship Program targets the field office JTTF supervisors who are assigned to the NJTTF for two weeks. These programs allow the NJTTF to improve its liaisons with state and local law enforcement agencies and the JTTFs.

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<sup>16</sup> The Central Intelligence Agency (CIA) has been a member of the NJTTF since inception, but its position on the task force was vacant in March 2005.

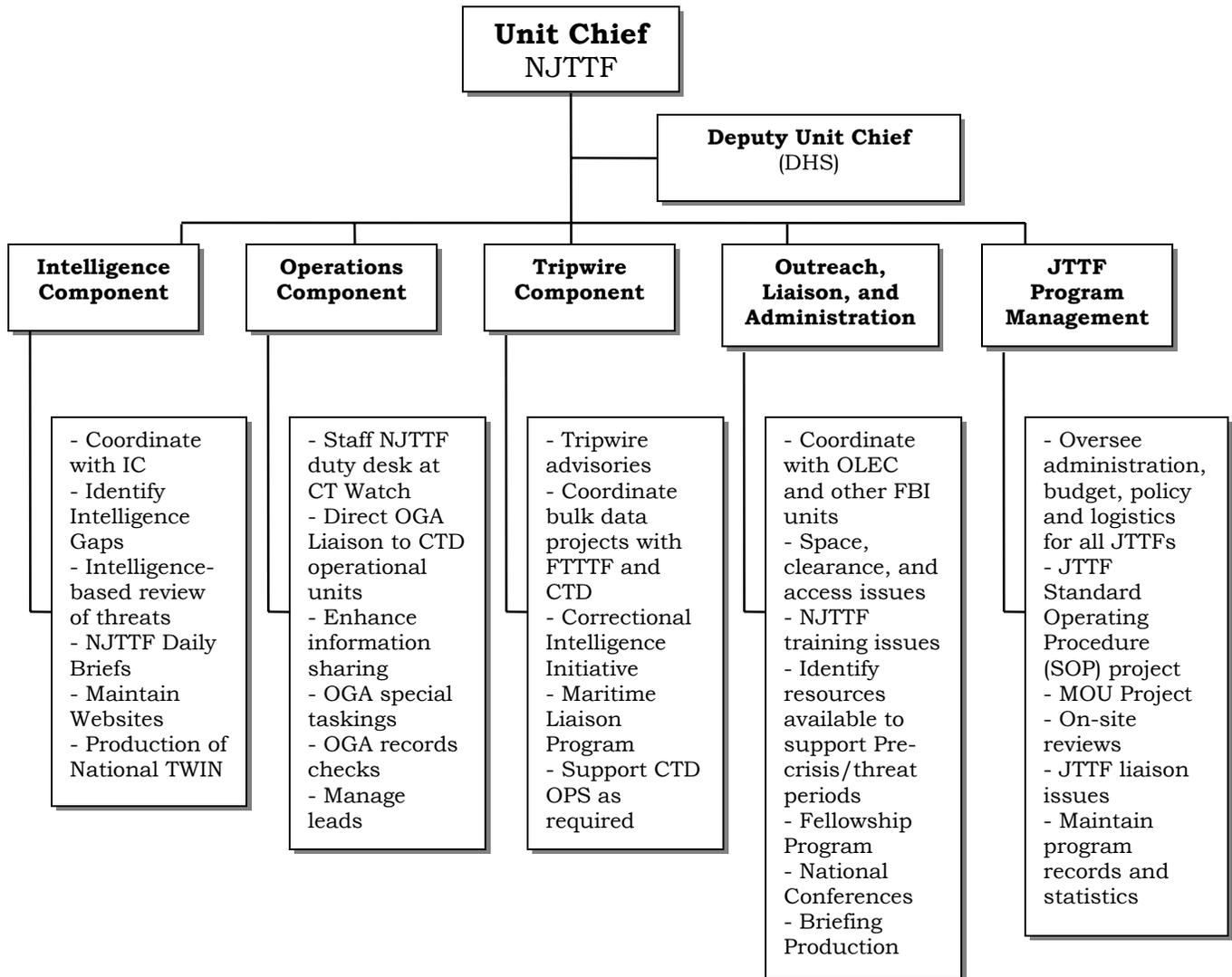
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## **Agencies Participating on the NJTTF**

- U.S. Department of Agriculture
- U.S. Capitol Police
- U.S. Department of Energy
- U.S. Department of Defense
  - Defense HUMINT Services
  - Defense Intelligence Agency
  - Defense Criminal Investigative Service
  - U.S. Air Force Office of Special Investigations
  - U.S. Army Criminal Investigative Division
  - U.S. Army Military Intelligence
  - Naval Criminal Investigative Service
  - U.S. Special Operations Command (SOCOM)
  - Joint Forces Command (NORTHCOM)
  - Defense Threat Reduction Agency
- U.S. Department of Health and Human Services
  - U.S. Department of Health and Human Services, headquarters component
  - U.S. Food and Drug Administration
- U.S. Department of Homeland Security
  - U.S. Customs and Border Protection
  - U.S. Coast Guard
  - U.S. Department of Homeland Security, headquarters component
  - U.S. Federal Protective Service
  - U.S. Immigration and Customs Enforcement
  - U.S. Transportation Security Administration
  - Federal Air Marshals
  - U.S. Secret Service
- U.S. Department of the Interior
- U.S. Department of Justice
  - Bureau of Alcohol, Tobacco, Firearms and Explosives
  - Drug Enforcement Administration
  - Federal Bureau of Investigation
  - Federal Bureau of Prisons
  - U.S. Marshals Service
- U.S. Department of State
- U.S. Department of Transportation
- U.S. Department of Treasury
  - Internal Revenue Service
  - Treasury Inspector General for Tax Administration
- U.S. Environmental Protection Agency
- National Railroad Police
- New York City Police Department
- U.S. Nuclear Regulatory Commission
- U.S. Office of Personnel Management
- U.S. Postal Inspection Service
- Washington, DC Metropolitan Police Department

**Budget:** The NJTTF's budget increased by approximately 97 percent from \$2.6 million in FY 2003 to \$5.1 million in FY 2004.

**Figure 3: NJTTF Organization Chart**



Notes: IC = Intelligence Community, CTD = Counterterrorism Division, OGA = Other Government Agencies, TWIN = Threat Warnings and Indicator Notice, OLEC = Office of Law Enforcement Coordination; Operation Tripwire is a program whereby JTTFs collect intelligence and pursue leads to build an intelligence database and the FBI then analyzes the data collected to identify patterns.

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## The Foreign Terrorist Tracking Task Force (FTTTF)

**Mission:** To provide information that helps keep foreign terrorists and their supporters out of the United States or leads to their exclusion, removal, surveillance, or prosecution.

**History:** On October 29, 2001, Homeland Security Presidential Directive-2 required the Attorney General to create the FTTTF by November 1, 2001, with assistance from the Secretary of State, the Director of Central Intelligence, and other officers of the government, as appropriate. The FTTTF was originally created as an independent component within the Department of Justice, reporting to the Attorney General through the Deputy Attorney General. In August 2002, the FTTTF was placed within the FBI and is currently located within the FBI's Counterterrorism Division with reporting responsibilities to the Deputy Attorney General and to the FBI Director.

**Functions and Operations:** Homeland Security Presidential Directive-2 requires the FTTTF to ensure that, to the maximum extent permitted by law, federal agencies coordinate programs to: 1) deny entry into the United States of aliens associated with, suspected of being engaged in, or supporting terrorist activity; and 2) locate, detain, prosecute, or deport any such aliens already present in the United States. The FTTTF has identified three core functions to carry out this directive:

- *Tracking* – to locate and track suspected terrorists and their supporters within the United States by providing authorized personnel with information about their previous travels or

### Facts in Brief

**History:** Homeland Security Presidential Directive-2, issued on October 29, 2001, required the Department to create the FTTTF. The Department started the FTTTF on October 31, 2001.

**Functions:** Uses technology, algorithms, and data sets to provide data to help prevent terrorists and their supporters from entering the United States and locate those that are already present. Also supports the FBI's JTTFs, NJTTF, and the headquarter-level counterterrorism units by providing data to be used in terrorism investigations.

**Size:** 1 headquarters-based task force.

**Membership:** 138 members, the majority of whom are FBI personnel, information technology contractors, or intelligence contractors.

**Management Structure:** Initially reported to the Attorney General through the Deputy Attorney General, but shifted to the FBI in August 2002. Led by an FBI senior manager, who reports to the Counterterrorism Division's Deputy Assistant Director for Operations.

**Budget:** FY 2004, \$61.6 million, FY 2005, \$52.3 million.

**How to Join:** Requested through or invited by the FBI. Members must obtain a Top Secret clearance with Sensitive Compartmented Information (SCI) access.

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current location in the United States. This service is intended to enhance ongoing investigations for the JTTFs, NJTTF, and other government agencies by providing information that supports prosecutions and removals of foreign terrorists and their supporters.

- *Detection* - to identify previously unknown terrorists and their supporters within the United States, or those outside the United States using public, proprietary, and other government data through non-obvious relationship algorithms.
- *Risk Assessment* - to develop an automated risk analysis software tool that will identify high-risk individuals when applied to government, public, and proprietary data and databases the FTTTF acquires.

Examples of the work performed by the FTTTF include the following:

- Identified a social security number found to be used by over 100 foreign individuals of Asian and Middle Eastern descent living in the Norfolk, Virginia area.
- Increased the amount of new information for certain cases by an average of 21 percent by checking names through the FTTTF's compilation of databases.
- Provided the FBI's Counterterrorism Division a previously unknown social security number and a Brooklyn address for a subject of an investigation linked to Al-Qaeda terrorists wanting to use the subject's textile business to import explosives.
- Advised FBI Headquarters and the New York Field Office regarding a suspected terrorist trainer's presence in the United States. Also identified aliases, social security numbers, addresses, phone numbers, and travel information for some of the nearly 50 foreign-based students of this trainer. Subsequently, the trainer and all of the students were added to the TIPOFF list.<sup>17</sup>

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<sup>17</sup> The TIPOFF system contains more than 100,000 names of potential terrorists that form the basis for both the National Counterterrorism Center (NCTC) [formerly known as the Terrorist Threat Integration Center (TTIC)] and Terrorist Screening Center (TSC) databases. Although TIPOFF was originally operated by the U.S. Department of State, responsibility for maintaining it has been transferred to NCTC.

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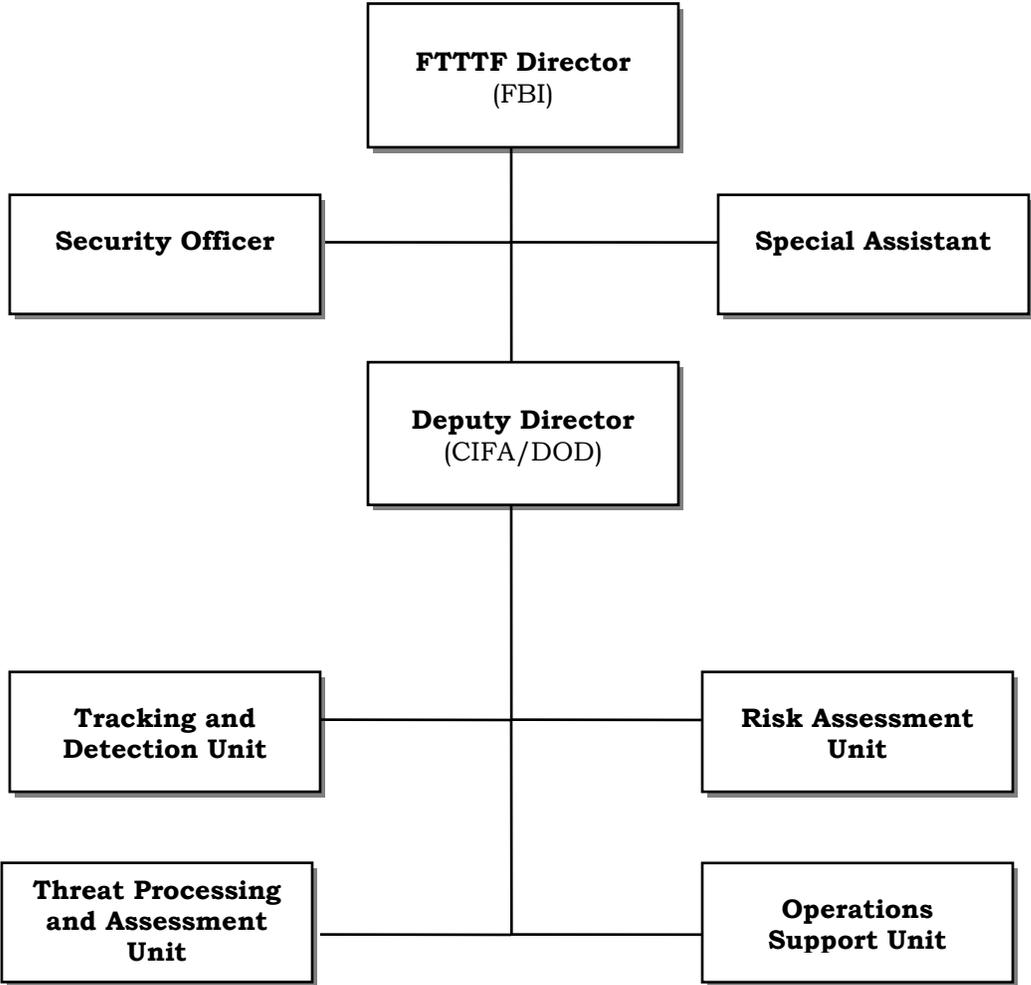
Membership and Management: Homeland Security Presidential Directive-2 directs that the FTTTF be staffed by expert personnel from the FBI, the Department of State, the Immigration and Naturalization Service (INS) (now the U.S. Immigration and Customs Enforcement (ICE) within DHS), the Customs Service (now the U.S. Customs and Border Protection (CBP) within DHS), the U.S. Secret Service, the intelligence community, military support components, and other federal agencies, as appropriate, to accomplish the FTTTF's mission.

As of November 2004, the FTTTF staffing complement consisted of 138 employees and contractors from the following agencies:

- FBI
- U.S. Department of Justice (Chief Counsel)
- U.S. Department of Defense (DOD) – Counterintelligence Field Activity (CIFA)
- DHS/ICE
- Office of Personnel Management
- Contractors – with analysts funded by the Central Intelligence Agency (CIA), and analysts and information technology staff funded by CIFA.

Budget: The FY 2004 budget was \$61.6 million, and the FY 2005 budget is \$52.3 million.

**Figure 4: FTTTF Organization Chart**



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## RESULTS OF THE REVIEW

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### PROGRESS MADE

**The task forces and councils have distinct functions that are generally not duplicative.**

Although there was some concern that the task forces and councils may be duplicating efforts, we found that their functions are largely distinctive and complementary, and generally not duplicative. There is some overlap in information sharing with a few individuals who are members of and attend meetings of both an ATAC and a JTTF. However, the overlap is minimal. The following provides a brief description of the distinction between the various task forces and councils:

#### NSCC

The NSCC, coordinated by the Office of the Deputy Attorney General, is the Department's executive level forum for the Deputy Attorney General and agency heads (FBI, DEA, USMS, OIPR, BOP, and others) to meet at least monthly and discuss issues related to counterterrorism and national security. The agency heads told us that the NSCC provides them with terrorism information that they would not receive ordinarily, and allows them to identify intelligence gathering capabilities that exist across agencies that could assist them in achieving their agencies' missions.

#### JTTF

The JTTFs, headed by the FBI, are the operational and investigative arm of the Department's counterterrorism initiative. Consisting largely of federal, state, and local law enforcement agents in shared office space hosted by the FBI, the 103 JTTFs in FBI field offices and RAOs respond to reports of threats and conduct terrorism investigations on a daily basis in their respective jurisdictions. The JTTFs also host monthly executive meetings with local law enforcement officials and heads of partner agencies who have members on the JTTFs to share information on relevant terrorism topics.

#### ATAC

The ATACs are based out of the U.S. Attorneys' Offices in each of the judicial districts. Their primary mission is to share information and provide or coordinate terrorism-related training for their members, which can include

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some JTTF members. The ATAC meetings also serve as a focal point to discuss local or regional vulnerabilities, and to identify resources and plan exercises and training to reduce those vulnerabilities. The ATAC Coordinators and Regional ATAC Coordinators work closely with the JTTFs by coordinating prosecutorial and investigative strategies across JTTFs to achieve nationwide consistency in investigating and prosecuting terrorism cases.

### NJTTF

The NJTTF, headed by the FBI and located in Northern Virginia, provides administrative and strategic support to the 103 nationwide JTTFs. It also provides coordination on special information and intelligence gathering initiatives assigned from FBI Headquarters to the field JTTFs. The NJTTF does not conduct investigations but rather acts as a liaison and conduit of information on threats from FBI headquarters to the JTTFs and to the 40 member agencies participating on the NJTTF.

### FTTTF

The FTTTF, headed by the FBI, also supports the JTTFs and other law enforcement agencies. Located in Northern Virginia, the FTTTF uses its data searching and data mining capabilities to respond to requests from the FBI, CIA, or other agencies to electronically locate and track known or suspected terrorists and generate leads that are then funneled through the NJTTF for JTTF follow-up. The information provided by the FTTTF enhances on-going terrorism investigations or contributes to the initiation of a new investigation. The FTTTF also is developing a risk assessment tool to proactively evaluate foreign individuals, who want to enter or remain in the United States, to determine the level of national security risk or criminal risk.

### *JTTF and ATAC Duplication Issues*

Regarding duplication, a few of the JTTF and ATAC members we interviewed stated that information sharing by the JTTFs and ATACs was duplicative. This concern was raised primarily among those who were members of and attended meetings of both a JTTF and an ATAC. However, those who attend each other's meetings are only a small percentage of the JTTF and ATAC membership. To the majority of JTTF and ATAC members, this information is not duplicative, especially to the ATAC members. The ATACs include a much broader membership who are not law enforcement officials and are thus not a part of the JTTF information sharing network. They include first responders, (fire, emergency medical services, state, local or federal public health officials, hospital staff, pharmaceutical companies, representatives from governor's offices, district attorneys, public utility representatives (gas, water,

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electric, pipelines, telecommunications), railroad police, Coast Guard, park rangers, tribal law enforcement, and the more remote police and sheriff's offices that do not have the resources to commit a full-time officer to the JTTF or who do not have a JTTF in their jurisdiction. We asked ATAC and JTTF members if there was information they received that they no longer wanted to receive. The majority responded that they would rather continue to receive all information regardless of duplication, rather than receive too little information or none at all.

In January 2004, language appeared in the Omnibus Appropriations Act for 2004 recommending that the U.S. Attorneys should continue to participate in the JTTFs rather than maintain a separate set of U.S. Attorney task forces.

The OIG disagrees with this recommendation and believes that the U.S. Attorneys through the ATACs provide a distinct and vital role separate from the JTTFs. This role includes the development of an expanded information sharing network that reaches beyond law enforcement, the provision of training to this expanded network, opportunities for planning and conducting responder exercises, and coordination of investigative and prosecutive strategies for terrorism cases. All the U.S. Attorneys we interviewed believed so strongly in the mission and effectiveness of the ATACs, they stated they would still find a way to continue the functions even if they were ordered to disband the ATACs and merge with the JTTFs. The U.S. Attorneys believed that the benefits of the new partnerships forged as a result of the ATACs were invaluable to both the USAOs and to the ATAC members.

The role of the JTTFs is primarily investigation oriented. Although the FBI field offices engage in information sharing, they meet primarily with law enforcement officials, and the information sharing is more narrowly focused than the information disseminated by the ATACs. The OIG believes that to assume the expanded role of the ATACs would divert scarce resources away from what the JTTFs are set up to do, investigating terrorism threats. When we asked the FBI field office managers their views on merging the ATACs and JTTFs, the response was mixed. Some believed that they could not assume this expanded role of information sharing and training for larger groups outside of those law enforcement officials that they meet with now, either because they do not have the time, staff, or resources, or they viewed this role as outside the mission of the JTTFs. Other managers stated that they would take on this role if required but only with additional staff, funding, and resources.

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**The establishment of the task forces and councils has facilitated sharing of information and expanding of partnerships with federal, state, and local law enforcement and other government agencies, and private industry.**

### **The Task Forces and Councils Have Improved the Sharing of Information**

We concluded that the terrorism task forces and advisory councils have created a foundation for improving information sharing among law enforcement, the intelligence community, and private industry by broadening the pool of individuals with security clearances and providing forums for information exchange about terrorism matters.

A March 2003 report issued by the Police Executive Research Forum suggested that local police believed problems existed in information sharing between state and local law enforcement and the FBI.<sup>18</sup> In our interviews, we found this perception has changed, especially in metropolitan areas. For example, the commissioners, chiefs of police, or their designees for the cities of Chicago, Illinois; Los Angeles, California; Oklahoma City, Oklahoma; St. Louis, Missouri; and Washington, D.C. told us that information sharing with the FBI in their metropolitan areas has improved since September 11, 2001, and that the FBI has worked hard to develop relationships with local law enforcement. One local police official stated that information sharing is “far, far better than it used to be,” that sharing of terrorism information is better coordinated, and that his department does not currently face obstacles in obtaining terrorism information needed from the FBI. Law enforcement

#### **Information Sharing Has Improved**

One of the main problems identified before September 11, 2001, was the lack of information sharing among federal agencies and state and local law enforcement agencies. However, through our interviews and survey we found that information sharing has improved as a result of the task forces and councils:

- 77 percent of JTTF respondents rated “information sharing at meetings” as *Good to Excellent*.
- 77 percent of ATAC respondents rated “information sharing at meetings” as *Good to Excellent*.
- 88 percent of NJTTF respondents rated “information sharing at meetings” as *Good to Excellent*.
- All NSCC members told us that the NSCC meetings provide them with terrorism information not available to them prior to September 11, 2001.
- The majority of state, local, and federal law enforcement officials we interviewed told us that they were more satisfied with the exchange of terrorism information since September 11, 2001.

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<sup>18</sup> *Protecting Your Community from Terrorism, Volume 1: Local-Federal Partnerships*, The Police Executive Research Forum, March 2003, pp-8-9. The Department’s Office of Community Oriented Policing Services provided support for this study.

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officials in these metropolitan areas stated that they believed that the FBI provides them with the information they needed specific to the threats for their immediate areas.<sup>19</sup>

### Task Forces Have Expanded the Cadre of People With Security Clearances

We found that the task forces have taken steps to ensure that a broader group of law enforcement officers have the security clearances needed to receive and share information about terrorism issues to a larger group within the law enforcement community. Much of the terrorism information is classified and can only be shared with those holding appropriate security clearances. The level of security clearances required by task force, council, and type of member are:

- Top Secret clearance required – NSCC, NJTTF, FTTTF, and JTTF participants working in an FBI office who are assigned leads, cases, and other terrorism investigative matters.<sup>20</sup>
- No clearance required – ATAC and JTTF liaisons who serve as an agency’s point of contact and do not work in an FBI office.<sup>21</sup>

While not required to have a security clearance to access ATAC information, 20 percent of the ATAC survey respondents had a Secret clearance and 58 percent had clearances of Top Secret or Top Secret with Secure Compartmented Information (SCI) Access. These clearances give ATAC members access to a wider range of information if they have a “need to know.”

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<sup>19</sup> One local official we interviewed was not as positive about the sharing of information by the FBI. A Sheriff in Virginia complained about the lack of information from the FBI pertaining to his county. He stated that the information he received was no different than what he saw in the media. However, although this Sheriff assigned one of his deputies as a liaison to the local JTTF, neither the Sheriff nor the liaison possess, or had applied for, Secret or Top Secret clearance. When asked why not, the Sheriff stated that he believed having to apply for and obtain a security clearance to receive information from the FBI was an insult to a veteran law enforcement official.

<sup>20</sup> “A Secret classification is used for information if its unauthorized disclosure could cause serious damage to national security. Top Secret classification is used for information if its unauthorized disclosure could cause exceptionally grave damage to the national security.” Executive Order 12958, March 28, 2003.

<sup>21</sup> The FBI classifies “full-time” JTTF members as those who work in FBI office space on terrorism investigations, under the supervision of an FBI SSA. The FBI does accept some “part-time” JTTF members if an agency can not commit a representative on a full-time basis. A JTTF liaison is a point of contact for an agency to the JTTF to share information and may attend JTTF meetings, but does not participate on a part-time or full-time basis on the JTTF.

We found that some ATAC Coordinators can share classified information with those members that have appropriate clearances.

The FBI conducts background investigations to obtain Top Secret security clearances for state and local law enforcement task force members to allow them to work in FBI office space and conduct terrorism investigations. It also obtains Secret security clearances for higher ranking state and local law enforcement personnel (e.g., chiefs or sheriffs) to facilitate greater information sharing between agencies. The following table shows the number of clearances processed by the FBI between September 11, 2001, and September 2004.

**Table 3: Security Clearances Processed by the FBI for State and Local Officials and Task Force Members September 11, 2001 to September 2004**

<b>Applicants</b>	<b>Clearance Requests Received</b>	<b>Clearances Granted<sup>1</sup></b>	<b>Undergoing Review</b>	<b>Discontinued or Administratively Closed<sup>2</sup></b>
State and Local Law Enforcement Executives	3,553	3,082 (87%)	344 (9.6%)	127 (3.5%)
Task Force Members	1,957	1,757 (90%)	200 (10%)	0
Total	5,510	4,839 (88%)	544 (9.8%)	127 (2.3%)

Source: FBI, *Report to the National Commission on Terrorist Attacks upon the United States: The FBI's Counterterrorism Program Since September 2001*, April 14, 2004, p. 42 and data provided by the FBI to the OIG.

Note 1: The "clearances granted" for law enforcement executives include 2,858 at the Secret level and 224 at the Top Secret level. The "clearances granted" for task force members include 1,710 at the Top Secret level and 47 at the Top Secret level with SCI access.

Note 2: The clearance process is discontinued or administratively closed when applicants withdraw their applications, additional information from applicants is requested but is not provided, or applications are incomplete.

The total number of state and local law enforcement members cleared and assigned on the JTTFs changes continually as members join or are reassigned by their parent agencies. Therefore, we requested a "snapshot" of JTTF members by clearance levels and agency, shown in the following table.

**Table 4: Clearance Levels of JTTF Members - State and Local Government and Private Industry  
April 2004**

<b>Type of Clearance</b>	<b>Number of Full-Time Members</b>
Top Secret or Top Secret with SCI	566 (80%)
Interim Top Secret or Interim Secret	37 (5%)
Undergoing Review	108 (15%)
Total	711 (100%)

Source: NJTTF and the FBI's Personnel Security Unit  
 Note: In April 2004, the FBI also had 397 part-time JTTF members.

The FBI has shortened the length of time taken to process security clearance applications. In February 2003, the FBI's Security Division created the Initial Clearance and Access Unit - 2 (ICAU2) to process and adjudicate background investigations for non-FBI JTTF members, law enforcement executives, and elected officials who require access to classified information. The ICAU2 receives a clearance application from an FBI field office, assigns it to an adjudicator who reviews the application in accordance with the government-wide adjudicative standards and recommends whether to grant a security clearance. Provided that no derogatory information emerges during the background investigation, the ICAU2 estimated that it should take no more than or 180 to 270 days for non-FBI JTTF members to receive a Top Secret clearance and 30 to 45 days to receive a Secret clearance. If derogatory information arises in the clearance process, the ICAU2 works to resolve the matter, which can add time to the process. A GAO review found that between September 11, 2001, and March 2004, the FBI decreased the processing times for Top Secret clearances from an average of 244 to 36 days, and for Secret clearances from an average of 90 to 40 days.<sup>22</sup> The GAO attributed the decrease in processing times to the guidance the FBI provided to its field offices and state and local law enforcement on the security clearance process and its modifications to the security clearance unit.<sup>23</sup>

<sup>22</sup> The FBI gave highest priority to processing Top Secret clearances, which could have affected the dramatic decrease in processing time.

<sup>23</sup> *Security Clearances, FBI Has Enhanced Its Process for State and Local Law Enforcement Officials*, Government Accountability Office, GAO-04-596, April 2004.

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## Task Forces and Advisory Councils Provide Broad Audiences With Opportunities for Exchanging Information About Terrorism

Each task force and council attracts a variety of members that have a need for terrorism-related information and shares this information with members through meetings or electronic forums. To increase ATAC membership, CTS and EOUSA advised the USAOs' ATAC Coordinators to be as inclusive as possible when determining ATAC membership and to include any relevant organization that has a need for terrorism-related threat information.<sup>24</sup> Leaders of the NJTTF, JTTFs, FTTTF, and NSCC also share information with broad audiences by including chief executive officers from private agencies or non-law enforcement members in their information exchanges. At times, guests with expertise or interest in the information being discussed are invited by the ATACs, FTTTF, JTTFs, NJTTF, and NSCC to participate in a meeting.

*Meetings:* Our interviews and survey of task force and council leaders and members showed that the primary purposes of the meetings are to share information and intelligence, provide updates on cases with a terrorism nexus, discuss threat assessments, and obtain member agency updates. The majority of ATAC, FTTTF, JTTF, and NJTTF members we surveyed characterized the task force and council meetings as "useful" in preparing them to plan for and respond to terrorism. Our survey showed that of those who were able to evaluate the task force or advisory council meetings, 90 percent of ATAC respondents, 75 percent of FTTTF respondents, 86 percent of JTTF respondents, and 100 percent of NJTTF respondents rated meetings as "useful" or "very useful."

Most of the task forces and councils hold regular meetings, although the frequency varies based on the mission and functions performed. NJTTF meetings are held daily, sometimes twice a day, depending on the threat and task force activity. Meetings include discussions of current threats, updates on special projects, and the sharing of information and intelligence. The FTTTF does not have a need for daily meetings; instead, the Director convenes all members at least once a month to discuss administrative issues and current projects. Also, since December 2003, the FTTTF meets monthly with liaisons from DHS components, international intelligence and law enforcement agencies, the National Counterterrorism Center (NCTC), and the El Paso Intelligence Center.<sup>25</sup> The NSCC meets at least once a month, and sometimes twice a month, to share information across Department components. The

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<sup>24</sup> *ATAC/CMC Conference Issues Raised*, U.S. Department of Justice, CTS, April 2004, page 8.

<sup>25</sup> NCTC was formerly called the Terrorist Threat Integration Center (TTIC).

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Deputy Attorney General sets the agenda based upon input received from the NSCC members, interagency councils, the DHS, and the President's National Security Council.

At the field level, the ATACs and JTTFs do not have standard meeting schedules, but rather adjust meeting frequency and type to respond to members' needs, threats, cases, or special projects. We found most ATACs meet monthly to quarterly, and the topic and type of the meeting vary widely. Each USAO attempts to fit the ATAC meeting to the needs of its membership. ATAC members repeatedly stressed the need to have focused, useful meetings; one member stated:

I do not think pro-forma, regular meetings enhance information flow or otherwise meaningfully contribute to improving anti-terrorism abilities. Those benefits come from maintaining and developing working relationships with law enforcement through working cases, through providing meaningful training, and through jointly participating in outreach activities in the community. Agents and officers know when a meeting is called for the sake of having a meeting, and do not seem to appreciate it.

Often, ATAC meetings include an anti-terrorism training session. Approximately two-thirds of the ATACs have subcommittees that have specific focuses appropriate for that jurisdiction (e.g., Maritime Issues Subcommittee in districts with ports).

Most JTTFs meet as an entire group, or as squads, on a regular basis to discuss case updates and administrative issues and to share information and intelligence. Also, the JTTFs individually host Executive Board meetings for agency heads and other top-level managers from participating organizations, including leaders from federal, state, and local law enforcement, to share information about upcoming events and to discuss administrative matters related to the task force's operations. The JTTF Executive Board meeting we observed during one of our site visits

#### **Other Mechanisms for Information Sharing**

*Information Sharing With Parent Agencies:* Task force members, who work daily in FBI office space, also share information with their parent agencies in reports or e-mails, or by telephone. For example, one NJTTF member told us that he calls his supervisor to share relevant information from meetings and the daily FBI Director's Briefing Book.

*Information Sharing Between Task Force Members:* To maximize the sharing of information and knowledge, the FTTTF, JTTFs, and NJTTF use an open office space design and co-locate members. The directors of these task forces stated that the open office design is as vital to information sharing as the members themselves because it allows for enhanced communication and immediate input on information or intelligence.

was well attended by federal, state, and local participating organizations on the JTTF, declassified information for the jurisdiction was shared, and the U.S. Attorney made a presentation. The frequency of Executive Board meetings varies across JTTFs, but they occur at least every quarter.

The following table outlines information we collected through interviews and surveys about task force and council meetings.

**Table 5: Meetings Held and the Members’ Ratings of the Quality of Information Shared**

<b>Anti-Terrorism Advisory Council</b>				
<b>Meeting Type(s)</b>	<b>Meeting Frequency</b>	<b>Quality of Information Shared in the Meetings</b>	<b>Audiences</b>	<b>Impact of the Meeting on Members</b>
<p><b>Full Meeting</b></p> <p><i>Type(s) of Information Shared</i> – Majority is specific to region or locale. Some national or international.</p> <p><i>Level(s)</i> – Most unclassified, law enforcement sensitive by exception.</p> <p>Some ATACs have dual meetings that begin with a regular agenda for all members, those in law enforcement then stay on to receive any law enforcement sensitive information.</p>	<p><i>Weekly</i> – 0.4%</p> <p><i>Every two weeks</i> – 3.5%</p> <p><i>Monthly</i> – 31.2%</p> <p><i>Quarterly</i> – 43.8%</p> <p><i>Other</i> – 17.3%</p>	<p>Percentage of respondents rating the following as “excellent” or “good” -</p> <p><i>Information/intelligence sharing</i> – 80%</p> <p><i>Member agency updates</i> – 73%</p> <p><i>Discussion of threat assessments</i> – 72%</p> <p><i>Case updates</i> – 61%</p>	<p>Chaired by the AUSA/ ATAC Coordinator.</p> <p><i>Members</i> - ATAC and JTTF members from local area or region, including law enforcement, first responders, private industry, intelligence community, military, and other federal agencies. Guests periodically attend.</p>	<p>90% of respondents rated the meetings as “very useful” or “useful” in preparing them to plan for or respond to terrorism.</p> <p>Only 7.8% rated the meeting as “not useful at all.”</p>

<b>Anti-Terrorism Advisory Council</b>				
<b>Meeting Type(s)</b>	<b>Meeting Frequency</b>	<b>Quality of Information Shared in the Meetings</b>	<b>Audiences</b>	<b>Impact of the Meeting on Members</b>
<p><b>Subcommittee Meeting</b></p> <p><i>Type(s) of Information Shared</i> – Topic specific to region or locale.</p> <p><i>Level(s)</i> – Law enforcement sensitive or unclassified</p>	<p><i>Weekly</i> – 2.3%</p> <p><i>Every two weeks</i> – 1.9%</p> <p><i>Monthly</i> – 11.9%</p> <p><i>Quarterly</i> – 11.1%</p> <p><i>Other</i> – 24.5%</p> <p><i>Don't have subcommittees</i> – 33.2%</p>	<p>Percentage of respondents rating the following as “excellent” or “good” –</p> <p><i>Information/intelligence sharing</i> – 82%</p> <p><i>Member agency updates</i> – 73%</p> <p><i>Threat assessments discussed</i> – 70%</p> <p><i>Case updates</i> – 70%</p>	<p>Chair(s) appointed by the ATAC Coordinator.</p> <p><i>Members</i> – ATAC members with expertise or interest in subject.</p>	<p>61.7% of respondents rated the meetings as “very useful” or “useful” in preparing them to plan for or respond to terrorism.</p> <p>Only 7.4% rated the meetings as “not useful at all.”</p>
<b>Foreign Terrorist Tracking Task Force</b>				
<b>Meeting Type(s)</b>	<b>Meeting Frequency</b>	<b>Quality of Information Shared in the Meetings</b>	<b>Audiences</b>	<b>Impact of the Meeting on Members</b>
<p><b>Full Meeting</b></p> <p><i>Type(s) of Information Shared</i> – Specific to FTTTF units or agencies; administrative matters discussed.</p> <p><i>Level(s)</i> – Secret, Top Secret, or unclassified</p>	<p>Staff meetings occur on at least a monthly basis.<sup>†</sup></p> <p><sup>†</sup>This data came from interviews with FTTTF members.</p>	<p>Percentage of respondents rating the following as “excellent” or “good” –</p> <p><i>Information/intelligence sharing</i> – 69%</p> <p><i>Member agency updates</i> – 67%</p> <p><i>Threat assessments discussed</i> – 50%</p> <p><i>Case updates</i> – 56%</p>	<p><i>Members</i> – Headquarters-level law enforcement, intelligence community, military, and other federal agencies. Support staff and agents detailed to FTTTF from FBI field offices or functions.</p>	<p>75% of respondents rated the meetings as “useful” in preparing them to plan for or respond to terrorism.</p> <p>16% rated the meetings as “not useful at all.”</p>

## Joint Terrorism Task Forces

Meeting Type(s)	Meeting Frequency (how often)	Quality of Information Shared in the Meetings	Audiences	Impact of the Meeting on Members
<p><b>Full Meeting</b></p> <p><i>Type(s) of Information Shared</i> – Specific to field office’s authority, national and international matters impacting office, and administrative issues.</p> <p><i>Level(s)</i> – Secret, law enforcement sensitive, or unclassified</p>	<p><i>Daily</i> – 4.2%</p> <p><i>Weekly</i> – 22.8%</p> <p><i>Every two weeks</i> – 12.7%</p> <p><i>Monthly</i> – 22.0%</p> <p><i>Quarterly</i> – 19.3%</p> <p><i>Other</i> – 12.0%</p>	<p>Percentage of respondents rating the following as “excellent” or “good” -</p> <p><i>Information/intelligence sharing</i> - 79%</p> <p><i>Member agency updates</i> - 76%</p> <p><i>Threat assessments discussed</i> - 81%</p> <p><i>Case updates</i> – 75%</p>	<p>Chaired by the ASAC or JTTF Supervisor with jurisdiction over JTTF squads.</p> <p><i>Members</i> – Federal, state, and local law enforcement personnel, FBI agents, JTTF liaisons from local area or region, including law enforcement, first responders, private industry, intelligence community, military, and other federal agencies. Guests are periodically invited.</p>	<p>85.9% of the respondents rated the meetings as “very useful” or “useful” in preparing them to plan for or respond to terrorism.</p> <p>Only 8.8% of the respondents rated the meeting as “not useful at all.”</p>
<p><b>Squad Meetings</b></p> <p><i>Type(s) of Information Shared</i> – Specific to field office’s authority, local cases or leads, national and international matters impacting office, and administrative issues.</p> <p><i>Level(s)</i> – Secret, law enforcement sensitive, or unclassified</p>	<p><i>Daily</i> – 3.9%</p> <p><i>Weekly</i> – 14.3%</p> <p><i>Every two weeks</i> – 8.9%</p> <p><i>Monthly</i> – 19.7%</p> <p><i>Quarterly</i> – 7.7%</p> <p><i>Other</i> – 10.4%</p> <p><i>Don’t have squads</i> – 32.3%</p>	<p><i>Information/intelligence sharing</i> – 83%</p> <p><i>Member agency updates</i> - 75%</p> <p><i>Threat assessments discussed</i> – 79%</p> <p><i>Case updates</i> – 78%</p>	<p>Chaired by the JTTF’s Supervisory Special Agent(s). The SAC and ASAC may attend.</p> <p><i>Members</i> - JTTF members from local area or region assigned to the particular squad (e.g., international terrorism, domestic terrorism, others).</p>	<p>84.1% of the respondents rated the meetings as “very useful” or “useful” in preparing them to plan for or respond to terrorism.</p> <p>Only 9.3% of respondents rated the meetings as “not useful at all.”</p>

<b>National Joint Terrorism Task Force</b>				
<b>Meeting Type(s)</b>	<b>Meeting Frequency (how often)</b>	<b>Quality of Information Shared in the Meetings</b>	<b>Audiences</b>	<b>Impact of the Meeting on Members</b>
<p><b>NJTTF Meeting</b></p> <p><i>Type(s) of Information Shared -</i> Intelligence briefings, case updates, threats</p> <p><i>Level(s) -</i> Top Secret, Secret, law enforcement sensitive, or unclassified</p>	Daily	<p>Percentage of respondents rating the following meeting activities as “excellent” or “good” -</p> <p><i>Information/intelligence sharing - 86%</i></p> <p><i>Member agency updates - 69%</i></p> <p><i>Threat assessments discussed - 85%</i></p> <p><i>Case updates - 75%</i></p>	<p>Chaired by the NJTTF Unit Chief or Deputy Chief.</p> <p><i>Members -</i> Headquarters-level law enforcement, military, intelligence community, and other federal agencies, rotating state and local members.</p>	<p>100% of the respondents rated the meetings as “very useful” or “useful” in preparing them to plan for or respond to terrorism.</p> <p>No NJTTF respondents rated the meetings as “not useful at all.”</p>
<b>National Security Coordination Council</b>				
<b>Meeting Type(s)</b>	<b>Meeting Frequency</b>	<b>Quality of Information Shared in the Meetings</b>	<b>Audiences</b>	<b>Impact of the Meeting on Members</b>
<p><b>Full Meeting</b></p> <p><i>Type(s) of information shared -</i> Threats, budget information related to national security, national security initiatives, requests for information, general briefings.</p> <p><i>Level(s) -</i> Top Secret, Secret</p>	Every two weeks to once a month.	NSCC members were not asked specifically about quality of information shared.	<p>Chaired by the Deputy Attorney General.</p> <p><i>Members -</i> All DOJ agency heads, to include ATF, BOP, DEA, FBI, USMS; as well as the heads of CTS and OIPR; CIA, DHS, and other government agencies are invited to share information and coordinate on specific issues.</p>	All those members interviewed, stated the meetings were very useful in helping them plan and coordinate national security and counterterrorism initiatives, as well as share information.

Source: Counterterrorism Task Force Survey, Office of the Inspector General, January 2004, and interviews.

Notes: The “Meeting Type(s)” column presents responses to, “In the last year, how often did the entire task force/advisory council meet?” and “In the last year, how often did the entire task force’s squad or advisory council’s subcommittees meet?” The data is from survey respondents, but the table also includes data obtained through interviews and observations of meetings. The “Quality of Information Shared in the Meetings” column presents data that excludes those respondents answering *don’t know* or *not applicable*. The response choices to the survey question were *excellent*, *good*, *average*, *poor*, *very poor*, *don’t know*, and *not applicable*. The “Impact of the Meeting on Members” column presents data that excludes those respondents answering *not able to evaluate*. The response choices were *very useful*, *useful*, *not at all useful*, *not able to evaluate*, and *no opinion*. The data related to “meeting frequency” for the NJTTF came from interviews with NJTTF members.

We also found that task force and council leaders and most members participate in additional anti-terrorism meetings chaired by federal, state, or local officials. They attend these meetings as a form of outreach, to share information with other audiences, and to build relationships. The information gained through these meetings is then shared with the task forces and councils. The following table shows the types of meetings attended.

**Table 6: Other Meetings Attended**

<b>Some Task Force or Advisory Council Members...</b>	<b>May attend...</b>
ATAC	JTTF meetings, local terrorism task force meetings, and where applicable, state homeland security task force meetings
JTTF	ATAC meetings, local terrorism task force meetings, and where applicable, state homeland security task force meetings
NJTTF	FBI's daily Secure Video Teleconferencing System meetings, NCTC meetings
FTTTF	NCTC meetings, DHS, and/or CIA Counterterrorism Center meetings

*Electronic Systems:* Task force and council members routinely use electronic data systems for quick, often real-time, exchange of information and intelligence related to terrorism issues. JTTF members stated that they use the following systems to receive and share information outside of the FBI: Law Enforcement Online (LEO), National Law Enforcement Telecommunications System (NLETS), and Regional Information Sharing System (RISS). The FBI has expanded its use of LEO by requiring all JTTF members to have LEO accounts, and by establishing Special Interest Groups for the NJTTF and JTTFs that law enforcement personnel can use to exchange terrorism information. The LEO system is interconnected with RISS and NLETS. Appendix III outlines the content of these systems.

The NJTTF is developing other systems to increase its ability to share information. For example, the Guardian system was deployed in all JTTFs in August 2004. Guardian is a terrorism reporting management system used by the JTTFs to automate all terrorism complaints, document terrorist activity, and report suspicious activity and pre-operational surveillance incidents. When local and state law enforcement agencies call their local JTTF and report

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suspicious activity, the JTTF enters the information directly into Guardian. JTTF members from other government agencies also can access Guardian and share information with their agencies.

The ATACs have invested in communications equipment to increase information sharing between state and local law enforcement, first responders, and the USAOs. When formed, each ATAC received an allocation of \$100,000 for improving the communication ability of state and local law enforcement or for training ATAC members. By December 2004, the ATACs had spent approximately \$4.9 million (52 percent) of the \$9.3 million they received for communication items. For example, the ATAC in West Virginia purchased computers for each sheriff and police department throughout the state. Many of these rural law enforcement agencies did not previously have computers or access to e-mail. Additionally, the Middle District of Alabama purchased computers and internet access, as well as radios that linked with an existing dispatch center, for those law enforcement agencies that did not have this equipment. The Connecticut ATAC purchased six transmitters to improve a communication system used by local agencies.

CTS has increased information sharing in the field through the development and expansion of a CTS website available to ATAC Coordinators and USAO Intelligence Research Specialists. The CTS website includes the following:

- CTS Daily Report – Each ATAC Coordinator is required to report to a CTS Regional ATAC Coordinator any information related to terrorism that may be occurring in the district, whether a case, prosecution, event, or threat. CTS compiles this information and produces a CTS Daily Report, which is posted on the website so that ATACs nationwide can see what is going on in other jurisdictions. CTS also provides this report to the Attorney General and the FBI.
- Counterterrorism Resource Library – This library assists prosecutors working on terrorism-related matters by providing materials related to the investigation and prosecution of terrorism cases. It includes Department guidance, past indictments, sample pleadings, model jury instructions, and related materials. According to the User's Guide, the resource library serves as a tool to enable prosecutors to share materials and draw on the experiences of others in terrorism-related cases.

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- CTS Process Tracking Database – This database was created for use in the event of a national crisis to facilitate the tracking, issuance, and deconfliction of the criminal investigative process across multiple districts. AUSAs working on terrorism prosecutions can enter information used in subpoenas, court orders, and other investigative processes into this searchable database, which can reduce duplication and unintended conflicts in nationwide investigations.
  - Case Notification Forms – AUSAs can complete the case notification forms online and forward them electronically to CTS to advise of the opening of an international or domestic terrorism investigation or prosecution. These electronic forms promote additional information sharing and assist CTS in coordinating terrorism matters across the nation. Additionally, CTS can link intelligence information from investigative agencies to matters opened by terrorism prosecutors.

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## **New York City's Perception on Information Sharing**

During a March 2003 public hearing, Raymond Kelly, the Commissioner of the New York City Police Department (NYPD), noted that information sharing with the FBI had improved. He stated:

I have been in law enforcement a long time, both on the federal and local level. And clearly there were some issues in the past with the flow of information. I can tell you that has changed significantly in the aftermath of September 11...There is a palpable difference in [the FBI and CIA's] approach to doing business. They want to get that information out. They are getting it out.<sup>26</sup>

One year later, during a March 2004 House Appropriations Committee hearing, Representative John Sweeney raised some concerns about information sharing between the FBI and state and local law enforcement. In this hearing, Congressman Sweeney directed the following comments to FBI Director Mueller:

...There is a general perception beginning to develop out there that we're slipping back into some old patterns. And, in particular, the sharing of information between state and local officials has been raised as a concern, and specifically raised as a concern by my friends in...New York City...Given the priority New York City is and the target that it is, that it possibly could be happening all over the country, and I think it's a worry that we all have. Specifically, the complaint is once people receive top secret clearances, cooperation with the bureau has not been what the anticipation was there.

To assess concerns that the information sharing between the FBI and the state and local law enforcement may have diminished since the months immediately after the September 11 terrorist attacks, we returned to New York City in April 2004 and conducted additional interviews on this topic. Senior officials from the NYPD told us that the relationship between the FBI and NYPD

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<sup>26</sup> *FBI's Counterterrorism Program Since September 2001, Report to the National Commission on Terrorist Attacks Upon the United States*, FBI, p. 38. See: Testimony of Commissioner Raymond Kelly before the National Commission on Terrorist Attacks Upon the United States, March 31, 2003.

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was good and had improved since September 11, 2001. One official said that information sharing with the FBI had become “bigger and better.” According to these officials, the NYPD has a chief, captain, lieutenants, and detectives participating in every JTTF squad who partner with the JTTF special agents. They informed us that NYPD supervises its own officers on the JTTF, but the FBI and NYPD work together on the JTTF squads and are co-located.

NYPD officials stated that to some extent, information sharing and reporting between officers and their sergeants depends on the personalities involved and their relationships. NYPD officials said that in most cases if a NYPD detective on the JTTF obtains information or intelligence, the NYPD detective tells his FBI supervisor and NYPD Sergeant and each will share the information up through their chain of command. The JTTF members also share information either directly with the NYPD intelligence unit or with staff from the NYPD’s Deputy Commissioner for Counterterrorism. If the need arises, the Police Commissioner also directly contacts the FBI Assistant Director in Charge (ADIC) of the New York City field office.<sup>27</sup>

NYPD officials also acknowledged that due to their expanded presence on the New York City JTTF, they now have access to CIA and NSA information that they did not have prior to September 11, 2001. Officials stated that they also are pushing for full integration of the JTTF by requesting that an NYPD official be placed as a “Deputy” to the SAC to act as the number two person or co-manager in charge of the JTTF. This, they believe, would further promote “real-time” information sharing. When asked if the NYPD supports placing FBI agents in its intelligence unit, the NYPD officials stated that they are interested in more aggressive interaction at the working level, not integration of the FBI in NYPD’s intelligence office.

NYPD officials did complain that their NYPD officers on the JTTF can access only certain parts of the FBI’s Automated Case Support (ACS) system.<sup>28</sup> Specifically, NYPD believes it should have access to three automated screens in the system that included information on management of caseloads and assignments, management of leads, and confidential informants. NYPD

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<sup>27</sup> A Special Agent in Charge oversees each FBI field office, except for the largest field offices (Washington, DC, Los Angeles, and New York City) which are headed by an Assistant Director in Charge.

<sup>28</sup> ACS is the system used by the FBI to maintain current and historical records on its cases. It consists of three components: Investigative Case Management, Universal Index, and the Electronic Case File. The Investigative Case Management component and the Lead Bucket Screen are used by the FBI to manage the case loads and work assignments of its agents. Information on confidential informants maintained in ACS cross references to another FBI data system that contains data on confidential informants.

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officials stated that they are not always pleased with the information the FBI allows them to see and are not convinced they “see everything.” When asked how the lack of access to this information impacts their work, the NYPD officials said they could not state for certain that the lack of information impacts them, but they believe that they have a right to know and the FBI has an obligation to inform them.

NYPD officials also expressed concern about the security levels of some FBI meetings. For example, there is a case being worked by a group of detectives from the NYPD intelligence unit who are not on the JTTF, but the detectives are not permitted to attend an FBI meeting about the case because they do not have SCI clearance. NYPD officials believed the security threshold of the meeting should be lowered (from SCI to Top Secret) to enable these detectives to participate.

One NYPD official summarized his concern about the need for information:

We need information because we are at the top of the target. As NYPD has increased its involvement, the greater the commitment made. Capabilities, interests, and needs have increased as our involvement has increased. We have 1,000 employees daily devoted to counterterrorism. We don't know how the lack of information has impacted us because we don't know what is out there. We have a right to know immediately about cases that tangentially are related to New York...The more we know about plots, plans, and events can influence what we do to protect our system. The more we know, the better our protective processes... We don't have unlimited resources, so the more informed we are, the better decisions we can make on deploying people. The more details we know about a plot, this can influence what we do to protect that target. Generic information only helps you make generic deployment decisions.

### **The FBI's Perspective**

We interviewed the FBI's Acting SAC in New York City for her perspective on the state of information sharing with the NYPD. She told us that nothing had changed in the FBI's relationship with NYPD since our first visit in July 2003, and that the FBI's door is wide open. The 14 JTTF squads in New York City are matched almost one for one with FBI agents and NYPD officers; that is,

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for every FBI agent on the 14 squads, there is an NYPD detective. There is an NYPD sergeant assigned to every JTTF squad to supervise the detective(s). Additionally, the NYPD has officers assigned to the New York City FBI's three surveillance squads.

The Acting SAC also noted that information sharing with NYPD occurs through the following additional methods:

- NYPD JTTF members attend the FBI's daily threat briefings for the (FBI's) ADIC. The NYPD JTTF members then brief the NYPD Commissioner and his Deputy Commissioner for Counterterrorism.
- NYPD JTTF members attend the FBI's weekly "threat" meetings.
- NYPD JTTF lieutenants "surf" through the FBI's ACS system daily.
- NYPD lieutenants read all CIA and NSA intelligence "traffic" daily in the FBI SCIF.<sup>29</sup>
- New York City FBI has threat briefings or meetings on specific cases (called a Principal's Briefing) that the NYPD Commissioner or Deputy Commissioner for Counterterrorism may attend.
- The FBI has a computer terminal with access to NYPD's Orion database. All terrorism-related calls that come into NYPD's intelligence unit are entered into NYPD's Orion database. The NYPD detectives follow through on each call and their actions are entered into the Orion database. The FBI maintains an Orion terminal to show the NYPD that all calls have been addressed.

The Acting SAC told us that this level of information sharing means that anything an FBI agent on the JTTF has, the NYPD has. NYPD officers are co-case agents on almost every investigation the JTTF runs, and there is rarely a deployment overseas when NYPD does not accompany the FBI. She also informed us that the NYPD has made additional requests for an NYPD lieutenant for every three squads and to add a senior manager to the FBI New York City field office who would serve as a Deputy to the FBI's SAC to facilitate information exchange.

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<sup>29</sup> A sensitive compartmented information facility (SCIF) is an accredited area, room, group of rooms, buildings, or installation where SCI access information may be stored, used, discussed, and/or processed.

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Regarding ACS system access, the Acting SAC stated that NYPD has full access to the screens in the ACS system that the FBI's other JTTF members have: counterterrorism investigations, drug cases, and organized crime cases. They do not have full access to police/public corruption cases, white collar cases, or foreign counterintelligence cases. All JTTF members, including the FBI members, are blocked from access to these screens, but there are procedures to obtain this information through the FBI for those with an established "need to know."

The Acting SAC stated that NYPD complains that information sharing is not a two-way street, but she expressed concern that the New York City FBI does not receive any of NYPD's intelligence. The FBI has made requests to NYPD's Office of Intelligence for NYPD to disseminate information to the New York City field office so the FBI can review NYPD's intelligence. Additionally, the New York City FBI has offered to place FBI agents in the NYPD intelligence unit but NYPD has declined. The Acting SAC stated that if the FBI is not able to review NYPD's intelligence, links to terrorism may go undetected. She also stated that the FBI needs the intelligence from NYPD's sources but is not receiving it. She said that the FBI "does not intentionally hold back information from the NYPD."

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## Task Forces and Councils Have Improved and Expanded Partnerships in the Field and Headquarters

### The Task Forces and Councils Have Improved Partnerships

We found that, contrary to the conditions that existed before September 11, 2001, the federal (non-FBI), state, and local agency

**“Partnership” is a Major Theme in the Department’s Strategic Plan**

*“We are committed to continuing and strengthening collaborative efforts with other federal agencies, states and localities, tribal governments, community groups, foreign countries, and others. Since critical crime and justice issues transcend traditional jurisdictional and functional boundaries, effective partnerships are a key ingredient to achieving results. This is especially true with information-sharing among law enforcement and intelligence communities to prevent acts of terrorism against the United States.”*

Source: U.S. Department of Justice FY 2003-2008 Strategic Plan

representatives assigned to the JTTFs, FTTTF, and NJTTF are given similar responsibilities and duties as FBI members on the task forces and actively contribute to the task forces’ missions. When describing pre-September 11, 2001, partnerships in an April 2004 National Commission on Terrorist Attacks Upon the United States Staff Statement, Executive Director Philip Zelikow, stated that “state and local entities believed that they would gain little from having representatives on the JTTF. Detailees were there as liaisons rather than a full working member.”<sup>30</sup>

Our interviews and survey results indicate that the situation has changed since September 11, 2001. Agency representatives regularly lead cases, receive taskings in their areas of expertise, and participate in the initial stages of the investigative process. The following table provides our survey results.

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<sup>30</sup> Staff Statement No. 9, Law Enforcement, Counterterrorism, and Intelligence Collection in the United States Prior to 9/11, National Commission on Terrorist Attacks Upon the United States, April 13, 2004, page 10.

**Table 7: Non-FBI Task Force Representatives' Perceptions of the Work Performed and Assignments Received**

<b>Survey Question: Considering your taskings for this task force, please rate the following statements:</b>			
	<b>FTTTF respondents answering "strongly agree" or "agree"</b>	<b>JTTF respondents answering "strongly agree" or "agree"</b>	<b>NJTTF respondents answering "strongly agree" or "agree"</b>
<b>I receive taskings in my area of expertise.</b>	86%	78%	79%
<b>I am assigned as the lead investigator when appropriate.</b>	N/A	62%	N/A
<b>I am included in the initial stages of tasking.</b>	83%	71%	77%
<b>I make worthwhile contributions to the task force's mission.</b>	88%	86%	86%

Source: Office of the Inspector General, Counterterrorism Survey, January 2004.

Note: The data above excludes responses received from FBI staff assigned to the task forces and those respondents who provided answers of *not applicable* or *unknown*. The percentages shown above represent those respondents who selected *strongly agree* or *agree* from a scale that included *strongly agree*, *agree*, *neutral*, *disagree*, *strongly disagree*, *not applicable*, or *unknown*. N/A = Not applicable.

Within the Department, the task forces and councils also have improved partnerships between the FBI and the USAOs in the following ways:

- FBI JTTF supervisors also are members of the ATACs and brief the ATAC members on the latest terrorism-related information and incidents nationwide or internationally that may have relevance or significance to that district.
- Some ATAC Coordinators have assigned their Intelligence Research Specialists to work at the JTTF to facilitate the exchange of intelligence and case information. This arrangement has benefited both the JTTF and the ATAC Coordinator, because the Intelligence Research Specialist offers analytical assistance to the JTTF and shares information directly with the ATAC.
- ATAC Coordinators and other AUSAs work with the JTTFs from the initial point of surveillance and investigation through prosecution and sentencing to ensure that appropriate legal requirements and strategies are followed.

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The ATACs also have developed a closer partnership between the USAOs and CTS. The six Regional Coordinators assigned to CTS work with the ATAC Coordinators within a region to identify national trends or legal issues and develop investigative and prosecutive strategies to address those issues. Deputy Attorney General Comey told us that the U.S. Attorneys historically prided their independence, but now there is greater coordination and information sharing between the USAOs and the Criminal Division.

To further promote this information sharing, Deputy Attorney General Comey issued a memorandum in January 2005 setting forth guidance on how the USAOs and CTS should coordinate on international and domestic terrorism matters.<sup>31</sup> This memorandum provides interim guidance on information sharing between USAOs and CTS for terrorism-related topics and notification requirements that include CTS contact information.

To further develop and coordinate investigative and prosecutive strategies in terrorism matters, CTS, with assistance from EOUSA, has provided training sessions to the ATACs and other AUSAs who prosecute these cases. Training has included such topics as Prosecuting Terrorism Hoaxes, and Fundamental Principles Governing Extraterritorial Prosecutions – Jurisdiction, Venue and Procedural Rights. Additionally, CTS has issued memoranda to the ATAC Coordinators providing guidance and advice on the applicability of charges stemming from situations such as using Ricin as a terrorist weapon, and hostage taking and bombing incidents involving schools or educational facilities.

Regional training sessions, conferences, and several live teleconferences broadcast by satellite also have been provided by EOUSA's Office of Legal Education with coordination and assistance from the FBI. Topics have included:

- Handling of Classified Information,
- Information Sharing,

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<sup>31</sup> The guidance “will be implemented on a temporary basis for one year; at the conclusion of which the Attorney General’s Advisory Committee and the Assistant Attorney General for the Criminal Division will confer with the Deputy Attorney General and the Attorney General to determine whether these provisions, or any modifications, should be adopted on a permanent basis.” *Memorandum for All United States Attorneys Anti-Terrorism Advisory Council Coordinators*, U.S. Department of Justice, Deputy Attorney General James B. Comey, January 13, 2005.

- Overview of Anti-Terrorism Efforts,
- Community Threat Assessments,
- Attorney General Guidelines in Domestic Terrorism Investigations,
- Anthrax Investigations,
- Financial Investigations,
- Methods of Operations by Al Qaeda; and
- FBI intelligence briefings.

CTS and EOUSA also have worked jointly to plan and provide annual training conferences for the ATAC Coordinators with sessions that focused on terrorism-related legal issues and guidance for prosecutors.

### The Task Forces and Councils Have Expanded Partnerships

We also found that the post-September 11, 2001, terrorism task forces and councils have expanded partnerships by including a wider range of participants. The task forces and councils now include members from law enforcement, the intelligence community, private business, and federal, state, and local governments.

The JTTFs combine FBI personnel with hundreds of investigators from various federal, state, and local agencies, who are considered important “force

#### **Partnerships at Work**

While servicing a rear lavatory at approximately 11:30 p.m., on October 16, 2003, a Southwest Airlines maintenance technician in New Orleans discovered a plastic storage bag containing bleach, molding clay, box cutters, matches, and an anonymous note. At the same time, identical materials were found on a Southwest aircraft in Houston.

The Federal Air Marshal notified the FBI’s Counterterrorism Watch Unit (CT Watch) of these incidences, and at 6:00 a.m. on October 17, the NJTTF was informed of this matter. Because of its partnerships and co-location of its members, the NJTTF simultaneously notified the agencies needed to investigate these incidents and directed each agency to search its databases and notify the NJTTF of any potential leads or suspects. The NJTTF also held a meeting with all FBI SACs about the threat incidents and sought the field’s assistance in identifying potential leads. An NJTTF member from the Transportation Security Administration (TSA) searched the TSA’s databases and found that on September 15, 2003, Nathaniel T. Heatwole had sent an e-mail to its Contact Center claiming that he had committed these acts, and he characterized his deed as an “act of civil disobedience with the aim of improving public safety.”

Through the coordinated efforts of the NJTTF, Baltimore JTTF, CTS, TSA, and the Federal Air Marshals, Mr. Heatwole was apprehended by 2:00 p.m. that afternoon. Without the partnerships, a key FBI official estimated that it would have taken at least five days to solve this case.

Mr. Heatwole was originally charged with a felony violation of Title 49 United States Code, Section 46505(b)(1), “carrying or attempting to carry a concealed dangerous weapon on an aircraft that is accessible to the individual in flight,” which carries a maximum sentence of ten years. Instead, Mr. Heatwole pled guilty to a misdemeanor charge of entering an airport area in violation of security requirements. On June 24, 2004, the U.S. District Court sentenced Mr. Heatwole to two years of supervised probation and a \$1,000 fine.

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multipliers.”<sup>32</sup> JTTFs increased 194 percent, from 35 task forces pre-September 11, 2001, to 103 task forces in March 2005. The number of JTTF members has grown 458 percent, from 912 members pre-September 11, 2001, to 5,085 members in January 2005.

The ATACs also have increased their membership. While the number of ATACs is fixed at one per USAO district (Guam and Northern Mariana Islands operate one joint ATAC), membership on ATACs increased by 83 percent from 6,000 members in FY 2002 to approximately 11,000 members in FY 2005.

The NJTTF expanded its number of member agencies from 30 in July 2002 to 40 in January 2005, and its number of members from 55 to 62. It also increased its partnerships with state and local law enforcement agencies by permanently accepting representatives from the District of Columbia’s and New York City’s police departments and by participating in the FBI’s Police Executives Fellowship Program.<sup>33</sup> The program enables police officers from state and local law enforcement agencies nationwide to work at the NJTTF (and other FBI divisions) on a 6-month rotational basis to gain first-hand knowledge of how the FBI operates and to access FBI information. The two fellowship program representatives assigned to the NJTTF during our fieldwork told us that the program allowed their agencies to work together and provided valuable contacts for future coordination. The fellowship program representatives also worked on specific initiatives designed to improve state and local agencies’ abilities to detect and deter terrorism, such as:

- Developing the Terrorism Quick Reference Card used by state and local law enforcement officers to spot the warning signs of potential terrorist threats, and
- Increasing state and local law enforcement’s use of the LEO system.

In July 2004, the NJTTF moved its operations to the Terrorist Threat Integration Center (TTIC), now known as the National Counterterrorism Center (NCTC). The NJTTF now has direct access to the centralized intelligence generated by NCTC. The NJTTF Unit Chief stated that the move to NCTC increased the NJTTF’s workspace capacity from 40 to 82 members.

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<sup>32</sup> Statement of John S. Pistole, Executive Assistant Director, Counterterrorism and Counterintelligence, FBI, before the National Commission on Terrorist Attacks Upon the United States, April 14, 2004.

<sup>33</sup> The Department funds the Police Executives Fellowship Program, which is managed by the FBI’s Office of Legal Education. As of June 2004, four local police departments had assigned representatives to the NJTTF: San Jose, California; Kansas City, Missouri; the City of Alexandria and Fairfax County, Virginia.

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The FTTTF has a critical partnership with the DOD CIFA/Joint Counterintelligence Assessment Group that has assisted the FTTTF in its efforts. At the inception of FTTTF, DOD/CIFA provided financial resources, hardware, software, systems and procurement expertise, and office space to the task force. DOD/CIFA has a complementary mission to the FTTTF, as well as the technical expertise that assisted the FTTTF in development of a database warehouse and analytical tools. Additionally, the FTTTF has attempted to increase the number of its participating agencies, especially DHS components because of the importance of immigration and customs data to tracking and locating foreign terrorists. The DHS informed the FTTTF Director that they would look into adding more members, but indicated that a severe shortage of resources has limited its ability to do so as of January 2005. To attract more participants, the FTTTF Director holds monthly liaison meetings with a broad range of agencies, including DHS components, as well as international law enforcement and intelligence agencies.

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**The JTTFs are implementing the FBI's new counterterrorism investigative strategy that has provided them with increased capabilities to help the Department achieve its strategic goal of preventing terrorism and promoting the nation's security. The FBI also has improved its agents' access to automated investigative information.**

During his February 24, 2004, congressional testimony, FBI Director Robert Mueller reported, "The Joint Terrorism Task Forces have played a central role in virtually every terrorism investigation, prevention, or interdiction within the United States over the past year."<sup>34</sup> The FBI reports that since 2001 it has disrupted and dismantled multiple terrorist operations.

### Developing Intelligence

Before September 11, 2001, the FBI classified its terrorism investigations as either criminal (265 file code) or intelligence (199 file code). Sharing of intelligence between the criminal and intelligence components of the FBI was difficult even when the subject of the criminal and intelligence investigations was the same person.<sup>35</sup> Since September 11, 2001, the FBI has changed its counterterrorism investigative strategy from emphasizing criminal prosecutions to developing intelligence. It consolidated the former 199 and 265 file codes and initiated a new intelligence investigation (315) file code. With the 315s, the FBI defines the primary purpose of its counterterrorism investigations as "developing intelligence regarding the subject or the threat." The work performed by the JTTFs focuses upon identifying terrorists, terrorists groups, and the efforts used by terrorists to support their operations such as financial, recruitment, communication, and other support networks.

JTTF task force members, participating agency executives, and FBI headquarters managers stated that developing human assets (*i.e.*, informants and sources) is an integral part of developing intelligence. The JTTFs focus on developing human assets and the FBI tracks the number of human assets developed by field offices. Although the numbers fluctuate as assets are opened and closed, the FBI reported that from August 30, 2001, through September 30, 2003, its international terrorism human assets increased by

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<sup>34</sup> Testimony of FBI Director Robert S. Mueller III, Hearing on Worldwide Threats, The Senate Select Intelligence Committee, February 24, 2004.

<sup>35</sup> In July 2004, the OIG issued a report that examined the FBI's handling of intelligence information prior to September 11, 2001: *The Handling of Intelligence Information Prior to the September 11 Attacks*, U.S. Department of Justice, Office of the Inspector General, July 2, 2004.

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more than 60 percent and the domestic terrorism human assets increased by more than 40 percent.<sup>36</sup>

### Addressing All Leads and Threats

The Director of the FBI requires that no counterterrorism leads or threats go unaddressed.<sup>37</sup> To meet this mandate, the JTTFs use task force members and agents assigned to other squads in the FBI's field offices to cover JTTF taskings. Some JTTFs (such as the New York City and Los Angeles JTTFs) assign specific squads to handle all incoming leads, perform preliminary checks of the information provided, and then assign the leads to the appropriate team. This helps to streamline the preliminary work performed by the JTTFs and minimizes the intervention needed from non-JTTF agents. The work performed by the members of the JTTF squad and other FBI agents temporarily assigned to support the squad is combined and reported by field offices in two categories: international terrorism and domestic terrorism.

The JTTFs use the FBI's Model Counterterrorism Investigative Strategy as a "blueprint" for conducting these intelligence driven and intelligence focused investigations. The JTTFs can use various techniques in international terrorism investigations to gather information on national security threats without opening a full or preliminary investigation.<sup>38</sup>

### Investigative Data Warehouse (IDW)

Our interviews and survey results showed that the majority of non-FBI task force members with clearances did not have direct or complete access to the ACS system, even though such access was permitted by policy, which caused delays in their investigations. However, subsequent to our site visits the FBI developed an information technology system, known as IDW, to enhance investigative information available to JTTF agents. From the IDW demonstration we observed, it appears that the IDW has the capability to resolve the ACS system access problems we encountered in the FBI field offices.

The IDW is a "centralized, web-enabled repository for relevant intelligence and investigative data that allows users to query the information utilizing

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<sup>36</sup> *Report to the National Commission on Terrorist Attacks: The FBI's Counterterrorism Program Since 2001*, FBI, April 14, 2004, p. 64.

<sup>37</sup> *Counterterrorism Division Program Management*, Electronic Communication #66F-HQ-A1308701, FBI, Director Robert Mueller, December 25, 2002.

<sup>38</sup> *The FBI's Model Counterterrorism Investigative Strategy*, FBI, July 15, 2003.

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advanced software tools.”<sup>39</sup> The IDW is not a case management system but rather a “pointer system” that allows a user to enter different search terms and conducts a “Google” search of a variety of FBI and non-FBI databases, including: ACS Electronic Case File, ICE arrival and departure information on non-immigrants (I-94) data, Financial Crimes and Enforcement Network data from the Department of Treasury, No Fly List, FBI Terrorist Watch List, Violent Gang and Terrorist Organization File (VGTOF), open source news (foreign and domestic), U.S. Department of State VISA fraud data, lost or stolen passport data, and other intelligence community information. Search results are displayed in a web format, and users can click directly on “links” to the highlighted documents as well as search within the results for a more focused analysis. Additionally, IDW can conduct “batch queries” where sets of data (such as names, phone numbers, or addresses) are run through all the databases in IDW.

As of April 2005, the IDW was populated with one billion records in a variety of databases, and the FBI estimates that within six months IDW will have access to one and a half billion records. There are approximately 7,000 IDW users in the FBI, including JTTF members. The FBI plans to have one-third of all the field offices trained on IDW by the end of 2005. IDW allows FBI and non-FBI JTTF members access to a variety of information that enables them to conduct terrorism investigations in a more efficient manner because IDW queries multiple databases simultaneously.

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<sup>39</sup> In November 2003, the Counterterrorism Division, along with the Terrorist Financing Operations Section (TFOS), in the FBI began a special project to augment the existing IDW system with new capabilities for use by FBI and non-FBI agents on the JTTFs. The FBI Office of Intelligence is the executive sponsor of the IDW. The IDW Special Projects Team was originally initiated for the 2004 Threat Task Force.

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## NEEDED IMPROVEMENTS

Although the task forces and councils have facilitated the Department's counterterrorism efforts, we believe there are areas in which their performance and effectiveness can be improved. We begin with issues that are Department level or commonly found across task forces and councils, followed by issues that are specific to an individual task force or council.

### National Security Coordination Council

**Although the National Security Coordination Council (NSCC) is an important and beneficial forum for Department leaders, the NSCC's role is unclear for long-term counterterrorism planning, centralizing and coordinating counterterrorism policy and operations, and monitoring policy implementation by the components.**

#### NSCC Functions

The Attorney General established the NSCC with the principal mission of ensuring "a more seamless coordination of all functions of the Department relating to national security, particularly the Department's efforts to combat terrorism directed against the United States," and directed it to:

- Centralize and coordinate policy, resource allocation, operations, and long-term planning of Department components regarding counterterrorism, counterespionage, and other major national security issues;
- Monitor the implementation of Department policy to ensure that components are taking necessary and appropriate actions to prevent and disrupt the occurrence of terrorist attacks in the United States;
- Provide an institutionalized Department forum for crises management;
- Promote coordination and information-sharing within the Department, between the Department and other federal agencies and interagency bodies, and between the Department and state and local law enforcement authorities, to prevent, prepare for, and respond to terrorist attacks within the United States;
- Frame national security issues for resolution by the Deputy Attorney General or the Attorney General; and
- Ensure that positions advanced by the Deputy Attorney General on behalf of the Department at interagency meetings of the National Security Council, the Homeland Security Council, and other interagency forums reflect input from Department national security components.

In March 2002, the Attorney General established the NSCC and defined six functions for it to implement. We found that the NSCC does not fully perform two of these Attorney General mandated functions: 1) centralizing and coordinating policy, operations, and long-term planning of DOJ components, and 2) monitoring implementation of Department policy regarding counterterrorism issues. The NSCC also has not delegated these responsibilities to another Department entity. We also found that no guidelines have been developed defining responsibilities of NSCC member in carrying out the NSCC's functions. These functions may therefore be interpreted differently and some functions may not be carried out at all as the NSCC's leadership and members change.

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We also found during interviews that the members have differing views on the functions of the NSCC which may affect its performance of some mandated functions. When asked about two of the NSCC functions related to the Department's counterterrorism policy monitoring and long-term planning, some NSCC members either could not explain how these occurred or did not see their role on the NSCC as carrying out these functions. As examples of the varied views on these functions, some of the members made the following comments when asked: "How does the NSCC monitor the implementation of the Department's counterterrorism policies? What form of policy direction has the NSCC given to shape the agency's counterterrorism operations?"

- We don't monitor them; we don't hear feedback that something has happened. There is no policy direction as it relates to my agency.
- I don't know. This comes out of the Deputy Attorney General's office.
- The NSCC does not compartmentalize the Department's counterterrorism operations into policies.
- No one sits there and writes policy. Often times an issue comes up which will eventually become policy. Attorneys are there to share concerns on existing law - congressional folks are there. We're framing policy in a general sense; we discuss advantages and disadvantages of issues that come up.

Additionally, some members provided the following responses when asked: "What long-term planning has been carried out for the task forces through the NSCC?"

- Not by the committee as a whole. We don't push a certain direction as a group.
- For most of the time, we were so reactive, it was hard to do long-term planning. Allocation of resources was discussed which has long-term implications, and a discussion of FISA.

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- The NSCC has used the budget process to plan for the DOJ's counterterrorism initiative. Terrorism task forces are part of the DOJ's long-term plan; however, the NSCC doesn't have a set mission statement.
  - There's a general construct in which they operate – but we're dealing with a shifting issue [terrorism]. Two years ago, there was a concentrated hierarchical structure in Afghanistan. Now we're looking at the distributed mode (e.g., IMDs (or IADs) and the link between bombs that strike targets and those responsible.

Some NSCC members, however, were able to provide us with examples of past or present policy coordination. One example was that the NSCC provided guidance to the Attorney General for defining the roles of the ATACs in relation to the JTTFs. In addition Deputy Attorney General Comey stated that the NSCC is planning to play a role in the development of policy through the Justice Intelligence Coordination Council, which will determine how law enforcement agencies share intelligence information.<sup>40</sup>

On questions related to the remaining four functions, however, NSCC members were able to articulate clearly how the NSCC carried these out. These functions are:

- coordination and information sharing within or between the Department and other federal state and local bodies;
- centralizing and coordinating resource allocation;
- framing national security issues for resolution by the Deputy Attorney General or Attorney General; and
- ensuring that positions advanced by the Deputy Attorney General at interagency meetings reflect

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<sup>40</sup> Attorney General John Ashcroft created the Justice Intelligence Coordination Council on February 25, 2004, as a senior-level coordinating mechanism for all intelligence activities in the Department. The council was developed to improve integration of intelligence and provide consistency in the sharing of intelligence across the Department.

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input from the Department national security components.

Members described the positive role the NSCC played in carrying out these functions by:

- keeping the DAG apprised of terrorism issues important to each component;
- receiving briefings by outside agencies or other non-member components on national security or terrorism related issues;
- providing an information sharing forum for senior DOJ officials who would not ordinarily meet w/one another; and
- annually reviewing the DOJ's budget submission and resources related to the department's terrorism initiative.

Based on these interviews, we concluded that the NSCC has not emphasized its role in centralizing and coordinating terrorism policy and operations, conducting long-term counterterrorism planning, or monitoring the implementation of counterterrorism policy in the Department.

Although the NSCC members could not address all the NSCC's functions, we found that the NSCC does serve as an effective forum for sharing counterterrorism information among its members. Comments from the former and current Deputy Attorneys General emphasized the NSCC's coordination and information sharing functions:

Former Deputy Attorney General Thompson

NSCC was created as a formal coordination mechanism within the DOJ to reinforce that prevention and disruption of terrorism is the Department's first priority; and to ensure that information sharing and open discussions continue in a formal setting. The NSCC allows the component heads to get together and talk from a policy and procedural standpoint.

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## Deputy Attorney General Comey

[The NSCC's purpose is] To bring together everyone in the Department that is touching on national intelligence and justice issues. To have people in the same room on a regular basis who don't usually meet...

In addition, all NSCC members informed us that the meetings are beneficial. They said that the NSCC discusses terrorism matters and threats, and reviews the Department's annual budget for counterterrorism resource allocations. The NSCC also receives project status updates on various agency initiatives and national security issues such as a DEA briefing on terrorist operations in South America, a CIA briefing on foreign terrorist threats, or a BOP briefing on terrorism in the prisons. Additionally, the NSCC has a broader mission beyond our focus of the task forces: coordinating all Department functions relating to national security issues. Toward that end, sub-groups of the NSCC have undertaken coordination of several national security initiatives as described previously in the Background section of this report.

### **CONCLUSION**

The NSCC has not fully performed the policy, operations, planning, and monitoring functions mandated by the Attorney General. We believe that if the NSCC performed all its functions, it could address larger or overarching issues unresolved at the task force level (which we have discussed in this report) as part of the Department's counterterrorism efforts. These issues include: information sharing with law enforcement agencies and first responders in remote and rural areas; additional funding for the ATACs; FTTTF's acquisition of databases from agencies outside the Department; DEA's participation on the JTTFs; DHS's participation on the JTTFs; and coordinating activities and information sharing between the ATACs, JTTFs, DHS, and the states' homeland security task forces.

Further, the NSCC has not developed guidelines to fully define for its members their responsibilities in implementing the functions of the NSCC. Therefore, as the NSCC's leadership and members change, the functions may be interpreted differently or not fully performed.

### **RECOMMENDATION**

1. The Department should assess the counterterrorism functions outlined in the Attorney General's memorandum establishing the NSCC and determine if

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they are still appropriate for the NSCC. If they are, the Department should ensure that written guidance describes the responsibilities of the NSCC and that the NSCC carries out its assigned functions. If the functions are not appropriate for the NSCC, they should be assigned to another Department entity.

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**The FBI has not developed a national training plan for the task forces, defined minimum training standards, or conducted a training needs assessment to determine the training needs of task force members. Similarly, neither EOUSA nor CTS has developed a training plan or conducted a training needs assessment for the ATAC Coordinators or members. Notification of available training is ad hoc, and non-FBI task force members believe that FBI members get preference for training notification and attendance.**

The majority of task force and council members we interviewed or surveyed had no prior experience with either domestic or international terrorism before joining the task force or advisory council. Identifying terrorists and terrorist threats, conducting a terrorism investigation, developing sources, or planning for terrorist incidents were all new subjects for a majority of those members. More than half (51 percent) of the survey respondents reported that they required training in counterterrorism. The prolific growth of the JTTFs and ATACs, combined with task force and council members' widespread lack of experience and exposure to all facets of terrorism, has increased the need for additional training with a well-defined training plan and minimum training standards.

### **No National Training Plan Exists for Task Forces or Advisory Councils**

Although training courses are available to task force and council members, neither FBI, CTS, nor EOUSA officials have developed national training plans for task force and council members.<sup>41</sup> Without a national training plan, counterterrorism training for task force and council members is determined locally, varies widely, and results in training inequities. For example, some FBI field offices required their task force members to complete two FBI interactive multimedia instruction CD-ROMs entitled "Basic International Terrorism" and "Basic Domestic Terrorism." Other field offices stated that they send their JTTF members to a basic counterterrorism course at the FBI Academy in Quantico, Virginia. Others developed their own training and brought in speakers on topics such as identifying terrorist groups and their characteristics, cultural sensitivity, terrorism financing, and terrorism investigative strategies. Yet, other field offices told us they sometimes hold

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<sup>41</sup> Deputy Attorney General Larry D. Thompson issued a memorandum on December 24, 2002, requiring all Department lawyers (including ATAC Coordinators) and FBI special agents (including JTTF supervisors and JTTF members) working on foreign intelligence or counterintelligence to complete Foreign Intelligence Surveillance Act/USA Patriot Act training. The Department has not mandated any training for the FTTTF and NJTTF participants.

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their agents back from training due to the high workload of the task force and lack of resources.

Some ATACs meet on a regular basis (either monthly, bi-monthly, or quarterly) and try to present speakers who address terrorism-related topics at each meeting, while others may not conduct meetings or training for almost a year. Some ATAC survey respondents told us they had never received training from the ATAC or needed more detailed training, and stated for example:

- I have not received training due to no budget being provided. Recommend providing a budget for both basic and advanced training initiatives.
- The limited training was provided in-house at quarterly meetings in the form of briefings. It all has value, but from my perspective as a member, I require more related information and training.

## **FBI**

In the last three years, oversight for counterterrorism training in the FBI has changed three times, with no one assigned responsibility to develop a national training plan for the task forces. Immediately after September 11, 2001, the Counterintelligence Division at FBI headquarters had responsibility for counterterrorism training. In December 2002, the Training Division located at the FBI Training Academy in Quantico was given the responsibility of providing counterterrorism training to FBI employees as well as to state and local law enforcement personnel. One staff member from the Counterterrorism Division was loaned to the Training Division to assist with this large undertaking. While the FBI Counterterrorism Division worked with the FBI Academy Training Division to provide guidance and assistance on the type of training to be offered, Academy officials stated that due to their limited staff and resources (housing, space, and budget), they were not able to absorb a comprehensive counterterrorism curriculum for task force members nationwide into their existing program at the Academy.

In October 2003, following a major restructuring of the Training Division, responsibility for counterterrorism training was given to the Counterterrorism Division at FBI headquarters. The Counterterrorism Division is now responsible for developing, coordinating, and implementing all counterterrorism training for FBI personnel, both in field offices and FBI headquarters, and for JTTF members. Two SSAs initially were assigned to develop a new Counterterrorism Training Unit, and in May 2004 written approval was given to officially establish the unit. The Counterterrorism

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Training Unit was staffed with two SSAs, two Intelligence Analysts, and a Secretary. As of November 2004, the two SSAs had transferred to other divisions and been replaced by two new SSAs.

*Developments in FBI Counterterrorism Training:* In January 2004, the FBI implemented a new training curriculum designed specifically for JTTF members entitled, "Counterterrorism: A Strategic and Tactical Approach." The FBI contracted with Booz Allen Hamilton to design this 4½ day course with input from subject matter experts from the FBI's Counterterrorism and Training Divisions. The course covers approximately 20 topics, including "The Threat Based Approach to Counterterrorism," "Developing Sources," "Undercover Operations," and "Working with Your Community." The majority of those who had attended this course rated it very favorably on the course evaluation sheets, stating that it was valuable and informative; but they also commented that the course is needed by task force members shortly after they begin on the task force or within 90 days of their arrival to effectively perform their duties as soon as possible.

The "Counterterrorism: A Strategic and Tactical Approach" course covers topics previously identified as needed by task force members. However, this course is not mandatory for task force members and selection for participation is left up to the task force supervisor's discretion. The course has been provided to 258 JTTF members and analysts from January through October 2004 with the goal of continuing to offer it until the majority of JTTF members have attended. While this is a positive development, because the course is offered monthly to only a small percentage of JTTF members from a few field offices, at the current rate it will take 14 years to train all 5,085 JTTF members.

In addition to the "Counterterrorism: A Strategic and Tactical Approach" course, the FBI also has a Counterterrorism Training section on the FBI's intranet. Task force members can access counterterrorism virtual training, CD-ROMs, the FBI and CIA's course catalogues, and other online information resources on terrorism. The FBI also reported that it has other new terrorism related training initiatives under way for new and existing employees:

- The expansion of time devoted to terrorism topics from 55 hours to 110 hours in the FBI New Agent Training course, and

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- The addition of in-service training courses such as “FISA/Patriot Act,” “Human Source Recruitment,” and language training.<sup>42</sup>

### Lack of Minimum Training Standards May Affect Some Task Force Members Receipt of Training

Although many task force members had received some counterterrorism training, we found that a significant percentage had no basic introductory training on terrorism for months, and sometimes years, since becoming members of the task force. Task force members are normally experienced criminal investigators, but as stated previously, most have no experience in the counterterrorism field. Our survey results showed that 29 percent of all task force members (JTTF, NJTTF, and FTTTF) have not received any terrorism-related training since becoming members. Some respondents complained about this lack of training, stating for example:

- Needs are known, training hasn’t been available. “Basic” training became available after 2+ years on the job.
- I haven’t had any training regarding terrorism, counterterrorism or anything else regarding this task force.
- There has been no training offered, other than how to deal with paperwork – of which there has been none.
- I have never received any terrorism training. [I am] unsure of my role on the task force.

The FBI had stated that by the end of 2003, basic counterterrorism training would be provided to every JTTF member, and it has made progress in its training efforts.<sup>43</sup> However, we found that in January 2004, 16 percent of the JTTF survey respondents, 37 percent of the NJTTF survey respondents, and 38 percent of the FTTTF survey respondents still had not completed any terrorism training since becoming members. Of the 16 percent of JTTF

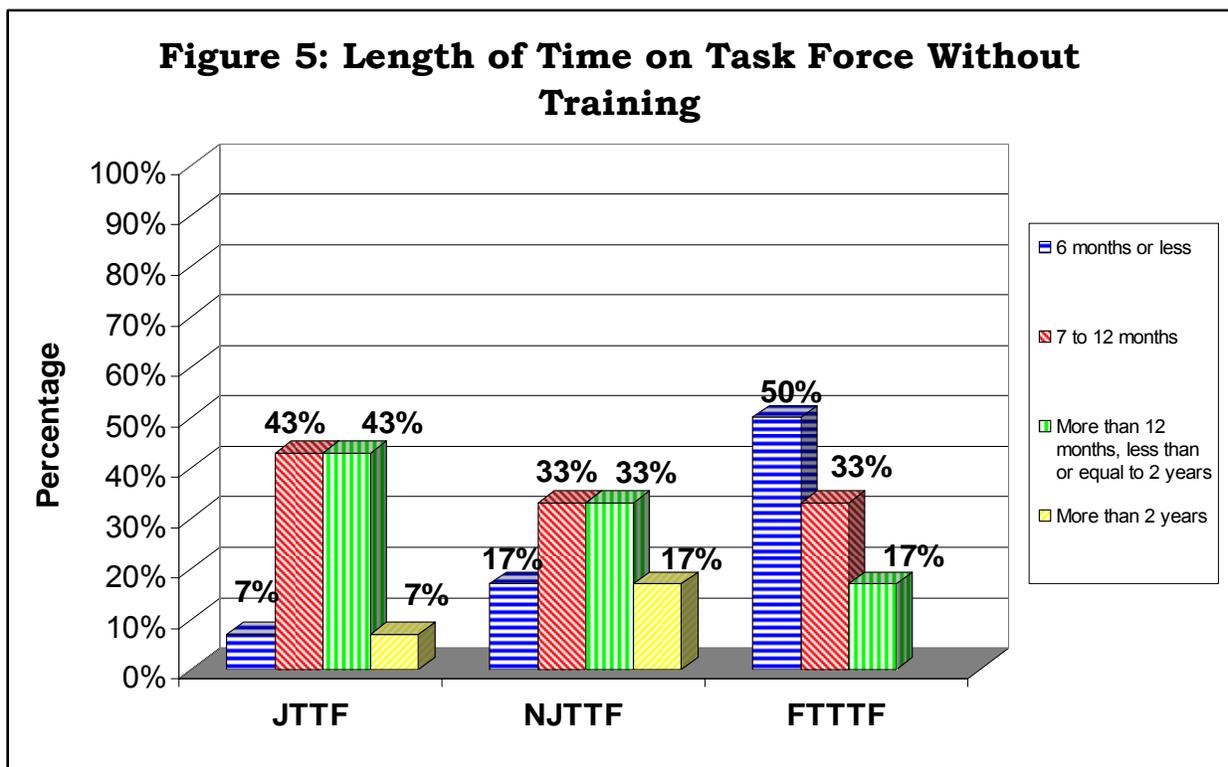
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<sup>42</sup> *Report to the National Commission on Terrorist Attacks: The FBI’s Counterterrorism Program Since 2001*, FBI, April 14, 2004.

<sup>43</sup> Testimony Senate Select Committee on Intelligence, FBI Director Robert Mueller, February 2003.

members who reported no training, half had been members of the JTTF for more than a year (the time on the task force without training was a median of 390 days for JTTF survey respondents). Two task force members had been on the JTTF for over 800 days without any counterterrorism training.

Thirty-seven percent of the NJTTF survey respondents reported that they had received no training (the time on the task force without training was a median of 375 days for NJTTF survey respondents), although some NJTTF survey respondents had been on the task force as long as 600 days without training. Thirty-eight percent of the FTTTF survey respondents had received no training (the time on the task force without training was a median of 240 days for FTTTF survey respondents), some for as long as 540 to 810 days. The following figure shows the length of time task force survey respondents spent on a task force without training.



Source: OIG, Counterterrorism Task Force Survey, January 2004.

We visited an FBI field office that had one of only three onsite training offices nationwide. Yet even this office had no minimum training standards or organized training plan for task force members.

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## **EOUSA and CTS**

One of the main functions of the ATACs is to provide counterterrorism training to members. However, in our survey of ATAC members, 47 percent reported that there was training they needed or should have received but did not. Yet, EOUSA and CTS have not developed a national training plan, minimum training standards, or a training needs assessment for ATAC Coordinators and members.

While CTS and EOUSA's Office of Legal Education have provided training sessions for the ATAC Coordinators, the focus has primarily been on the legal and investigative aspects of terrorism-related cases to ensure a consistent and unified prosecutorial approach to these cases. However, the ATACs need training and guidance on the administrative aspects of managing the ATAC. The ATAC Coordinators we interviewed stated that they want guidance on the type of training that should be offered to ATAC members and on how to identify trainers. The ATAC Coordinators also said that the provision of training, particularly training on terrorism prevention and planning, to law enforcement personnel and community members is a new responsibility for which they have little or no experience. Therefore, the ATAC Coordinators need guidance and assistance from CTS and EOUSA.

### **Training Needs Assessments Were Either Outdated or Never Completed**

The FBI Training Academy staff at Quantico told us that a JTTF training needs assessment was conducted in the spring of 2002. However, despite our repeated inquiries, they did not provide information on whether the results from this assessment were analyzed or applied to develop any courses for JTTF members.<sup>44</sup> No training needs assessment has been conducted since that time even though the number of JTTFs has increased from 56 to 103, and the number of JTTF members also has increased.

In lieu of a training needs assessment, we surveyed task force and council members to inquire how their training needs were determined at the task force and council level. Sixty percent of all task force and advisory council survey respondents indicated that their terrorism training needs were "undetermined," "self-determined," "determined without their input," or they were "uncertain" of how their terrorism training needs were determined.

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<sup>44</sup> We made repeated requests to the FBI's Training Academy staff in Quantico, Virginia, to determine what happened to the 2002 training needs assessment, but the Training Academy has not responded.

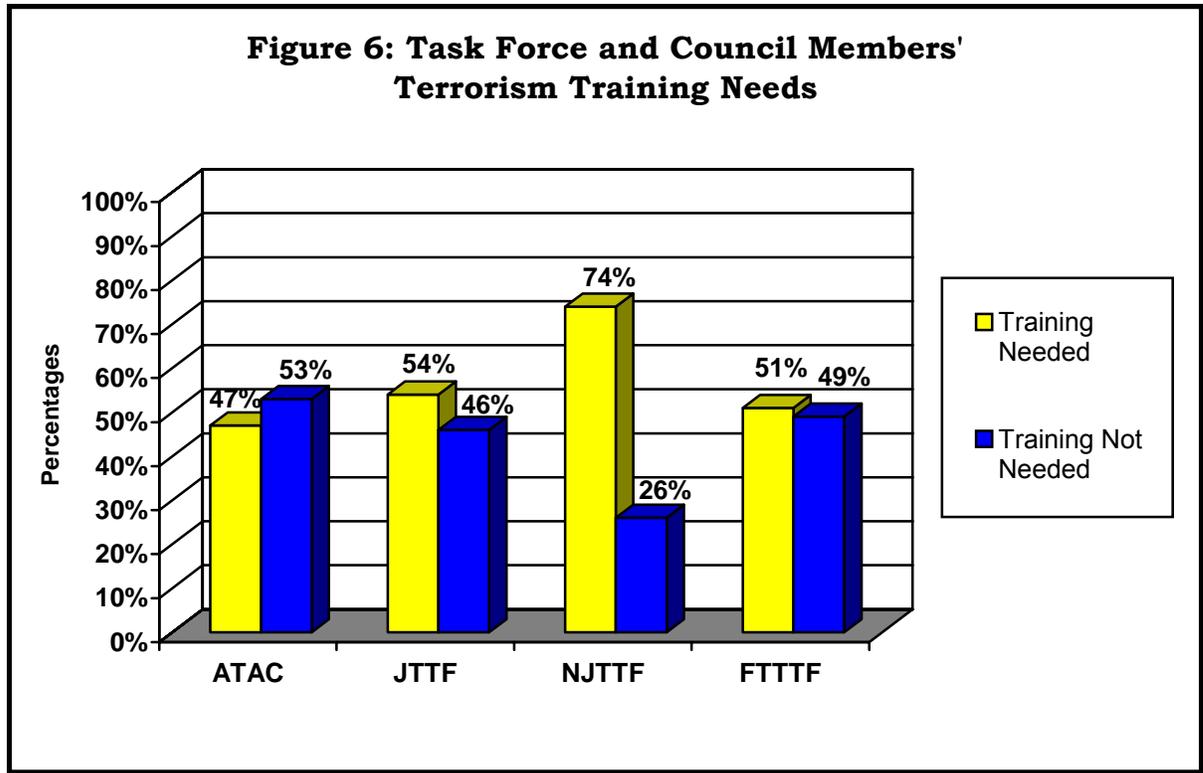
**Table 8: Task Force and Council Members' Perceptions of How Training Needs Were Determined.**

<b>Method Used</b>	<b>ATAC</b>	<b>FTTTF</b>	<b>JTTF</b>	<b>NJTTF</b>
Task force supervisor determined with my or my agency's input.	N/A	44%	29%	21%
ATAC Coordinator determined with my or my agency's input.	27%	N/A	N/A	N/A
Task force supervisor determined without my or my agency's input.	1%	12%	11%	16%
ATAC Coordinator determined without my or my agency's input.	9%	N/A	N/A	N/A
Self-determined	13%	19%	14%	5%
Not determined	18%	0%	16%	32%
Other method	13%	6%	7%	0%
Uncertain of method used	16%	19%	20%	26%

Source: OIG's Counterterrorism Task Force Survey, January 2004.  
 Notes: N/A = Not applicable

Without a training needs assessment that is current and reflects the members' needs, task force and council managers or training staff cannot gauge an individual's or region's training needs. While a majority of task force and council members had no terrorism experience prior to joining the task force, some do have terrorism experience and their training needs would therefore be different. Additionally, the nature of the terrorist threat varies by region and some regions such as the northwestern states may require more emphasis on domestic terrorism topics, such as eco-terrorism or white supremacist groups, than the northeastern states.

More than half of the survey respondents stated that there is training they need or should receive, as evidenced by the following figure.



Source: Analysis of OIG's Counterterrorism Task Force Survey, January 2004

Note: Survey Question: "Is there counterterrorism training that you need or should receive that you have not taken?"

### **Some Members Receive No Notification of Training**

Many of the non-FBI task force members we interviewed and surveyed stated that they received no notification of training, and they were unaware of what training was available. The following were among the comments we received from survey respondents indicating a lack of notification of training:

#### JTTF

- [I] don't know what is out there to submit a list of what I think I need.
- Don't know but I am sure there is training that is offered and I don't know about it.

#### NJTTF

- I have not been aware of any training or training opportunities.

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- I assume there is training that could benefit me, but I am not aware of what it would be.

#### FTTTF

- It [training] would have been useful. I would still like to go to anything available, very little is available. We don't receive any notices of it.
- I still lack access and training to systems/resources that will allow me to perform my job much better.
- I would like to see what the FBI is doing [regarding terrorism training]. No one has shared what the FBI has for training.

#### ATAC

- We have received very little training.... Agencies need to do a better job of informing members of training availability. Lack of training has impacted my work on the task force, both the JTTF and the ATAC.

The FBI informed us that to facilitate counterterrorism training it has included training information, training sources, and training courses on the Counterterrorism Division website on the FBI intranet. The FBI stated that each task force member has access to this website and is encouraged to take advantage of these training packages.

### **Perceived Inequities in Training Offered to FBI Versus Non-FBI Task Force Members**

Some non-FBI task force members believe that FBI agents are offered more opportunities for counterterrorism training or believe that training is available only to FBI members. Several non-FBI task force members also informed us that they requested various training courses several times but had not been approved to go by the FBI.

An assessment of terrorism training equities between non-FBI and FBI task force members was beyond the scope of this review. However, our survey results show that only 11 percent of FBI agents reported that they had not completed any counterterrorism training since joining a task force, but 26 percent of federal non-FBI agents and 21 percent of state and local agents

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reported that they had not completed any training. Additionally, a significantly higher percentage of federal (non-FBI) and state and local survey respondents, 55 and 53 percent, respectively, did not review the FBI's international terrorism CD-Rom. Only 29 percent of FBI survey respondents did not review the international terrorism CD-Rom.

Survey respondents also commented on perceived inequities in training:

JTTF

- Upon entering the JTTF 7 years ago, I fulfilled the background tasks to be selected to attend formal training. As a non-federal CT [counterterrorism] task force member, we are routinely overlooked for training positions. All of my experience has been on the job or research conducted on my own.

FTTTF

- Occasional training is available but very few seats are available or the training is not available to all team members.

We also found in our review of attendance rosters from two specific training courses that targeted JTTF and NJTTF members that differences in training participation existed in a few offices.<sup>45</sup> While the majority of the field offices sent a mix of FBI and non-FBI JTTF members to one of the courses, three field offices sent only FBI members to fill the six slots each was allotted.

**CONCLUSION**

The lack of training notification and the perceived training inequities can undermine the concept of full partnership on the task forces and councils and impact work productivity. Without a national training plan that includes minimum training standards and a needs assessment to identify and address training deficiencies, actual and perceived training inequities and deficiencies will continue.

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<sup>45</sup> The courses were the September 2003 National Joint Terrorism Task Force Training Conference and "Counterterrorism: A Strategic and Tactical Approach" course, which was presented multiple times during the period of March through June 2004.

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## **RECOMMENDATIONS**

2. The FBI should develop a national training plan for each task force that includes:

- Responsibility for developing and managing the training plan and program,
- Initial needs assessment,
- Frequency of future needs assessments,
- Development of minimum mandatory training standards and time frames for completion of training, to include completion of the introductory training session within 90 days of joining the task force.
- Required minimum annual training hours,
- Target audience – training equities for FBI and non-FBI task force members, and
- Responsibility for training notification to the field.

3. EOUSA's Office of Legal Education, along with CTS, should develop a national training plan for ATACs that includes:

- Initial needs assessment of ATAC Coordinators,
- How to manage and structure an ATAC (membership, frequency of meetings, methods and sources of communication, how to conduct an ATAC members' needs assessment, identify trainers, and develop a local training plan),
- Frequency of future needs assessments for ATAC Coordinators and ATACs,
- Development of minimum mandatory training standards and time frames for completion of training for ATAC Coordinators,
- Required minimum annual training hours for ATAC Coordinators, and
- Responsibility for training notification to the ATAC Coordinators.

4. The ATAC Coordinators should conduct training needs assessments and develop a training plan for ATAC members.

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**The FBI has not developed a structured, systemwide orientation program for new JTTF and NJTTF members. Additionally, the FBI has not provided written guidance that defines the roles and responsibilities of its task force members.**

### **The FBI Has Not Developed a Structured, Systemwide Orientation Program for New JTTF and NJTTF Members**

We found that a significant number of both FBI and non-FBI members of the JTTFs and the NJTTF did not receive an orientation to the task force on which they served and when an orientation was provided the type varied and content was inconsistent. Given the rapid pace with which the NJTTF, FTTTF, and many of the JTTFs started up after September 11, 2001, the lack of a formal orientation was understandable. However, three years later, a more formal, standardized, and functional orientation for all new task force members to enable them to perform as efficiently as possible, as quickly as possible, still does not exist for JTTFs or the NJTTF. The FTTTF informed us that it began a formal orientation for all new members in September 2004; however the OIG completed its fieldwork for this report before having the opportunity to review the impact of the orientation.

With 5,085 members, the JTTF program has the largest number of task force members. Approximately 55 percent of these task force members are from outside the FBI. They come from state, local, and other federal law enforcement agencies and therefore may be unfamiliar with FBI and JTTF policies and procedures. Orientation to JTTF and FBI procedures is needed to assist non-FBI law enforcement officers in shifting their focus from conducting criminal investigations to working intelligence cases. Because these career officers were trained previously to conduct criminal investigations culminating in an arrest as quickly as possible, they need orientation on working terrorism cases with the emphasis and end-goal of intelligence gathering, surveillance, and source development. Yet, we found through our survey that 38 percent of JTTF members received no orientation at all and the following table outlines our survey results.

**Table 9: Orientation Completion by Task Force**

<b>Survey question: Upon joining the task force, were you given an orientation to the task force and the FBI's policies and procedures?</b>			
<b>Agency</b>	<b>Response</b>		
	<b>Yes</b>	<b>No</b>	<b>Don't Know</b>
JTTF	58%	38%	4%
NJTTF	42%	42%	16%

Source: OIG Counterterrorism Survey, January 2004.

The following table shows that overall, 59 percent of the FBI, 60 percent of federal non-FBI, and 54 percent of state and local task force members that responded to our survey received an orientation when they joined their respective task forces. However, many described the orientation as “elementary,” consisting of one or more of the following activities: a brief or informal overview, a document review, an introduction to the staff and workspace, learning from other task force members, or on-the-job training.

**Table 10: Orientation Completion by Law Enforcement Agency**

<b>Survey question: Upon joining the task force, were you given an orientation to the task force and the FBI's policies and procedures?</b>			
<b>Agency</b>	<b>Response</b>		
	<b>Yes</b>	<b>No</b>	<b>Don't Know</b>
FBI	59%	36%	5%
Federal/Non-FBI	60%	36%	5%
State and Local	54%	40%	5%

Source: OIG's Counterterrorism Task Force Survey, January 2004.

Note: Numbers are rounded and may not add to 100%.

Similarly, there was no formalized orientation for NJTTF members. Orientation to the NJTTF consisted of an introduction to the FBI's Counterterrorism Division, a one-day session in which a representative from each unit within the Counterterrorism Division gave an overview of their office functions. At the time of our field work, interviews, and survey, the content and provider of FTTTF orientation briefings varied for each member.

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We found that in the absence of any FBI headquarters-developed orientation program and no policy or directive requiring any orientation, orientation occurs sporadically and inconsistently for the FTTTF, JTTFs, and NJTTF. The majority of task force managers we interviewed believed that FBI headquarters should develop a standard orientation so that it is available consistently across all task forces.

While FBI task force members stated that the lack of an orientation program did not affect their task force performance, the many non-FBI members believed otherwise. The following comments received from non-FBI JTTF members during interviews suggest that the lack of orientation had an impact on their ability to perform their duties efficiently:

JTTF

From a 25-year veteran police officer:

Everyone on the task force is a seasoned investigator. You have a preliminary foundation and bring tools with you when you arrive. ... You refer back to your own experience and then you ask [questions]. Federal procedures are very different – there are very specific guidelines in the federal system. I was a fish out of water. I wanted to know... what is your process? ...if there had been an orientation, the learning curve would have been much shorter. Even today, 10 months later, there's still a lot I don't know.

From an 18-year veteran police officer:

If you have a question, you go to your supervisor. If he's absent, you're sunk. We have a lot of resources but haven't got a clue how to use them. We need someone to let us know what all the resources are: we need an index or contact person from any organization, INS, CIA, Workman's Comp... There should be training on 302s [*interviews*]; inserts [*an insert is used to document non-testimonial information for an investigative file*]; papers for statistical reports; use of the ACS program; Rapidstart; the difference between a criminal vs. intelligence investigation; a mini-academy – even 5 days just to learn the paperwork. They should have terrorism training in the

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beginning also. When you're working intelligence cases – there's so much involved. There should be a packet for each instance, [referring to National Security Letters and FISAs] with the FBI guidelines.

From a veteran Department non-FBI agent:

A lot of training we had was on-the-job. It was frustrating in the beginning – the language was different. Orientation would be helpful – it was as if we were thrown into the aquarium. Is there a right way to do 302's? We all shared the same frustration. We pushed for a class – the SSA saw we were committing so many errors on the paperwork ... But as long as there were some seasoned FBI agents along with the new, [the FBI thought] it was ok. The SSA created a template of: 1) an FD 302; 2) an Electronic Communication (EC). But if you don't know what to put in the EC, it doesn't matter what's on the template. The language the FBI uses doesn't translate to our agency; and, 3) an Insert – [*an insert is used to document non-testimonial information for an investigative file*]. It was very haphazard – you were thrown into a squad, administratively it was a nightmare – everyone had questions, no one knew the right answer... the way files were set up and the numbering system. If they had provided an informal class, flyers, or samples... an overview would have been terrific.

The following are additional comments from task force survey respondents when asked about the impact of having no orientation to the task force:

JTTF

- It considerably hindered my ability to understand the JTTF organization, who to talk to about issues, have people know who I am, know how to use the systems such as ACS.
- I did spend and continue to spend a major portion of my time researching appropriate procedures in order to send out communications.

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- Most of what we did over the first nine months on the task force was wrong. We are still fixing paperwork from the first nine months to a year and we still aren't always sure what is the right way to do things.
  - I was completely lost. Do not understand the I.T. [international terrorism] lingo, laws, etc.
  - Didn't know what was expected, what we could and couldn't do as far as information sharing.
  - Took me a while to understand role and mission – had to learn the system on my own by continually asking questions. It took me a longer time to get familiar with how things are done.
  - Orientation would have lessened the time necessary to become familiar with basic FBI specific report formats and computer systems.
  - Slowed me down some, and made it frustrating in trying to figure out what I should be doing.
  - Made life difficult. Hard to be a productive task force member without proper training.
  - I can't do much until I get a handle on case opening procedures and access to the computer system.

#### NJTTF

- Not being able to assess what role I play within the FBI structure.
- A lot of guess-work and halts to find out proper procedures.

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## FTTTF

- It slowed my effectiveness. It took longer than it should have to figure out such things as passing clearances, chain of command, who the members of the FTTTF were.
- ...[D]ue to the lack of information, I wasn't aware of all the resources (provided through other units or agency members) that were available to assist me in my job.<sup>46</sup>

### **The FBI Has Not Provided Written Guidance That Defines the Roles and Responsibilities of Task Force Members**

The FBI still does not have written Memorandums of Understanding (MOUs) with all of the agencies participating on the FTTTF, JTTFs, and NJTTF. The NJTTF Unit Chief told us that post-September 11, 2001, "members were assigned to the [JTTF and NJTTF] to immediately address the crisis and the MOUs were supposed to follow." The absence of MOUs was a problem that existed on the JTTFs before September 11, 2001. We found that the FBI did not have MOUs with all of the agencies assigned to the pre-September 11, 2001, JTTFs, and those that existed have not been updated to reflect the post-September 11, 2001, JTTF mission. Since November 2003, the FTTTF has had draft MOUs pending with the DHS (only related to DHS databases) and intelligence community participants.<sup>47</sup> As of November 2004, FTTTF has MOUs signed with CIFA, the Office of Personnel Management, and Transportation Security Administration (TSA).

The impact of the lack of written guidance concerning the task force members' roles and responsibilities differed. The non-FBI JTTF members and most NJTTF members we interviewed said they understood their task force roles and responsibilities in the absence of the MOUs. However, most of the

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<sup>46</sup> These comments were provided prior to the FTTTF initiating an orientation in September 2004.

<sup>47</sup> As of February 2005, an MOU was signed between the FBI, the Department, and DHS for two of DHS's databases, United States Visitor and Immigrant Status Indicator Technology (US-VISIT) and Student Exchange Visitor Information System (SEVIS). US-VISIT is a program operated by the DHS where information on foreign visitors (including dates of arrival, departure, nationality, and biometric identifiers) is collected and electronically available to certain law enforcement entities. SEVIS, operated by ICE, is a web-based system for maintaining information on foreign students and exchange visitors in the United States.

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non-FBI FTTTF members that we interviewed and surveyed were unclear of their roles and responsibilities and believed that an MOU for information sharing between the FBI and member agencies was needed. An FTTTF survey respondent stated that one of the FTTTF's greatest challenges was "defining roles and responsibilities." Another survey respondent stated:

Supervisors need to understand their roles as well but they can't do this until organizations higher than them understand their roles. Once roles are established, respected, and performed, supervisors will be able to give guidance and support to the rest of us... I have encountered several members who are lacking an overall picture of the game plan and the players that are involved. A complex diagram has been provided but I think some details seem to still be trying to work themselves out.

The lack of role definition did not rest solely with the FBI's FTTTF, JTTF, and NJTTF leaders; we also found that task force members received limited guidance from their parent agency concerning their task force membership. Many of the task force members described the impact of this lack of guidance as being "lost by the parent agency."

## **CONCLUSION**

The lack of a formal orientation program for the JTTF and NJTTF members affected the efficiency and productivity of the task forces. Since a majority of task force members are not from the FBI and have not worked in counterterrorism previously, they struggle to understand their role and mission and how to operate in their new environment. State, local, and other federal law enforcement members would benefit from a timely, relevant, and comprehensive orientation to the FBI's policies and procedures and task force mission, as well as defined roles and responsibilities of each task force member.

## **RECOMMENDATIONS**

5. The FBI should develop a formal, standardized orientation program for all new task force members and provide it within 30 days of the new member's start date. Orientation should include:

- FBI policies and procedures,
- Access and use of the ACS system, IDW, and any other case management system,

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- Intelligence gathering versus criminal investigations,
  - Definition of task force member roles and responsibilities,
  - Roles of other Department terrorism task forces and other FBI units,
  - Sources of information and contact information for other organizations frequently used by the terrorism task forces (e.g., DHS, Internal Revenue Service, Social Security Administration, U.S. Postal Service), and
  - Information sharing protocols.

6. The FBI should finalize MOUs with all agencies participating on the Department's terrorism task forces.

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**The JTTFs and ATACs have not fully coordinated their efforts to reach out to and share information with law enforcement agencies, first responders, and other relevant organizations in remote areas.**

Although the FBI and a few ATACs have ongoing efforts to interact and share information with law enforcement agencies and first responders in remote areas within their jurisdictions, some ATACs and JTTFs have not coordinated their activities to target remote agencies that do not have representatives on the task forces and councils.<sup>48</sup> The state and local law enforcement agencies that we interviewed with representatives on a JTTF or ATAC were satisfied with the amount and type of terrorism information shared. In contrast, those law enforcement agencies that were outside of the metropolitan areas where the JTTF or ATAC is located, and did not have task force or council members, were not as satisfied.

Because terrorism and information about terrorism threats may be located throughout the country, remote areas should not be overlooked. Most remote law enforcement agencies do not have the financial resources to commit a full-time representative to the JTTF, but still need information on terrorism matters from the federal government and terrorism-related training. These remote law enforcement officials, as well as first responders and representatives of high-priority targets, are sometimes members of the ATAC and receive terrorism and threat-related information from the ATAC. However, communication with the remote agencies does not occur in every jurisdiction. The JTTFs and ATACs do not have coordinated strategies to address the gaps in information sharing, intelligence sharing, and training.

Geography and Infrastructure Constraints Complicate Outreach Efforts of the ATACs and JTTFs and Limit Participation

Because some ATACs and JTTFs are responsible for providing coverage for the entire state or across multiple states, their outreach to remote areas is difficult. The ATACs and JTTFs operate within the traditional jurisdictional lines of the USAOs and the FBI's field offices, and the areas covered are expansive.<sup>49</sup> For example, because of the way judicial districts are drawn, 26

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<sup>48</sup> "Remote" is defined in this discussion as an urban or rural area outside the vicinity of the physical location of the ATAC and JTTF.

<sup>49</sup> The FBI's website states that the locations of its field divisions are based upon "crime trends, the need for regional geographic centralization, and the need to efficiently manage resources." The judicial district's boundaries are determined by Congress and alignment is determined through federal statutes.

of the 93 ATACs are responsible for the terrorism training, information sharing, and prosecutorial coordination for their entire state.

Some JTTFs also have problems due to the size of the area for which they are responsible. At the time of our fieldwork, six JTTFs were responsible for providing terrorism investigative coverage for more than one state. The FBI SAC we interviewed in Salt Lake City stated that communication with the state and local partners in Montana, Idaho, and the remote areas in Utah was both a geographical and technological challenge.

**Table 11: JTTFs Responsible for More Than One State**

<b>The JTTF Located in ...</b>	<b>Also has responsibility for ...</b>
Albany, New York	Vermont
Baltimore, Maryland	Delaware
Boston, Massachusetts	Maine New Hampshire
Denver, Colorado	Wyoming
Minneapolis, Minnesota	North Dakota South Dakota
Salt Lake City, Utah	Montana Part of Idaho

Note: Unlike other JTTFs listed above, the Albany, New York, and Denver, Colorado, JTTFs share terrorism coverage within their state with one or more JTTFs. As of September 2004, the FBI had approved JTTFs in Maine and Montana; and in March 2005, the FBI approved JTTFs in Bedford, New Hampshire; Boise, Idaho; and Wilmington, Delaware.

In addition, some jurisdictional lines create anomalies. Two examples of jurisdictional lines not matching the region’s geographic realities are described below.

- The Washington, D.C., national capital region includes the District of Columbia and the surrounding jurisdictions in the states of Maryland (Prince George’s and Montgomery) and Virginia (Alexandria City, Arlington, Fairfax, Loudon, and Prince William). However, because of how the jurisdictional lines are drawn for the FBI’s field offices and the USAOs, the terrorism matters affecting this region are coordinated by two separate JTTFs and ATACs.<sup>50</sup> In Maryland, both the JTTF and ATAC are based in Baltimore. These two offices cover the entire state of

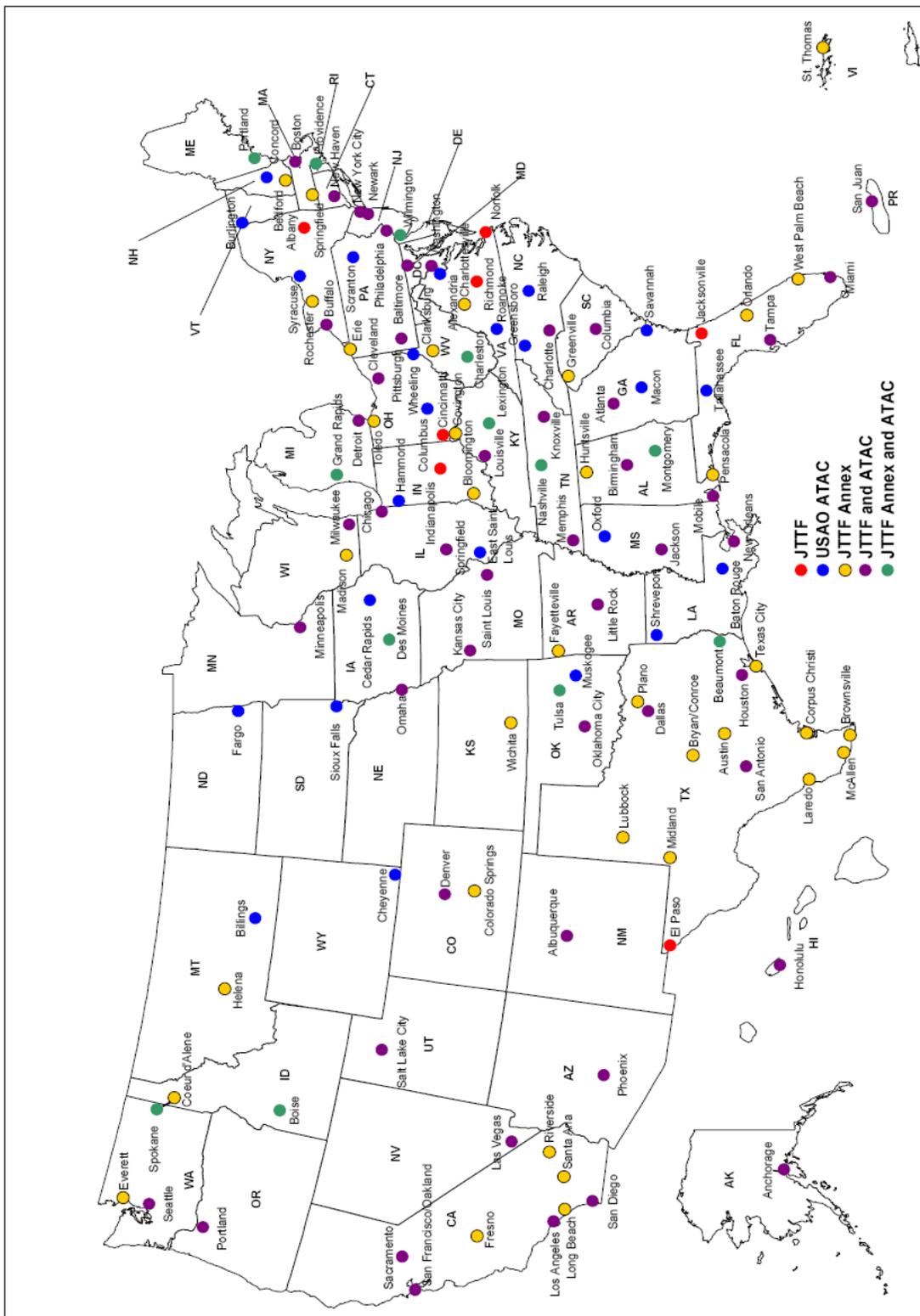
<sup>50</sup> The USAOs for the District of Columbia and the Eastern District of Virginia consolidated their resources and formed one ATAC, although they received separate funding.

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Maryland, including the two counties that border the District of Columbia (Prince George's and Montgomery). The FBI's Washington, D.C., field office covers the District of Columbia and the Northern Virginia jurisdictions that are in close proximity to the District of Columbia (Alexandria City, Arlington, Fairfax, Loudon, and Prince William). A law enforcement official told us that this arrangement does not take into account the commonality of the regions when the terrorism focus is coordinated by separate offices.

- The state of Alaska has 33,904 miles of shoreline and 365 million acres (one-fifth of the size of the lower contiguous 48 states), of which only 160,000 acres are developed (less than 1/20th of 1 percent). As a result, Alaska's limited infrastructure and large undeveloped territory make it very difficult to provide counterterrorism coverage. JTTF members we interviewed told us that there are no roads that connect the entire state and some locations are only accessible by air, which during the winter months is problematic. The JTTF leadership also stated that due to infrastructure and budgetary constraints the JTTF was not effectively reaching the broader Alaska community. The ASAC for the Alaska Field Office told us that the FBI and JTTF members should be traveling to cities in various parts of Alaska proactively collecting intelligence. Unfortunately, lack of financial resources, as well as geographic and weather constraints, only allow these trips sporadically in the summer months. An ATAC member told us that the harsh weather and terrain posed a challenge to addressing Alaska's vulnerabilities to terrorism. He believed that law enforcement in Alaska work together to minimize the vulnerabilities and were attempting to "harden" targets over a vast area with limited resources.

**Figure 7: Combined JTTF and ATAC locations**



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## Some JTTFs and ATACs Have Not Reached Out to Law Enforcement Officials, First Responders, and Other Relevant Organizations in Remote Areas

Some JTTFs and ATACs we visited have not made effective use of the U.S. Attorneys' branch offices, FBI's RAOs, and communication systems to conduct outreach to those in remote areas who need terrorism information and training.<sup>51</sup>

We found that not all ATACs have included representatives from remote regions of their districts. Some state, local, or other federal law enforcement agencies or first responders in these regions were not members of and had no knowledge of the ATAC. They did not receive training, e-mails, faxes, or other forms of communication on terrorism issues from the USAO or ATAC. Similarly, we found that law enforcement agencies in the remote areas received limited or no terrorism information from the JTTFs or FBI. These remotely located agencies believed they had a need for counterterrorism training and information and stated that they could in return provide resources, information, or intelligence to the ATACs and the JTTFs.

Through our site visits and review of the ATAC activity reports from 91 USAOs, we found that the majority of the USAOs do not use their branch offices to provide terrorism coverage (i.e., counterterrorism training or information sharing) to remote areas.<sup>52</sup> USAOs have a headquarters office and may have one or more branch offices in other cities in the judicial district. ATAC operations are run from the USAO headquarters offices and only sometimes are ATAC operations extended out to branch offices. During a site visit, we found that although a branch office of the Idaho USAO was located in Coeur d'Alene, Idaho, the ATAC operations were in the district's headquarters office in Boise, Idaho, 400 miles away. The AUSA assigned to the Coeur d'Alene USAO branch office had no participation or involvement on the Idaho ATAC.

In interviews during our site visits to remote areas in Oklahoma and Puerto Rico, we found that the state and local law enforcement officials who were not members of the JTTF interacted and communicated with the FBI through its RAOs, but received limited or no terrorism-related information.

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<sup>51</sup> Remote areas visited by the OIG include Aguadilla, Puerto Rico; Enid, Oklahoma; and Woodward, Oklahoma. USAO branch offices are located in different geographic areas within the judicial district.

<sup>52</sup> We did not review reports from 2 of the 93 USAOs because the two judicial districts did not provide the summary reports of their districts' activities.

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Further, these remote areas received limited or no terrorism-related information from the ATACs.

*Oklahoma:* The mayors, fire chiefs, local National Guard officials, military officials, security forces for the local universities, and airport managers in Enid and Woodward, Oklahoma, whom we interviewed never received terrorism-related information for their region from either the ATAC or the FBI. Further, the sheriffs in the counties that included these cities did not have any contact with the ATAC and did not receive terrorism information related to their region. Both sheriffs received only terrorism-related information from the FBI that addressed nationwide threats (e.g., the Golden Gate Bridge). Both sheriffs stated that they wanted more specific information regarding potential threats, especially domestic terrorism, in remote areas of Oklahoma.

*Puerto Rico:* Aguadilla, Puerto Rico (approximately two hours west of San Juan), has 15 miles of unprotected shoreline that people use to enter Puerto Rico illegally. The Aguadilla law enforcement personnel we interviewed stated that for individuals entering Puerto Rico illegally, it would be easy to fly into the United States without a passport. Yet Aguadilla's police officers do not have information and have not received training on what to look for or how to identify suspicious individuals in relation to terrorism. Although the FBI RAO in Aguadilla works with the city and the police department on drug enforcement, Aguadilla's Mayor and Chief of Police told us that they never receive terrorism information from the FBI, but they need this information. They also stated that they received no information from the ATAC. When we visited San Juan in September 2003, the ATAC had no members outside of the San Juan metropolitan area and had not considered adding members from across the island. Subsequent to our visit, the ATAC Coordinator invited the Mayor of Aguadilla to the ATAC meetings and added him to an e-mail distribution list.

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## The FBI and Some ATACs Attempt to Reach Remote Areas

### FBI

To address the remote areas, the FBI implemented different strategies, such as creating the (now defunct) Regional Terrorism Task Forces (RTTFs), expanding the number of JTTF annexes, developing local strategies to readily deploy law enforcement in response to a terrorism event, and consolidating task forces to expand its resources.

*RTTFs:* Before the rapid expansion in the number of JTTFs, the FBI used its RTTFs to conduct investigations, share intelligence, provide training, and promote cooperation among law enforcement agencies that did not have a JTTF.<sup>53</sup> The FBI reported in 2002 that RTTFs existed in six regions: inland northwest, south central, southeastern, south, northeast border, and the southwest. In June 2003, the NJTTF Unit Chief told us that the RTTFs had been absorbed into the then 66 JTTFs and that the RTTFs would informally act as liaisons to the ATACs and “pick up the slack” in rural areas where a JTTF did not exist. None of the SACs or ASACs we interviewed believed that the disbanding of the RTTFs adversely affected JTTF operations. For example, the Salt Lake City FBI SAC stated that “the Inland Northwest RTTF was the springboard for the Inland Northwest JTTF” and that disbanding the RTTF helped to “better define responsibilities for addressing terrorism.” An Inland Northwest JTTF member told us that the intelligence officers that formerly attended the RTTF monthly meetings were now attending the Tier 1 JTTF meetings.<sup>54</sup>

*JTTF Annexes:* During FY 2002, the FBI approved 10 annexes in its RAOs to augment the 56 JTTFs in its field offices. The purpose of the annexes is to expand JTTFs to areas where the need for additional terrorism coverage has been justified by the FBI field office based on the threat assessment, domestic and international terrorism caseloads, staff utilization rates, and a statement of unaddressed or under addressed work. In addition,

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<sup>53</sup> FBI field offices that used RTTFs to reach areas not covered by a JTTF were *Inland Northwest* – Salt Lake City and Seattle; *Southeastern* – Charlotte, Cola, Knoxville, Louisville, Norfolk, Richmond; *South Central* – Oklahoma City, New Orleans, Little Rock, Dallas, Houston, Kansas City, St. Louis, Memphis, and Jackson; *Northeast Border* – Albany, Buffalo, Boston, and Legat Ottawa; *Southwest Border* – Albuquerque, Phoenix, San Diego, San Antonio, and El Paso; *Deep South Border* – Birmingham, Atlanta, Jacksonville, Mobile, and Tampa.

<sup>54</sup> Some of the JTTFs and ATACs we visited had two forms of meetings for their law enforcement members with and without security clearances. The Inland Northwest JTTF used its Tier 1 meetings to share unclassified information with law enforcement officials who did not have a security clearance.

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the field office must identify the geographic area that will be covered by the expansion, obtain full-time commitments to the expansion from participating agencies, develop a management plan and budget, and receive a statement of concurrence from the ATAC Coordinator in the affected region. All requests for JTTF annexes must be submitted through the NJTTF to the FBI Counterterrorism Division for approval.

By the end of FY 2003 the FBI had activated 18 additional JTTF annexes in its RAOs, and by March 2005 it approved 19 additional annexes in the following locations:

- Montgomery, Alabama
- Fayetteville, Arkansas
- Fresno, California
- Colorado Springs, Colorado
- Wilmington, Delaware
- West Palm Beach, Florida
- Boise, Idaho
- Bloomington, Indiana
- Covington, Kentucky
- Portland, Maine
- Grand Rapids, Michigan
- Helena, Montana
- Bedford, New Hampshire
- Erie, Pennsylvania
- Providence, Rhode Island
- Lubbock, Texas
- Midland, Texas
- Plano, Texas
- Everett, Washington

During a January 2004 interview, John Pistole, the then FBI's Executive Assistant Director for Counterterrorism and Counterintelligence, told us that one of the FBI's greatest challenges is "reaching the rural areas covered by the field divisions." He stated that the FBI hopes to have one JTTF deployed in each USAO judicial district by the end of FY 2004 to help provide additional coverage. As of March 2005, the FBI had either activated or approved the activation of 103 JTTFs. Sixty-eight of the 103 JTTFs are located jointly with an ATAC (or in the same city as the headquarters office of the USAO).

Some FBI RAOs without JTTFs have taken measures to improve readiness in the event of terrorist incidents or investigations. When we visited Portland, Maine, in August 2003, we found that the FBI's RAO established a program whereby approximately 30 state and local law enforcement personnel from across the state were deputized as federal marshals and were receiving terrorism training through the FBI. In the event of a terrorism incident or event, these deputized law enforcement personnel could become an ad hoc JTTF. The Portland RAO also was working to increase the number of participants in this program to 40 to ensure representation from the U.S./Canadian border area. The Boston FBI SAC told us that the RAOs in Rhode Island and New Hampshire were following the Portland, Maine, model. In July 2004, Portland, Maine, was approved as a JTTF annex.

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*Combined Resources:* The FBI shares resources between its RAOs to provide coverage across state lines. For example, the FBI's RAOs in Coeur d'Alene, Idaho, and Spokane, Washington, co-joined their JTTF operations. The Inland Northwest JTTF addresses terrorism threats for the entire state of Idaho and two-thirds of Washington State. The NJTTF Coordinator told us that as of August 2004, the Inland Northwest JTTF is the only JTTF made up of members from two RAOs and two FBI field offices.

*Technology and communication systems:* The FBI provides an Intelligence Bulletin every week that reaches over 18,000 law enforcement agencies nationwide through the NLETs system. These bulletins are stored for retrieval on the LEO-online system (see Progress Made and Appendix III for discussion of these systems). The FBI states that it is working with the DHS to establish regional networks across the country that will allow SACs to contact law enforcement officials simultaneously using cell phones, pagers, and e-mail. However, we did not examine how the regional networks would address information gaps in remote areas.

## **USAOs**

Some ATAC Coordinators we interviewed told us that they are exploring methods, such as rotating training and meetings to different locations and increasing the use of technology, to accommodate the needs of remote areas of the district.

*Branch offices:* In a review of ATAC activity reports provided to us by the USAOs, we found nine of the USAOs include their branch offices or remote ATAC members in advisory council activities (meetings, trainings, information sharing systems). Maine, Nebraska, Montana, and Wyoming USAOs use either video or teleconferencing for ATAC meetings to include ATAC members in remote areas. The Massachusetts ATAC meeting includes representatives from each of its five USAO branch offices, who then share the information provided at regional group meetings with law enforcement officials. The Minnesota ATAC holds meetings in its three USAO branch offices. The Nevada ATAC Coordinator personally travels the state to meet with local law enforcement officials who cannot attend the ATAC meetings. The New Mexico USAO has AUSAs in each branch office assigned to the ATAC. The South Carolina ATAC identified all localities within its jurisdiction without an ATAC representative, visited these potential members, and ensured there were ATAC representatives from each area of the state.

*Technology and communication systems:* We found that 81 out of 92 (88 percent) of the USAOs spent some or all of their initial ATAC allocation of \$100,000 on communication and computer equipment to improve the

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communication with state and local law enforcement. Only eleven of the ATACs chose to spend their allocation solely on training or other expenses, rather than on communication or computer equipment. Because of the way the ATACs reported their expenses in the quarterly budget reports submitted to EOUSA, we could only determine that approximately 20 of the ATACs spent funds on communication items directly for state and local law enforcement.<sup>55</sup> For example, the Northern District of West Virginia (USAO) purchased computers for each of the chiefs of police or sheriffs in its judicial district. These law enforcement executives were then able to access the Internet and receive e-mail alerts and threat information from the ATAC. Overall, the ATACs spent approximately 52 percent of the total \$9.3 million allocated for their operations to provide communication and computer equipment.

## **CONCLUSION**

Despite the FBI's efforts to expand the number of JTTF annexes and co-join JTTFs across state lines, some JTTFs remain responsible for addressing the terrorism matters for their entire state, as well as additional states. While some ATACs have included outreach to remote areas as part of their normal activities or strategic plan, the majority of ATACs have not included all remote and rural law enforcement, first responders, and other relevant organizations in ATAC meetings, trainings, and information sharing networks. The gaps in information sharing, intelligence sharing, and training may affect responsiveness to terrorism threats.

## **RECOMMENDATION**

7. The FBI, CTS, EOUSA, and USAOs should work jointly to develop a coordinated strategy to consistently reach out to remote areas.

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<sup>55</sup> The *Needed Improvements – ATAC-Specific Issues* section of this report contains a detailed discussion of the ATAC quarterly budget reports.

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**The FBI has not fully developed outcome-oriented performance measures that effectively determine the progress of the JTTFs, the NJTTF, and the FTTTF, or their individual members. CTS and EOUSA have not developed outcome-oriented performance measures for the ATAC program.**

### Overall Task Force and Council Performance Measures

Traditionally, the FBI, like any law enforcement agency, measures performance with “hard” numbers, such as cases, arrests, and prosecutions. For counterterrorism efforts, the FBI officials and JTTF members we interviewed told us that these metrics are considered less useful and sometimes not valid because a case may never result in an arrest or a prosecution but instead may produce important intelligence or information that prevents a terrorist act. The quality of information generated by a source also may be more important in assessing task forces’ success rather than the number of sources. Additionally, a terrorism investigation may continue for a much longer period than a traditional criminal investigation and will not demonstrate immediate measurable results. ATAC Coordinators and members told us that the ATACs are for the most part responsible for activities such as training, information sharing, and communication that may be better measured through feedback from their participants. The managers and members of the NJTTF and FTTTF told us that their task forces are primarily support organizations that may be better measured by the customers served and their assessments of timeliness and quality of the customer support provided.

In our survey, we asked how the task forces’ or advisory councils’ performance should be measured and many respondents told us that assessing quality is more important than quantity. Examples of some JTTF and NJTTF responses include:

- Clearly the number of investigations performed is one measure of the performance, but it is also somewhat flawed. One could easily perform investigations that have no terrorism nexus [and] that merely ‘pad’ the stats for the agency. The mere collection of intelligence, subsequent analysis, and linking of the information obtained can often produce valuable insight to the operations of terrorists but will not produce a statistic that lends itself to a performance measure. In short, I feel that the liaison with state and local law enforcement and

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other emergency first responders, coupled with public education, may produce an effective task force whose performance cannot be measured except by the "secure feelings" of the community in which they serve. This might be best achieved through a survey instrument such as this one. Arrest stats or case stats do not accurately reflect the amount of work being done.

- [Performance should be measured in terms of] How each investigation/lead/threat assessment is conducted. A thoroughness of each investigation, not how many or if an arrest occurred, but how each investigation was conducted to either exclude or include subject(s) as threats.
- I do not believe the FBI, Department, my parent agency, nor the press truly understand the role and function of intelligence operations. In theory, all recognize the function of disruption, yet all continue to be measured on a regular basis for performance on the traditional law enforcement measures. Intel is rarely sexy or headline grabbing. The MOST successful intel effort in this regard would be absolute disruption, making 'effective' extremely difficult to measure.

FTTTF survey respondents answered:

- Performance should be measured on the type and amount of intelligence a task force shares with other federal, state, and local agencies who have a valid mandate to receive that type of information. Also the value of the intelligence provided needs to be assessed to determine if it was timely and useful. Feedback from the investigating component is needed to ascertain whether the intelligence is "hitting the mark." How was the information used? Did [it] help to identify other individuals or criminal activities? Did it aid in the prosecution of a terrorist?
- ...[S]tatistical accomplishments do not provide a true measure of the work and value of the task

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force, as it does not take into account the quality of life issues of a given community when a threat is removed from the area as that type of data is harder to quantify.

- The task force's performance should not be measured by metrics rather the quality of work. Quantity is not everything.

Steve McCraw, former FTTTF Director and Chief of the FBI Inspections Review Division, told us that the FBI recognizes the importance of establishing performance measures for the FTTTF. However, he stated that quantifying the FTTTF's accomplishments is one of the biggest challenges the FTTTF faces. He further stated, "The FBI expects performance goals. For \$61 million [FY 2004 FTTTF budget], we need to know we're getting a bang for the buck." A veteran FTTTF member told us:

A Quality Assurance unit was set up [in 2003] but it didn't work well because there was never a procedure set up to tell the value of our information. We provide information but we don't know if it's been used or if it was useful. The government spent a lot of money and they need to get their money's worth – currently they are not. Operational accomplishments are difficult to enumerate.

The ATAC respondents identified the importance of cooperation and coordination in prevention of terrorism and often mentioned how important it is for the participants to believe that they benefit from ATAC activities. Many ATAC members suggested that it also is important to tailor performance measures to the needs and circumstances of the district the ATAC is serving. ATAC survey respondents' suggestions on how to measure the ATACs performance were:

- [Performance should be measured] [b]y how well the state, local, and federal authorities work together, share information, and ensure a coordinated effort to prevent and disrupt terrorist activities in the region.
- The Advisory Council in my district is a mechanism to disseminate information. It is not operational. As such, the performance should be measured based upon the effectiveness of the meetings, participation

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of the members, and the quality of the information provided.

- Each district should be required to draft a quarterly report to the [CTS] outlining the accomplishments of the Advisory Council to include—how many members are in the ATAC, what initiatives has the council produced, what is the ATAC actively doing to prevent terrorism, the mandate. No two districts are alike and the ATAC is value added for each USA, but I think those basics above can be used to measure all of us.
- It would be difficult to get an exact quantitative measure of the success of the ATAC. However, I believe that surveys can be distributed to ATAC members asking their opinion of the program. Also, obtaining anecdotal feedback from the federal, state, and local ATAC members should be a fairly accurate gauge of the effectiveness of the program.

Performance measures for the ATAC program have not been developed by CTS, EOUSA, or the USAOs. Some reporting requirements for USAOs and ATACs exist, but the criteria for evaluating the reported information has not been established.

The FBI told us that it has developed performance measures for the Counterterrorism Division and the individual FBI field offices. To examine this issue, we reviewed the FBI Strategic Plan, Counterterrorism Division reports that contained data on counterterrorism investigations and operations, and various Annual Field Office Reports.

In the FBI's Strategic Plan, which the FBI says is a "high-level road map for the FBI to achieve its mission," the Counterterrorism Division has created strategic objectives and accompanying performance goals. However, the goals for counterterrorism operations in the FBI do not include measurable criteria on which to base performance or accomplishments of the task forces.

Additionally, the Counterterrorism Division prepares reports for FBI officials that contain data on counterterrorism operations and investigations (such as the number of investigations in each field office, number of assets and sources, and disruptions). While this data is important to collect, the FBI told us that the numbers alone do not present an accurate picture of the activities

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of the task forces. Additionally, because the data is presented without any measurable criteria, it is not as useful for determining performance progress.

Each FBI field office is required to submit an Annual Field Office Report to FBI headquarters that contains data on established performance measures for each field office in all investigative programs, including counterterrorism. The performance measures are a mix of quantitative and qualitative criteria for judging the status of field office resources and activities. The questions and criteria that a field office must address vary in relevance for meeting the FBI's overall counterterrorism objectives and goals. Some questions and criteria are narrowly focused, such as whether agents have attended a specific type of training. Other questions and criteria are broader in nature and look to address substantive topics of counterterrorism such as building an intelligence base through informants and improving information sharing with FBI and non-FBI entities. However, collectively, many of the measures in the Annual Field Office Report appear oriented toward outputs for various aspects of field office activities rather than oriented toward outcomes for the counterterrorism program as a whole.<sup>56</sup>

Other than the overall Counterterrorism Division goals and objectives, the NJTTF and the FTTTF do not have measures on which to assess performance.

#### Individual Task Force Members and ATAC Coordinators Performance Measures

We found no established or implemented performance measures for individual task force members, and only one ATAC Coordinator we interviewed was directly given a set of performance measures. EOUSA has developed a set of suggested "performance standards" for ATAC Coordinators. EOUSA told us they developed these standards in 2003 and posted them on the Personnel Page on the USANet (the webpage for USAOs). The Administrative Officers and Human Resource Officers in each USAO are supposed to check the Personnel Page regularly and pass on useful news to the USAO leadership. EOUSA told us that the performance standards were also mentioned to the ATAC Coordinators at the annual conference in 2004, although hard copies were not distributed. However, most ATAC Coordinators interviewed and surveyed stated they have no performance measures.

Without performance measures, these task force members and ATAC Coordinators do not have standards for prioritizing and directing their work

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<sup>56</sup> Outcomes are the measurable results of a project, the positive or negative changes that occur in conditions, people, and policies as a result of an organization's or program's inputs, activities, and outputs. Outputs are the tangible products of a project or program activities, for example the number of training sessions held for members.

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and measuring their own progress in meeting the mission of the task force or council. Additionally, their supervisors do not have an effective means to adequately evaluate individual performance or make informed personnel management decisions.

Some of the non-FBI task force members we interviewed had not received a performance evaluation since joining the task force and were uncertain as to how the FBI or their parent agency measured their task force involvement. Our survey results revealed that:

- 75 percent of FTTTF, JTTF, and NJTTF respondents did not receive performance measures.
- 78 percent of the ATAC Coordinator respondents did not receive performance measures.
- 37 percent of FTTTF, JTTF, and NJTTF respondents were uncertain whether their parent agency measured their task force performance.
- 67 percent of the FTTTF, JTTF, and NJTTF non-FBI respondents did not know whether the FBI reported their performance to their parent agency.

#### Task Forces and Councils' Strategies to Address the Lack of Performance Measurement

Although the Department recognizes the need for new terrorism-related performance measures, until performance measures are completed, the FBI, CTS, and EOUSA rely on existing evaluation systems for assessing the task forces and councils' performance as outlined below:

*JTTF:* The NJTTF is responsible for conducting onsite reviews of all the JTTFs. In March 2004, the NJTTF completed a review of the Kansas City JTTF and from this experience compiled a list of "JTTF best practices." The NJTTF also is developing a standard operating procedure (SOP) for the JTTFs and intends to distribute the SOP and the JTTF "best practices" to the field. Additionally, the FBI Inspections Division will include an evaluation of the JTTF in its standard review of an FBI field office. Additionally, each field office is required to submit an Annual Field Office Report that has some measurable criteria for counterterrorism operations.

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*NJTTF*: Every quarter, NJTTF members submit a report to the NJTTF Unit Chief that lists their activities and accomplishments. An NJTTF manager compiles these submissions and prepares a report that the Unit Chief uses to review the NJTTF's performance. There are no standard criteria for these summary reports; they are just a summation of activities. The FBI Inspections Division conducts cyclic evaluations of FBI offices and programs, including the NJTTF.

*FTTTF*: The FBI Inspections Division conducted a review of the Counterterrorism Division, which included the FTTTF, in the fall of 2003. The FTTTF did draft a Quality Assurance Plan in February 2004 based on the task force's mission, goals, and objectives. In April 2004, the FTTTF issued a Statement of Work to develop a performance measurement system and sought to contract with an organization to enhance, implement, and formalize the Quality Assurance Plan into a performance measurement plan using these categories:

- Efficiency – measure the performance of the process (getting the work done);
- Technical – availability, capacity, performance, redundancy, ease of use;
- Quality – user and customer satisfaction;
- Outcome –expected results were or were not produced by the work (both within the processes that exist in FTTTF but also those relating to organizations that use information provided by FTTTF).<sup>57</sup>

However, in November 2004, the FTTTF Director informed us that FBI headquarters denied the request to contract for development of a performance measurement system. The FTTTF will develop the measures internally.

*ATAC*: EOUSA measures the ATACs' performance through the cyclic USAO assessments conducted by the Evaluation and Review Staff (EARS). We reviewed the ATAC section of EARS' reports from October 2001 to September 2003 and found that EARS did not have specific measures to assess each ATAC, but rather presented broad descriptions of ATAC activities.<sup>58</sup> We also

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<sup>57</sup> *Draft Statement of Work – Performance Measurement Support*, FTTTF, FBI, 2004.

<sup>58</sup> The EARS was developed before September 11, 2001, and requires each USAO to be reviewed at least once every three years. The USAO conducts a self-evaluation and is then

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reviewed the *Instructions for Evaluator* that list general factors the EARS evaluator should consider when reviewing an ATAC and the USAO's anti-terrorism efforts. The factors include the question, "How effective is the Anti-Terrorism Advisory Council?" but provide no standards by which to evaluate effectiveness. The EARS relies on caseload data, workload charts, district performance reports, and USAO staff interviews, but does not include any interviews with ATAC members or data that reflects the actual work of the ATAC. The EARS reports we reviewed stated that most USAOs were successful in forming active and effective ATACs, meeting Department directives, and having appropriate memberships. The EARS reports did find a few specific issues or problems with certain ATACs, such as not reporting the time spent on anti-terrorism activities correctly on forms or not having information sharing protocols.

Each USAO also submits annual performance reports to EOUSA that contain a narrative outlining the status and accomplishments of the ATACs. However, USAOs are "self-reporting" in these performance reports, meaning that they determine the accomplishments and rate themselves on their interaction and communication with the JTTFs.

## **CONCLUSION**

The FBI, CTS, and EOUSA have not established performance measures for task force and council programs. The FBI does not have performance measures for the NJTTF and FTTF and their members. Although, the FBI has established field office (includes the JTTFs) performance measures, which must be addressed in the Annual Field Office Report, the measures are mostly output oriented for various aspects of field office activities rather than outcome oriented for the counterterrorism program as a whole. However, the Annual Field Office Report can provide useful information about the status of a field office. The FBI does not have performance measures for its individual task force members. Without proper performance measures and assessments, the FBI, CTS, and EOUSA cannot adequately assess the strategies, operations, and resources for the task forces and councils.

## **RECOMMENDATIONS**

8. The FBI should ensure its performance measures provide an effective means for determining the qualitative and quantitative accomplishments of the task forces and their members in fulfilling the Department's counterterrorism strategy. The measures for the task forces could include the following:

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reviewed on a set of criteria by a team of experienced AUSAs convened by EARS. We reviewed the ATAC section of the EARS reports for 56 of the judicial districts.

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### JTTF

- Quality and timeliness of information shared with member and outside agencies (such as, meetings, briefings, and feedback on information received) that furthered investigative efforts
- Outreach efforts that resulted in improved information sharing and partnerships
- Quality of intelligence collected and generated that furthered investigative efforts
- Quality of intelligence/information analysis that furthered investigative efforts
- Quality and number of human assets that furthered investigative efforts
- Disruptions and dismantlements

### NJTTF

- Quality and number of products produced for JTTFs and other FBI units that furthered investigative efforts
- Quality and timeliness of support provided to JTTFs that facilitated the JTTFs mission
- Quality and timeliness of information shared with JTTFs and member agencies that furthered investigative efforts

### FTTTF

(in addition to those performance measures already established)

- Amount and usefulness of new information added to cases that furthered investigative efforts
- Timeliness and number of products produced for JTTFs, other FBI units, and outside agencies that furthered investigative efforts
- Acquisition of databases required for analysis that resulted in improved analytical products

9. CTS and EOUSA should develop outcome-oriented performance measures for the ATAC program. The measures for the ATAC program could include the following:

- Quality and timeliness of information shared with member and outside agencies that resulted in improved understanding of terrorism issues and improved prevention activities
- Quality and timeliness of training for members that resulted in improved understanding of terrorism issues and improved prevention activities

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- Outreach efforts that resulted in increasing targeted membership
  - Quality and currency of threat assessments that result in improved prevention activities.

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## ATAC-SPECIFIC ISSUES

**The ATAC Coordinators are unclear about the roles of CTS, EOUSA, or the USAOs in the ATAC program. No one entity has full responsibility for ATAC program management, oversight is fragmented, and future ATAC funding requirements have not been evaluated. The Department, CTS, and EOUSA have not provided ATAC Coordinators enough guidance on their roles and responsibilities or on how to structure and manage an ATAC. Further, the USAOs' level of compliance with the Attorney General mandate to establish and operate an ATAC varies across judicial districts.**

### **The ATAC Coordinators are Unclear About the Roles of CTS, EOUSA, or the USAOs in the ATAC Program, No One Entity has Full Responsibility for Program Management, and Oversight is Fragmented**

The roles of EOUSA and CTS in the ATAC program are not fully

**ATAC Findings Presented Earlier in This Report**

- The JTTFs and ATACs have not fully coordinated their efforts to reach out to and share information with law enforcement agencies, first responders, and other relevant organizations in remote areas.
- Neither EOUSA nor CTS has developed a national training plan or conducted a training needs assessment for the ATAC Coordinator or members.
- CTS and EOUSA have not developed outcome-oriented performance standards for the ATAC program.

understood by the ATAC Coordinators, and it is not clear to the ATAC Coordinators which Department component has responsibility for management of the ATAC program. Because ATAC Coordinators did not know which office was responsible for the overall ATAC program, they routinely reported the same information to both EOUSA and CTS. Traditionally, EOUSA provides administrative support and CTS provides prosecutorial assistance to the USAOs. However, U.S. Attorneys have the autonomy and discretion to operate their ATACs as is appropriate for their judicial districts. EOUSA and CTS only have limited authority to direct a USAO's ATAC operations. Although the CTS Chief told us that CTS and EOUSA share joint oversight of the ATAC program, we found that neither group fully monitors and assesses the ATACs' operations.

Prosecutive and investigative information is reported to CTS regularly, but information related to management or administration of the ATACs is not reported on a regular basis to CTS or EOUSA, and no standard is in place to ensure consistent reporting across ATACs. CTS, EOUSA, and the USAOs have responsibilities for partial pieces of the ATAC program, but no one organization within the Department has responsibility for fully managing the ATAC program.

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The following describes how each entity views its role in the ATAC program:

*CTS:* The CTS Regional ATAC Coordinators are not full-time managers or supervisors of ATAC operations, but rather are advisers on terrorism cases and coordinators of a national prevention strategy. They believe that each U.S. Attorney has the responsibility for overseeing his or her ATAC, with input and advice from the Regional ATAC Coordinators. The Regional ATAC Coordinators perform their functions as a collateral duty and estimate that they spend 15 to 50 percent of their time on ATAC functions, depending on the scope of ATAC-related activities, active prosecutions, or the current threat. Regional ATAC Coordinators also are normally involved in lengthy litigation aside from their ATAC duties and devote considerable time to that function. Some Regional ATAC Coordinators told us that when they are litigating, they might not have time to address issues or inquiries from the ATACs in their regions. They said that another Regional ATAC Coordinator or the National ATAC Coordinator would handle their duties in the interim. During this review there were two incidences of turnover in the Regional ATAC Coordinator positions.

The National ATAC Coordinator is responsible for ensuring the ATAC Coordinators are adequately communicating with Regional ATAC Coordinators, communicating with USAOs to solicit input on the ATAC program, and filling in for Regional ATAC Coordinators who are busy with other duties. CTS recognized the need for and created the position of “National ATAC Coordinator” in February 2004 and filled it with an experienced AUSA/ATAC Coordinator from the field on a 1-year detail. The position will be staffed on a rotating basis, possibly with other ATAC Coordinators from the field. The current National Coordinator believes it is valuable to fill this position with field ATAC Coordinators because they can bring a better understanding of the issues in the field to headquarters.

*EOUSA:* The Supervising Counsel to the EOUSA Director’s staff, who is the EOUSA point of contact for ATACs, told us that she provides the field ATACs with guidance on administrative issues (training, budget) and performs troubleshooting as issues arise. She also stated that her role is more process-oriented than operational. Similar to the CTS National ATAC Coordinator, the EOUSA point of contact for ATACs is serving in a rotational capacity, having been detailed from a particular USAO. EOUSA assigns additional duties to the point of contact for ATACs and she is not devoted solely to the ATAC program. EOUSA collects budget information in the ATAC Quarterly Reports (budget reports) and handles requests for reimbursements from the ATACs. The EOUSA EARS staff is responsible for periodically evaluating USAOs and includes a section on the USAOs’ ATACs in its reports.

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USAO: Each USAO, through the ATAC Coordinator, independently determines ATAC membership, training topics, frequency of meetings, communication or information sharing methods, and how to spend the \$100,000 ATAC allocation. The USAO ATAC Coordinators perform their functions as a collateral duty. Those that we interviewed estimated that they spend 15 to 50 percent of their time on ATAC functions, depending on ATAC activities or if they are prosecuting cases.

### **EOUSA Does Not Strategically Analyze the ATACs' Budget to Evaluate the Need for Additional Funding**

Although ATAC Coordinators told us that they needed further ATAC funding, EOUSA has not adequately assessed this need. Based on our review of the ATACs' financial reports and the information we obtained through interviews, we found that the majority of ATACs have used their initial allocation of \$100,000 each and the ATAC program has received no additional funding since FY 2002. Congress intended the funds for the purchase of communications equipment and the provision of training for state and local law enforcement agencies, including first responders.<sup>59</sup> The U.S. Attorneys we interviewed stated they were committed to the ATAC program and were trying to continue with the same level of activity despite no identified future funding. These U.S. Attorneys believed the ATAC program has developed partnerships and information sharing that is vital to their districts. However there has not been a separate request for additional funding for allocation to the USAOs and those interviewed in CTS and EOUSA saw no future funding availability.

EOUSA did establish procedures to monitor how the ATACs spent the total \$9.3 million. Each ATAC must submit to EOUSA the ATAC Quarterly Report that lists the funds authorized, obligated, and projected for three budget categories (communication items, intelligence coordination, and task force infrastructure) and contains copies of its reimbursable agreements and a narrative report of accomplishments.<sup>60</sup> However, EOUSA does not consolidate

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<sup>59</sup> Originally, the districts had until September 30, 2003, to expend the money, but were allowed extensions until December 2003. Some ATACs requested, and received, extensions to spend the money by December 2004 or March 2005.

<sup>60</sup> The three budget categories are defined as: communication items - secure faxes, Secure Telephone Unit III telephones, telecommunications equipment, and/or computers and related software; intelligence coordination - training and technical assistance, overtime to attend ATTF/ATAC meetings or projects, and support services; and task force infrastructure - not defined in the guidance.

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the financial information from the ATAC Quarterly Reports to systematically analyze how the \$9.3 million allocation is spent.<sup>61</sup>

Some USAOs now supplement their ATAC funding by using their general budgets or the Law Enforcement Coordinating Committee (LECC) allocations.<sup>62</sup> EOUSA and CTS personnel stated that ATAC Coordinators could tap into the LECC allocations available to each USAO, as well as federal and state DHS money to fund ATAC training. While this may be a viable option for some ATACs, it may not provide enough funding for active ATACs. For example, one ATAC Coordinator survey respondent stated:

Given the LECC receives an annual stipend, it would follow that the ATAC should as well receive some annual funding to support bringing in speakers, providing printed material handouts to members at quarterly meetings, refreshments... With terrorism prevention the mandate, it is incumbent upon us in each ATAC to constantly foster vigilance in our membership... and we need what I see as minimal funding to best accomplish that goal.

When asked in the survey what resources the ATAC needed that it did not have, 14 of the 22 respondents identifying themselves as ATAC Coordinators stated they needed one or more of the following: annual funding/financial resources, office and meeting space, and more staff dedicated to the ATAC. Additionally, the ATAC Coordinators we interviewed stated that they need funding to continue offering training to the ATAC members. A few complained of a lack of space large enough to hold meetings and the lack of an adequate staff assigned to complete the administrative duties of the ATAC. One U.S. Attorney said, "If the ATTF [now ATAC] had more funding, they could do more training and reach the law enforcement and public service agencies out in the hinterlands." When asked what the impact of the lack of resources has had on the ATAC achieving its mission, two ATAC Coordinator survey respondents said:

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<sup>61</sup> We reviewed a compilation of ATAC Quarterly Reports submitted by each ATAC from September 2002 through December 2004 and found that not all ATACs submitted reports each quarter, completed reports in the same manner, provided a narrative of accomplishments, or listed the items purchased in the correct categories. EOUSA officials told us they follow up with these ATACs to ensure proper accounting and submission of Quarterly Reports.

<sup>62</sup> In 1981, each USAO established an LECC with a membership of federal, state, and local law enforcement, and the mission to improve coordination and cooperation among these members. Each LECC receives an allocation for training of state and local law enforcement personnel.

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- Lack of funding for training.
  - Need detached personnel to follow through with initiatives and/or initiative development (since all participants have many other duties, when meetings are over, [there is] little follow-up on ideas, because non-terrorism related agency duties intrude).

In April 2005, ATAC Coordinators told us they were unable to attend terrorism-related training in different areas of their district or region due to a lack of available funds for ATAC mileage reimbursement. Similarly, the ATAC Coordinators were unable to hold regional meetings or conferences during FY 2005 due to insufficient funds.

Prevention of terrorism is the number one priority of the Department, and the ATAC program is a crucial component in this prevention initiative. Therefore, we believe EOUSA should strategically assess the need for future ATAC program funding.

**The Department, CTS, and EOUSA Have Not Provided Enough Guidance on ATAC Coordinator Roles and Responsibilities or on How to Structure and Manage an ATAC. Further, the Level of Compliance With the Attorney General’s Mandate to Establish and Maintain ATACs Varies Across Judicial Districts**

Although the former Attorney General issued a memorandum establishing the ATAC and the former Deputy Attorney General issued initial guidance on how to set-up an ATAC, ATAC Coordinators we interviewed and surveyed told us they needed additional guidance from CTS and EOUSA.<sup>63</sup> The ATAC Coordinators wanted guidance that clearly delineates the roles and responsibilities of the ATAC Coordinators and further guidance on ATAC operations and structure. ATAC Coordinators told us they do not have a guide to use in identifying members, training opportunities, sponsoring terrorism exercises, and developing mechanisms to aid in the dissemination of information, and therefore need additional guidance on their roles and duties. Further, this role of coordinator is a new one for most AUSAs, and many we

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<sup>63</sup> On October 8, 2001, the Deputy Attorney General issued a memorandum, *Guidance for Anti-Terrorism Task Forces*, which discusses the ATAC role in preparedness planning and provides initial guidance on ATAC operations, membership, and the USAOs’ and FBI’s roles. The guidance contained in this memorandum is general and recognizes the variance in circumstances and practices for each judicial district.

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interviewed told us they do not have much experience as managers or administrators.

### Lack of Adequate Guidance on ATAC Coordinator Roles and Responsibilities and How to Structure and Manage an ATAC

Some of the ATAC Coordinators we interviewed believed that while the Department has charged them with a new mission, it has not defined their role in the prevention of terrorism and is still not providing adequate guidance on operating an ATAC.

One U.S. Attorney we interviewed stated:

It was a daunting task to change your mission in 24 hours [after 9/11], but people are committed to this [prevention of terrorism] in the USAOs. The USAO tried to build this intelligence function without the experience or tools from the Department.

Two ATAC Coordinators told us:

- The main obstacle the ATAC confronts is a lack of guidance and direction from [the Department]. There is not a chain of command and no one has grabbed hold of the program, and no one is examining these issues.
- [I am] not entirely sure that everyone [in the field] knows what Washington expects or wants. There is not clear direction from D.C.

Because they received limited guidance from the Department when the ATACs were established, some ATAC Coordinators informally polled their counterparts in other USAOs or polled the ATAC membership to determine the best way to implement the advisory council in their districts. An ATAC Coordinator told us:

We assembled 35 or so different agencies and sat around the table and decided how to set it [the ATAC] up... If the ATTF [ATAC] had a motto it would be, "We are making it up as we go along," but it seems as if the same thing is happening in HQ/DC; they are making it up as they go along. Why are we not getting more guidance?

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ATAC Coordinators told us that they could benefit from additional guidance and direction from CTS and EOUSA on how to set up and operate the ATAC. They believed that they also could benefit from learning about the activities and operations of other ATACs to determine the applicability of these practices in their judicial district, and to gauge if they are “on target” based on what others are doing. The ATAC Coordinators we interviewed told us that EOUSA and CTS have not provided adequate opportunities for ATAC Coordinators to share “best practices.”

The ATAC Coordinators have met for training in their regions and at the National Advocacy Center, but the sessions have emphasized investigative and prosecutorial issues and have not focused on ATAC management issues.<sup>64</sup> There have been limited opportunities to exchange ideas or discuss the successful initiatives of individual ATACs. The ATAC Coordinators joined the Crisis Management Coordinators (those responsible for crisis planning in USAOs) in a March 2004 conference, but the agenda only provided one breakout session for the ATAC Coordinators, despite specific requests directly from ATAC Coordinators to schedule a forum to discuss best practices.<sup>65</sup> Each ATAC Coordinator attended a breakout session organized by region, facilitated by the CTS Regional ATAC Coordinator. We observed two of these sessions and both of the Regional ATAC Coordinators who ran the sessions were new. One Regional ATAC Coordinator used the session to familiarize herself with the ATACs and ATAC Coordinators in her region, and to better understand how they were implementing the ATAC program. In the other session another new Regional ATAC Coordinator was confronted with a host of questions from ATAC Coordinators concerning the ATAC program that he was not able to answer. The main issues for ATAC Coordinators in this breakout session were the role of the USAOs and ATACs in relation to DHS and the state homeland security task forces, and the future existence or structure of ATACs.

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<sup>64</sup> The National Advocacy Center is the Department’s training center located in Columbia, South Carolina.

<sup>65</sup> The following are topics from the ATAC portion of the ATAC Coordinators/Crisis Management Coordinators Conference in March 2004: CTS Update; FBI International Threat Assessment; Implementation of the Attorney General National Security Guidelines; FISA Prosecution Issues; DHS Update; ATAC Training and other issues; FBI Databases and Resources; Legal Issues in Extraterritorial Investigations; Practical/Tactical Issues in Extraterritorial Investigations; Remarks from EOUSA; Counterterrorism and Criminal Intelligence at the USAOs: The role of the Intelligence Research Specialist; Material Support Cases; Prevention/Disruption Issues; Immigration; Domestic Terrorism; CTS Website Overview; Ethics; Remarks from Chief Prosecutor, Paris Court, Paris, France; Northern Border Issues; Community Outreach to Muslims; Aviation/Man-Portable Air Defense System (MANPADS); Bureau of Prisons Issues; and Information Center (Director of the Terrorist Screening Center).

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While it is appropriate for new Regional ATAC Coordinators to use sessions to learn about ATACs in their regions, neither of the breakout sessions allowed for a detailed discussion of “ATAC best practices” or answered the questions posed by ATAC Coordinators related to ATAC operations and these sessions were the only time scheduled for such discussion.

The Regional ATAC Coordinators have tried to provide training opportunities for ATACs by holding regional conferences. The ATAC Coordinators told us that regional meetings were effective and helpful, and provided counterterrorism training and some opportunities to discuss individual ATAC projects. However, these meetings are not required and have not occurred in every region. We reviewed the agendas for these regional conferences, and each had only one session scheduled for “task force operations” or “ATAC issues.” Most sessions concentrated on prosecutive or investigative topics. The CTS National ATAC Coordinator told us that some ATACs that share similar issues (such as port security) have organized meetings themselves on an ad hoc basis.

In addition to the regional conferences, CTS developed a secure website available to ATAC Coordinators and other terrorism prosecutors and support personnel.<sup>66</sup> The website contains a specific section for ATACs that includes links to ATAC documents, memorandums, contact lists, USA Patriot Act information, training information, and “best practices.” When the OIG observed this website in February 2004, CTS was conducting the pilot test with 18 ATACs. The pilot was completed in two weeks, and as of March 2005, all 93 judicial districts with ATACs had access to the website.<sup>67</sup> Additionally, the Section Chiefs within the Criminal Division and 79 Intelligence Research Specialists have access to the website.

The “Best Practices” link on the CTS website provides overviews of the activities for six ATACs.<sup>68</sup> However, the ATAC Coordinators were unable to use

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<sup>66</sup> Each judicial district received two accounts for accessing the website, which cost \$45-50 for each access account. The website also can be used by federal prosecutors and support personnel. The website allows users to access and download law enforcement sensitive information like the CTS Daily Report, as well as to view and share information with other users. Users can link directly to a variety of terrorism-related websites or documents.

<sup>67</sup> The judicial districts of Guam and Northern Mariana Islands joined together to form one ATAC. Therefore there are 93 ATACs, but 94 judicial districts.

<sup>68</sup> The districts and subjects of their postings include: Maryland-the ATTF overview and Maryland Coordination and Analysis Center; Vermont - Anti-Terrorism Plan for the District of Vermont; Southern District of Texas - Strategies for an Effective District Anti-Terrorism Task Force; Eastern District of Pennsylvania (EDPA)- Slide Show Presentation of EDPA's ATTF program, Information Flow Chart, Incident Intake Sheet, Law Enforcement Questionnaire, and

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the website to post bulletin board messages or use it as a forum for sharing best practices. The CTS webmaster told us that the program used to design and operate the website contains a bulletin board feature, but it was not as useful as CTS had hoped; therefore, in November 2004, CTS created an “ATAC E-mail Group” for all ATAC Coordinators and terrorism prosecutors in the USAOs to interact and communicate on terrorism-related issues.

### The USAOs’ Level of Compliance With the Attorney General Mandate to Establish and Maintain an ATAC Varies Across Judicial Districts

We found that the USAOs’ level of compliance with the Attorney General’s mandate to establish and maintain an ATAC varied across judicial districts. Each USAO has the authority and autonomy to determine how best to operate the ATAC in its district, and we found that ATACs were not consistently operated because there are no standards or guidelines from the Department related to meeting frequency or training topics. Some varying levels of activity and compliance are to be expected, but the lack of guidance could negatively affect the further development of the terrorism prevention mission of the Department.

We visited 13 sites across the country with ATACs and contacted all 93 ATACs for rosters. We found that two of the ATACs we visited had joined with state homeland security task forces. One of these ATACs merged its activities and membership with the state homeland security task force, but the task force’s operations are managed by the state. The ATAC Coordinator does not have input into the meeting agendas, membership, structure, or functions, although he attends all meetings. The USAO acts more as a “silent partner” and had contributed financial resources to task force activities. The state homeland security task force, not the USAO, disseminates information to its members. Further, the overall membership of the task force is mostly private sector individuals, local first responders, and local law enforcement officers. The only federal representation is from the FBI and USAO, which is not full representation from other federal law enforcement components as suggested by the Attorney General’s memorandum establishing the ATACs.

A second ATAC we visited also merged with the state homeland security task force, but the ATAC Coordinator continued to co-manage the activities of the joint task force/advisory council and maintained the title of co-coordinator.

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Law Enforcement Agency Registration; Eastern District of New York – Weapons of Mass Destruction (WMD) Outline and Corel Presentation WMD Slide Show; Eastern District of Missouri - Interagency OPSEC (Operations Security) Support Staff Terrorism Threat Handbook, Justice Television Network Training Materials, and Miscellaneous Information and Materials.

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While it is not contrary to the Attorney General’s memorandum for an ATAC to join with a state homeland security task force to eliminate duplication of services and improve coordination, we question whether the first model described above adheres to the Attorney General’s plan for the ATAC program. The CTS Section Chief, when asked about a joint ATAC and state homeland security task force, stated, “it is not the best way to operate to only have the state leading and DOJ following. It is ok to partner, but the ATAC Coordinator should still be out there working.” We believe the Department should determine if the first ATAC model described above fulfills the Attorney General’s directive and achieves the goals of the ATAC program.

The September 2001 guidance from the Deputy Attorney General required the ATACs to maintain “updated rosters of its members.” On two occasions, we requested rosters of all ATAC members listed by judicial district. We made the first request in June 2003 so that we could contact members to schedule interviews prior to our initial site visits, and the second request in November 2003 so that we could randomly select ATAC members for our survey sample. We found that neither EOUSA nor CTS maintained a national database of ATAC members. EOUSA eventually obtained the information from most of the ATACs, although ten did not respond as requested.<sup>69</sup>

Many of the rosters we received were out of date (e.g., included names of individuals who were no longer ATAC members) or identified individuals who were never ATAC members. Of the 134 survey respondents who indicated that they were never members of any task force or advisory council, 103 (77 percent) were individuals listed on ATAC rosters.

We also found that because of a lack of standards and guidance, great variation exists in the frequency of ATAC meetings in the districts we visited. Meeting frequency ranged from monthly to once a year. Although the number of ATAC meetings could be different in each judicial district, without regularly scheduled meetings members tend to lose:

- Understanding of the ATAC mission;
- Opportunities for training;

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<sup>69</sup> Eight districts did not submit the requested updated rosters in November 2003 and two districts submitted rosters after our survey sample was selected. The OIG used the rosters from the first request, originally submitted to us in June 2003, for these ten districts. One district did not submit a roster in June 2003 or in November 2003, and could not be included in the survey sample.

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- Opportunities for networking and establishing valuable contacts;
  - Awareness of local, state, and federal resources; and
  - The ability to plan for and respond to terrorist incidences.

Because of the lack of regular meetings and in some cases ineffective communication from the USAOs, we found that some ATAC members were unsure of the exact mission of the ATAC and did not fully understand their role or responsibility on the advisory council. If ATAC members are not able to see a benefit of the council or are not able to understand how they fit into the ATAC efforts, the advisory council may lose members and communication will be hampered further.

## **RECOMMENDATIONS**

10. The Department should clearly delineate the roles of CTS, EOUSA, and the USAO in the ATAC program, clarifying who has primary responsibility and authority for:

- Oversight,
- Monitoring ATAC operations,
- Evaluating success of the ATAC program, and
- Enforcing compliance.

11. CTS and EOUSA should jointly issue written guidance defining their roles and responsibilities in the ATAC program, as well as the roles and responsibilities of the Regional ATAC Coordinators, the National ATAC Coordinator, and the EOUSA point of contact for ATACs. This written guidance should be communicated to the ATAC Coordinators.

12. CTS or EOUSA should issue written guidance for ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC.

13. EOUSA should strategically analyze the ATAC budget to assess the need for future funding.

14. ATAC Coordinators should regularly update and maintain accurate electronic rosters of the ATAC membership.

15. ATACs should meet at least quarterly, and ATAC Coordinators should periodically review and communicate the ATAC mission to members.

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## FTTTF-SPECIFIC ISSUES

**The FBI has not provided stable leadership, organizational structure, or adequate resources to the FTTTF to fully meet its mission. In addition, the FBI has assigned responsibilities to the FTTTF outside of its defined mission. As a result, the FTTTF is behind schedule in its acquisition of databases and development and implementation of its risk assessment tool. Additionally, the FTTTF has not sufficiently marketed its services, and consequently many JTTF and NJTTF members were unaware of the FTTTF and did not use the FTTTF's services to aid their investigations.**

### **The FBI Has Not Provided Stable Leadership, Organizational Structure, or Adequate Resources to the FTTTF to Fully Meet Its Mission and the FBI Assigned Responsibilities to the FTTTF Outside of Its Defined Mission**

The FTTTF's leadership, organizational structure, and physical location changed multiple times as the Department and the FBI struggled to determine the FTTTF's most appropriate organizational alignment. The FTTTF is not fully staffed with the necessary FBI personnel, or outside agency personnel. Further, the FTTTF was assigned responsibility for "standing up" the Presidentially mandated Terrorist Screening Center (TSC), a separate organization from the FTTTF, and the flight training candidate check system. The lack of stability and resources, combined with responsibility for other missions, has affected the FTTTF's operational effectiveness.

**FTTTF Findings Presented Earlier in This Report**

- The FBI had not developed written performance measures for the FTTTF or for the individual task force members.
- The FBI has not developed a national training plan for the task forces, defined minimum training standards, or conducted training needs assessments of task force members.
- The FBI has not provided written guidance that defines the roles and responsibilities of task force members.

Structure and Leadership Changed Frequently

Unlike the other task forces and councils, the FTTTF was created as an independent Department component with its own budget, personnel, and information technology authority. Since its inception, the FTTTF's organizational chain of command changed four times, its immediate director changed four times, and its internal structure changed eight times. The FTTTF members believe that the current FTTTF Director now may provide the stability and skills to adequately define and direct the task force operations. However,

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the impact of the initial structural and management instability continues to affect the FTTTF's effectiveness.

The following timeline outlines the numerous changes in the FTTTF's chain of command:

- Initially in November 2001, the FTTTF reported to the Attorney General through the Deputy Attorney General. For the first 10 months, an FBI Director and INS Deputy Director led FTTTF's operations.
- In August 2002, the Attorney General transferred the FTTTF to the FBI's Counterterrorism Division, with reporting responsibilities to the FBI Director and the Deputy Attorney General.<sup>70</sup>
- In April 2003, Director Mueller approved the FTTTF's transfer from the Counterterrorism Division to the FBI's Office of Intelligence.
- In October 2003, the FTTTF returned to the Counterterrorism Division because Congress did not approve its relocation to the Office of Intelligence. FTTTF remains in the Counterterrorism Division.

The following timeline outlines the four changes in the FTTTF Director:

- First Director served from November 2001 to June 2002,
- Second Director served from June 2002 to October 2002,
- Third Director served from October 2002 to May 2003, and
- Fourth Director has served from May 2003 to the present.

In 2002, former Deputy Attorney General Thompson required the Department's Justice Management Division (JMD) to conduct a management review of the FTTTF's mission and functions, organizational placement and structure, staffing, information resources, and administrative management.

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<sup>70</sup> *Foreign Terrorist Tracking Task Force Memorandum*, Attorney General John Ashcroft, August 6, 2002. The memorandum states that Homeland Security Presidential Directive-2 requires the FTTTF to report to the Deputy Attorney General.

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JMD's November 2002 draft report addressed the need for stability in FTTTF leadership. Specifically, the report stated:

The most critical leadership positions within the FTTTF are the Director, Deputy Director, and the CIO... [and] stable, sustained leadership is imperative for ensuring FTTTF's effectiveness over the long term.<sup>71</sup>

Even after the issuance of the JMD report, the FTTTF's Director changed two additional times, and the Deputy Director's position was vacated and not filled until 2005. Some FTTTF members we interviewed stated that with each change in director and management oversight, the priorities changed, the supervision became more fragmented, and the mission more unclear.

An FBI FTTTF member further stated that while the FTTTF's management oversight changed four times since 2001, another major obstacle was FTTTF's eight internal reorganizations. Another internal reorganization occurred in October 2004 when the FTTTF transferred responsibility for operating its Flight Training Security Unit to the DHS.<sup>72</sup>

### Lack of Adequate Resources

*Lack of Permanent Office Space:* Because the FTTTF was in office space borrowed first from the INS, and then the Counterintelligence Field Activity (CIFA), it has moved its physical location five times since it was created in November 2001.<sup>73</sup> The FTTTF Director told us that because CIFA controlled the space the task force used prior to November 2003, the FTTTF could not

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<sup>71</sup> *Draft White Paper: Management Review of the Foreign Terrorist Tracking Task Force*, U.S. Department of Justice, Justice Management Division, November 13, 2002. (The review results were prepared and disseminated to the FBI and the Deputy Attorney General's office; however, the report was never issued in final.)

<sup>72</sup> The Flight Training Security Unit assists in denying entry of aliens into the United States associated with or suspected of being engaged in terrorist activity and aids in locating, detaining, prosecuting, or deporting any such aliens already present in the United States, through implementation of Section 113 of the Aviation and Transportation Security Act. This act mandates the screening of foreign nationals who seek Federal Aviation Administration certification to pilot certain types of aircraft. The H.R. 2115, "Vision 100 -- Century of Aviation Reauthorization Act" authorizing the Unit's transfer to the DHS was signed into law on December 12, 2003, and amended title 49 of the U.S. Code.

<sup>73</sup> CIFA is a DOD field agency that develops systems to facilitate analytical support processes and data analysis. Its mission of critical infrastructure protection complements FTTTF's mission of identifying and locating potential terrorists. CIFA provided to the FTTTF financial support, hardware, software, systems and procurement expertise, and shared office space.

restrict the number of times it was moved. While the FTTTF has viewed its partnership with CIFA as critical, FTTTF staff stated that the moves negatively impacted the FTTTF's operations, consumed a substantial amount of time, and became the primary focus of staff meetings rather than operational issues. The FTTTF Director stated that hundreds of man-hours were diverted from sustaining critical operational tasks (such as data acquisition, desktop support, server operations, telecommunications, technology deployment, and data support to analysts) to make each new facility ready, move computers and other equipment, and set up after the move. Counterterrorism Division management acknowledged that the frequent moves of the FTTTF were disruptive and caused inefficiencies in information technology enhancements that the FTTTF requires for its analytical products.

The following table shows the chronology of moves that occurred since the FTTTF's inception:

**Table 12: Chronology of FTTTF's Office Moves**

<b>Date</b>	<b>Location</b>
October 2001	FTTTF begins operations in INS Headquarters, Washington, D.C.
January 2002	FTTTF leaves INS and relocates to CIFA Headquarters in Northern Virginia, on the 9 <sup>th</sup> and 12 <sup>th</sup> floors of Building #1.
April 2003	FTTTF units move from the 12 <sup>th</sup> floor to the 2 <sup>nd</sup> floor of Building #1.
June 2003	FTTTF units move from the 9 <sup>th</sup> floor to the 3 <sup>rd</sup> floor of Building #1.
November 2003	FTTTF moves one block to Building #2 occupying the 5 <sup>th</sup> and 4 <sup>th</sup> floors. The Flight Training Security Unit remains on the 3 <sup>rd</sup> Floor of Building #1.
December 2003	FTTTF activates TSC in a portion of its office space.
January 2004	FTTTF vacates 3 <sup>rd</sup> floor of Building #1 and relocates the Flight Training Security Unit to Building #2.
February 2004	FTTTF acquires lease to Building #3, awaits construction completion to move and house all of its operations in September 2004.
September 2004	FTTTF partially vacates Building #2 and moves to Building #3. Some FTTTF staff and the data center remain at Building #2, but are scheduled to move to Building #3 by February 2005.

Source: FTTTF.

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*Inadequate Staffing:* The lack of adequate FBI personnel assigned full time to the FTTTF, combined with decreased outside agency participation, has hindered the FTTTF operations. In FY 2004, the FTTTF had a funded staffing level of 26 FBI personnel, and as of November 2004 had 23 FBI staff on board.

In April 2003, the then FTTTF Director recommended in an FBI electronic communication that the FTTTF's organizational structure be revised to improve its "efficiency and effectiveness." Because the FBI is the only permanent member assigned to the FTTTF, the FTTTF Director proposed that the FBI's funded staffing level include 5 special agents and 36 support positions (e.g., budget analysts, operations specialists, management analysts, administrative staff). The recommendations took into consideration the on-board non-FBI detailees and contract employees. The electronic communication further stated that excluding the FBI's positions:

- All other positions on the task force are detailees and as such are subject to re-assignment on short notice. It is incumbent on the FBI to provide the bulk of the staffing and ensure continuity in personnel assignments, given the fact that the FTTTF was placed within the FBI by the Attorney General.
- It is vitally important that the staffing levels recommended herein be approved to ensure that the FBI can meet its responsibilities in the effective leadership and operation of the FTTTF.<sup>74</sup>

The FBI did not adopt these staffing recommendations. The current FTTTF Director told us that the FTTTF is still understaffed. The FTTTF members told us that the task force needs analysts and administrative support staff.

With the exception of its FBI staff, the FTTTF has functioned primarily with staff detailed from only a few of the agencies required by Homeland Security Presidential Directive 2. When the FTTTF was established in October 2001, the Homeland Security Presidential Directive 2 directed the task force, "...to be staffed by expert personnel from the Department of State, the INS [now ICE], the FBI, the U.S. Secret Service, the Customs Service [now CBP], the

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<sup>74</sup> Organization Structure Foreign Terrorist Tracking Task Force, EC 66F-HQ-A1355682, 66F-HQ-A1355682-D, FBI, April 17, 2003.

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Intelligence Community, military support components, and other federal agencies as appropriate to accomplish the Task Force's mission." In November 2002, the FTTTF reported that its membership included detailees from the following agencies:

- FBI
- Office of Personnel Management
- INS
- U.S. Customs Service
- USMS
- Department of State
- Other Department of Justice
- Social Security Administration
- DOD-CIFA/Joint Counterintelligence Assessment Group
- Intelligence Community
- Local law enforcement
- Royal Canadian Mounted Police <sup>75</sup>

The following table lists agencies that as of November 2004 had staff detailed to the FTTTF, agencies missing on the FTTTF according to the requirements of Homeland Security Presidential Directive-2, and agencies the FTTTF would like to contribute full-time staff.

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<sup>75</sup> Foreign Terrorist Tracking Task Force Power Point Presentation, presented by Grace Mastalli, ATTF Intelligence Research Specialist Conference, November 13, 2002.

**Table 13: Agencies Detailed to the FTTTF, Agencies Missing From the FTTTF, and Additional Agencies Desired as New Members November 2004**

<b>Agencies with Staff Detailed to FTTTF<sup>1</sup></b>	<b>Agencies Missing, but Required by Homeland Security Presidential Directive-2</b>	<b>Agencies FTTTF Would Like to Add as Full-Time Members<sup>2</sup></b>
<ul style="list-style-type: none"> <li>• Department of Justice Criminal Division</li> <li>• Office of Personnel Management</li> <li>• ICE</li> <li>• Defense: CIFA</li> <li>• Intelligence Community</li> </ul>	<ul style="list-style-type: none"> <li>• Department of State</li> <li>• U.S. Secret Service</li> <li>• CBP</li> </ul>	<ul style="list-style-type: none"> <li>• DHS – ICE (more members), TSA</li> <li>• Federal Aviation Administration</li> <li>• DEA</li> <li>• Social Security Administration</li> <li>• Internal Revenue Service</li> <li>• Department of Labor</li> </ul>

Source: FTTTF documents

Note 1: All agencies listed in this column are required to participate by Homeland Security Presidential Directive-2 except for Office of Personnel Management and CRM, U.S. Department of Justice.

Note 2: These agencies are in addition to those required by Homeland Security Presidential Directive-2.

A veteran FTTTF member told us that the FTTTF has the finances and equipment to perform its mission, but not the staff. He stated, “We don’t have enough government employees, there is a need for more analysts. No one has any customs expertise and the one person from ICE has minimal immigration background.” The FTTTF’s General Counsel added that the participating agencies also are being tapped to provide representatives to other task forces or agencies (such as the NCTC, TSA, and others).

Several FTTTF survey respondents and interviewees reported that the inadequate numbers of personnel hurt FTTTF’s operations by:

- [making] it difficult to conduct expeditious analysis on time-sensitive information and the analytical process is slowed down,
- [preventing it] from responding to or setting leads, or
- [inhibiting it] from conducting proactive searches and analyses.

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One critical impact of insufficient staffing, at the time of our December 2003 interviews, was a three-month backlog in updating the TIPOFF portion of the Consolidated Tracking List. The FTTTF uses the Consolidated Tracking List to identify undetected terrorists that are already in the United States and to notify public sources of the need to alert the FTTTF when changes occur with specific persons (e.g., address changes, acquisition of public documents).<sup>76</sup> The FTTTF used detailed staff to address the backlog. When asked about the status of the backlog, the FTTTF Director informed us that as of August 2004, it had been reduced to four weeks. However, FTTTF does not consider the four weeks a “backlog,” but rather a built-in time period to ensure the data is standardized, cleansed, and prepared for matching against the FTTTF datamart and a selected set of external commercial databases.

### Assignment of Additional Responsibilities

*Activation of the TSC Diverted FTTTF’s Resources:* FTTTF members told us that the biggest disruption to the FTTTF’s mission was the activation of the TSC. In September 2003, the FBI delegated the responsibility for “standing up” the TSC by December 1, 2003, to the FTTTF. The TSC was mandated by the President as part of the national counterterrorism strategy. The FTTTF was specifically tasked with developing the information technology structure to integrate multiple agencies’ terrorist watchlists and to provide direct support for TSC’s operations.<sup>77</sup> The FTTTF successfully carried out the start-up mission in 75 days. Successful completion of this mission, however, contributed to further disruption of FTTTF operations that were already impacted by the multiple leaders, multiple moves, and inadequate staffing. The FTTTF managers told us that the diversion of its

#### **FTTTF’s Functions**

- Tracking suspected terrorists and their supporters within the United States,
- Detecting previously unknown foreign terrorists and their supporters within the United States, and
- Conducting risk assessment of foreign nationals seeking visas who want to enter or remain in the United States.

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<sup>76</sup> The FTTTF maintains a Consolidated Tracking List that combines the Department of State’s TIPOFF System, the FBI’s Violent Gang and Terrorist Organizations File found in National Crime Information Center, and the FBI’s 22 Most Wanted Terrorists. The TIPOFF system contains more than 100,000 names of potential terrorists that form the basis for both the TTIC and TSC databases. Although TIPOFF was originally operated by the Department of State, responsibility for maintaining it has been transferred to TTIC, now known as NCTC.

<sup>77</sup> On September 16, 2003, the Homeland Security Presidential Directive-6 established the TSC and required it to become operational by December 1, 2003. The TSC was created to consolidate terrorist watchlists from multiple agencies and provide 24/7 operational support for federal screeners and state and local law enforcement nationwide and worldwide.

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technology resources delayed the development of critical profiles and other information technology enhancements required to conduct analyses and prepare analytical products.

At the time of our December 2003 interviews, FTTTF information technology staff continued to provide support for TSC's operations, but as of August 2004, the FTTTF Director informed us that no staff was being shared between the TSC and FTTTF. In addition, the FTTTF spent 13 percent (\$7.8 million) of its \$61.6 million budget activating the TSC, but was eventually reimbursed.

*Flight Training Security Unit:* The former Attorney General delegated the responsibility to screen foreign nationals seeking Federal Aviation Administration certification to pilot certain types of aircraft to the FTTTF. The FTTTF created the Flight Training Security Unit to perform this function. While some FTTTF members believed that this unit did not fit in with the FTTTF's mission, others viewed the success of the unit as one of the FTTTF's major accomplishments. In December 2003, Congress passed a bill transferring responsibility for flight training candidate checks to DHS.<sup>78</sup> FTTTF worked with the DHS to support this transition, which finally occurred in October 2004. As a result of this transfer, the FTTTF had to plan another internal reorganization and shift staff to other units.

*Threat Processing and Assessment Unit:* In February 2005, the FBI Director established a permanent unit called the Threat Processing and Assessment Unit (TPAU) within the FTTTF to perform evaluations of large sets of data for identification of potential terrorists among foreign visitors. These types of evaluations were first conducted for the FBI's 2004 Threat Task Force, which the FBI considered to be successful.<sup>79</sup> Because the function was supported by and consistent with the functions of FTTTF, the decision was made to permanently house this new unit there.

Funded staffing levels have not yet been allocated for the TPAU. In the interim, the TPAU is staffed predominantly with contractors and an insufficient number of personnel detailed from the FTTTF and other FBI divisions. According to the FTTTF Director, the TPAU requires many more permanent full-time staff to sufficiently maintain day-to-day operations. We believe that

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<sup>78</sup> The H.R. 2115 "Vision 100 -- Century of Aviation Reauthorization Act" was signed into law on December 12, 2003.

<sup>79</sup> The Department assembled the 2004 Threat Task Force, headed by the FBI, to prepare for the various events occurring in the summer of 2004 and into 2005 that might be targets for terrorists, *i.e.*, the Summer Olympics, the Presidential election and inauguration.

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assignment of the TPAU duties to the FTTTF without sufficient staff may contribute to further delays in accomplishing other FTTTF mission critical functions.

## **The FTTTF Is Behind Schedule in Its Acquisition of Databases and Development and Implementation of Its Risk Assessment Tool**

### Acquisition of Databases

As a result of instability in leadership and organizational structure, inadequate resources, and additional responsibilities, the FTTTF's acquisition of government databases is behind schedule, which affects the effectiveness and efficiency of the analyses the FTTTF performs. To fulfill its mission, the FTTTF requires electronic access to large sets of data, including databases from many federal agencies, open source and private industry data, and access to sensitive materials from law enforcement and intelligence sources. The FTTTF's initial goal was to obtain a state-of-the-art information technology infrastructure with a suite of sophisticated analytical tools to mine these databases for suspicious patterns and conduct unique risk assessments to identify high-risk individuals. The FTTTF also intended to use the unified watch list to conduct periodic "batch" searches of a series of government and public databases. However, as described below, the FTTTF still has not fully acquired the number and type of databases it needs.

*Previous Database Requirements:* In April 2002, the former Attorney General issued a memorandum directing the FTTTF to identify the agency databases needed to fulfill its mission.<sup>80</sup> In June 2002, the FTTTF submitted a memorandum to the former Attorney General identifying approximately 85 databases. We found that as of July 2004, 50 of these requested databases had not been acquired, and some that had been acquired were not kept up to date. FTTTF survey respondents reported that missing or incomplete data caused the analytical process to be slow and incomplete.

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<sup>80</sup> *Coordination of Information Relating to Terrorism Memorandum*, U.S. Department of Justice, Attorney General John Ashcroft, April 11, 2002. The memorandum also directed all Department investigative components to establish procedures to provide on a regular basis and in electronic format the names, photographs, and other identifying data of all known or suspected terrorists for inclusion in their own databases. It further directed each agency to provide to the FTTTF unfiltered, timely, and electronic access to the information systems and data sets deemed relevant by the FTTTF Director, subject to any legal restrictions on the sharing of such information.

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When we initially interviewed the FTTTF's Director in June 2003, he had been in the position for only one month and was unaware of the existence of the June 2002 list of 85 required databases developed by the previous FTTTF Director. During subsequent interviews in May and August 2004, the Director said he believed that the original list was primarily "brainstorming" and a "wish list," which was in constant evolution, and some of the databases placed on it were a result of one-time requests in response to a particular threat or project.

*Current Database Requirements:* In August 2004, the FTTTF Director provided us with a new list of 30 FTTTF database requirements, 17 of which belong to the DHS. He informed us that the FTTTF Requirements Team had taken the lead in defining current data requirements and had recently added two new staff, including a data librarian, to focus on obtaining the latest data and to ensure existing data is refreshed. Additionally, he stated, as the risk assessment tool is implemented, it will help the FTTTF to evaluate which databases it needs.

In August 2004, the Homeland Security Council advised the DHS to provide certain databases to the FTTTF.<sup>81</sup> The FTTTF Director stated that although his staff had made repeated requests, both informal and formal, for many of the remaining databases, numerous factors affect the acquisition process. For example, he said the acquisition of each database must be negotiated with the parent agency and documented in an MOU, each database is unique, and each requires staff to "cleanse" and evaluate the data and ensure that it is in a form recognized by the FTTTF's analytical tools. Additionally, the FTTTF Director stated that:

There is limited time and personnel available to negotiate agreements and resolve technical issues related to transferring data. There is an impact to FTTTF (FBI) as well as the other organizations. For example, the mandate to provide full access for the FBI to US-VISIT and SEVIS data was made during July [2004] by the Homeland Security Council. The first transfer of "pilot" data occurred on 1/18/05 with a plan of 30 days to resolve technical issues...Regular

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<sup>81</sup> The DHS was mandated by the Homeland Security Council to provide the FBI "full access" to US-VISIT and SEVIS data, and an MOU regarding such access was signed on February 10, 2005. Although the transfer of data was originally stalled according to the FTTTF Director, the pilot data sharing of approximately 100,000 records from US-VISIT and SEVIS was completed on February 18, 2005. The Director stated that all technical and operational issues were resolved and the FTTTF began receiving an "historical load" of data in May 2005, which will be followed by regular periodic updates.

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transfer of data [is set to begin] in April [2005]...Transferring data is much easier said than done.

When we asked the FTTTF Director for a timetable for acquiring the remaining databases, he responded:

FTTTF is currently performing its mission as defined in Homeland Security Presidential Directive 2, with tangible results. A multitude of government and commercial datasets and analytical tools are currently used by FTTTF to generate leads on potential terrorist threats. The primary data query tool in use can simultaneously search many disparate data sets. Acquiring additional data sets, specifically the ones mentioned above, will significantly enhance analysts' ability to perform link analysis and identify non-obvious relationships that would not otherwise be available.

Some of the data sets mentioned above can be accessed from a stand-alone terminal. FTTTF's production system eliminates the stove-pipes created by these stand-alone systems. Ingesting the data in its entirety (into the FTTTF data mart) or accessed through automated channels would add real value to the analyst. Such capabilities are pursued within existing capabilities, priorities, and funding constraints.

The FTTTF Director could not estimate what could have been accomplished since June 2002 with access to the databases. He stated that he believes, however, that the additional data combined with the available analytical tools will have a positive impact on the FTTTF's ability to locate, identify, and track terrorists. The FTTTF Director stated that as of November 2004, the FTTTF has acquired 9 of the 30 databases.

We also found that the FTTTF had difficulty obtaining requested datasets from some units within the FBI. For example, since July 2004, the TSC stopped providing the FTTTF with the Terrorist Watch List. Efforts by the FTTTF to resume receiving this list have been unsuccessful.

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## Risk Assessment Tool

Since FY 2002, the FTTTF has been developing complex risk assessment profiles that will assist in identifying a terrorist by prioritizing an individual's risk through the assignment of threat scores. However, this project is at least seven months behind schedule. In FTTTF's October 29, 2003, briefing for the House Judiciary Subcommittee on Immigration, Border Security, and Claims, the FTTTF Director testified that the risk assessment prototype would be completed by October 31, 2003, with a projected start date of April 1, 2004. The FTTTF contracted with two outside vendors to create a series of algorithms to perform automated risk assessments or analyses of an individual or group. There were also delays in securing properly cleared contractor staff to support the classified portion of the risk assessment tool.

In May 2004, the FTTTF Director told us that the FTTTF would receive its risk assessment tool and begin testing it in August 2004. The Director said the project's delay was caused by the FTTTF's responsibility for activating the TSC, which diverted both contractor and FTTTF staff from the risk assessment tool, and the complexity of the tool was greater than initially anticipated. In August 2004, the Director informed us that the results of the testing were positive, and the first operational version of the prototype software would begin validation testing by September 2004. In November 2004, the Director further informed us that the FTTTF has worked with the contractors to finalize the tool's integration and complete the test plan.

### **The FTTTF Has Not Adequately Marketed Its Services, and Many JTTF and NJTTF Members Were Unaware of the FTTTF and Did Not Use the FTTTF's Services to Aid Their Investigations**

Our interviews with task force members showed that most JTTF and NJTTF members had no knowledge of the FTTTF's role, mission, or functions. JTTF supervisors stated often that they either had no contact with the FTTTF or had heard of the FTTTF, but were unfamiliar with what functions it performed. Many FTTTF members and supervisors who we interviewed or surveyed stated that the FTTTF needs to market its services. Additionally, an intelligence agency representative said that it is important for the FTTTF to educate others on how it fits into the intelligence community and the fight against terrorism. This would help the FTTTF better integrate into the intelligence community and ensure an open exchange of information.

Some FTTTF members acknowledged the marketing problem. They stated that requests they receive are sometimes inappropriately directed and assigned to the FTTTF because of the lack of knowledge that the JTTFs, NJTTF, DHS, and other government agencies have about the FTTTF's services. The FTTTF Director told us in May 2004 that he became aware of the level of

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unfamiliarity with the FTTTF during his recent visits to two JTTFs in Baltimore and Houston. He stated, “It was pretty enlightening as to how much they don’t know what we do.” The Director stated that educating “customers” on what the FTTTF does and how to use its services is one of the challenges he faces. To address this issue, he said he is visiting FBI field offices and attending JTTF conferences to give presentations on FTTTF mission and functions. The FTTTF previously sent e-mails and electronic communications to the field, but he believes the task force members are so overwhelmed with information that the message just did not “sink in.” The Director also briefs the SACs when they rotate into the Counterterrorism Division at FBI headquarters, and he has briefed a group of FBI ASACs. However, the lack of resources and assignment of projects outside of the FTTTF’s mission has affected the Director’s ability to fully market the FTTTF’s services.

While FTTTF members stated that they are eager to have their task force’s mission and services understood, they expressed serious concern that marketing the FTTTF will result in additional work that it will not be able to perform without sufficient staff and analytical capability.

## **CONCLUSION**

The FTTTF performs a unique and innovative service that can add great value to various agency inquiries in support of the Department’s mission to prevent terrorism. However, the lack of stable leadership and resources has resulted in delays in the acquisition of databases and development and implementation of a risk assessment tool, which prevents the FTTTF from providing the full complement of services to FBI terrorism task forces and outside law enforcement agencies with a terrorism-related mission. The FTTTF has not adequately marketed its services and, as a result, JTTFs and the larger law enforcement and intelligence community are not taking full advantage of the FTTTF’s analytical capabilities.

## **RECOMMENDATIONS**

16. The FTTTF should develop a plan to acquire and regularly update the required databases from other agencies.
17. The FBI should identify and address the obstacles the FTTTF encounters in securing and regularly updating required databases from other agencies.
18. The FBI should identify and address the FTTTF’s unmet resource requirements for staff (FBI and other government agencies), space, and equipment.

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19. The FBI should ensure long-term, stable leadership, organizational structure, and housing for the FTTTF.

20. The FTTTF should develop and implement a plan to improve awareness and understanding of its services.

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## JTTF-SPECIFIC ISSUES

**Although the FBI has reallocated considerable resources to the counterterrorism program, the JTTFs still experience certain staffing shortages and turnover in leadership. Some JTTFs experience space and information technology connectivity problems.**

### **The FBI Has Reallocated Considerable Resources to the Counterterrorism Program but the JTTFs Still Experience Certain Staffing Shortages and Turnover in Leadership**

Our review found that the JTTFs had inadequate administrative and analytical support, were exceeding their authorized staffing levels, and had high turnover in leadership. Since September 11, 2001, the FBI has

expanded the number of JTTFs across the country (to a total of 103), and the FBI Director mandated that every terrorism lead be addressed. Even though the FBI reallocated special agent and support staff resources to the counterterrorism program, the number of support staff has not increased proportionately to the workload expansion.

#### Lack of Analytical and Administrative Support

Many JTTF members we interviewed and surveyed stated that they had inadequate administrative and analytical support.<sup>82</sup> For example, at the time of our 2003 interviews of JTTF managers and members, administrative staffing deficiencies on the New York City

#### **JTTF Findings Presented Earlier in This Report**

- The JTTFs and ATACs have not fully coordinated their efforts to reach out to and share information with law enforcement agencies, first responders, and other relevant organizations in remote areas.
- The FBI had not fully developed outcome-oriented performance measures for the JTTFs, or for the individual task force members.
- The FBI has not developed a national training plan for the task forces, defined minimum training standards, or conducted training needs assessments of task force members. Notification of available training is ad hoc and non-FBI JTTF members believe that FBI members get preference for training notification and attendance.
- The FBI has not developed a structured, systemwide orientation program for new JTTF members. The FBI has not provided written guidance that defines the roles and responsibilities of task force members.

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<sup>82</sup> The FBI has recognized the need for additional intelligence analysts and has initiated an intensive recruitment and training program for intelligence analysts. Concurrent with this counterterrorism task force review, the OIG was conducting a review of the FBI's intelligence analyst recruitment program and released the final report in May 2005; *The Federal Bureau of Investigation's Efforts to Hire, Train, and Retain Intelligence Analysts*, DOJ-OIG, May 2005.

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JTTF caused a 6-month backlog in the uploading of lead status information (i.e., leads assigned, covered, or closed) in the ACS system. Thus, when a task force agent anywhere in the country retrieves ACS data on a New York City case or subject of investigation, the case record could contain outdated or inadequate information. This could compromise investigative processes nationwide if task force members are unable to access all current and known information on a subject or case. When we interviewed New York City JTTF managers in April 2004, the acting FBI SAC stated that these staffing deficiencies and a backlog still existed.

We also found through our survey and interviews that in the absence of adequate numbers of support staff, JTTF members spend significant amounts of time completing administrative tasks. The JTTF members commented:

- Investigative agents are being tasked with administrative, analytical, and record keeping tasks that take away substantially from the investigative efforts of the initiative.
- Lack of support personnel has slowed most of our investigations. The case agent not only investigates but also does 90 percent of the support work.
- We are not accomplishing nearly as much as we need to be. Morale suffers when you aren't able to stay on top of the work that you know is being neglected. Agents/TFOs [Task Force Officers]/Analysts are being pulled away from investigative work to handle administrative matters. Analyst is called upon to relieve [the switchboard operator] on a rotating basis, [along] with other support personnel.
- An unreasonable amount of time is spent on administrative, and paper related issues that could be spent on actual investigative duties.

JTTF members also told us that the JTTFs need additional analysts:

- There are not enough analysts to review bank records, telephone records, etc. so that analytical reports can be completed for investigators to review and use.

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- Our task force has too little analytical support. The analysts we have are good, but there are simply not enough of them to do much good.
  - It takes a few days/weeks to get back simple background and financial checks... [I] cannot conduct an investigation unless I have the intelligence to interview a subject. In the case of New York, a backlog existed in uploading lead status (i.e., assigned, covered, closed) into the ACS system.
  - [There is] not enough analytical support available to even come close to conducting a thorough and complete investigation.
  - Lack of professional analysts hampers every aspect of our investigations.
  - Poor analytical support at the field level.
  - Agents are performing analyst work 30 percent of their day ...
  - Need more analysts [because] analysts should be assigned to the JTTF and not assigned out of the main office. Experience counts with analysts – they are often our sole repositories of institutional knowledge of the subject matter. We need financial analysts and data entry clerks so that when we do gather the information, we have help organizing it. We need consistent and professional help in the area of confidential file maintenance.

### The FBI's Rotation of Field Office JTTF Leadership

Although the FBI often rotates managers in the field to provide opportunities to gain varied experience, we found this frequent rotation negatively affected the structure and stability of the JTTF, and terrorism investigations, as well as an important pilot information sharing project.

The JTTFs existed before September 11, 2001, but doubled in number in the three years since then. Along with this increase in task forces and

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members comes a need for stability and structure, especially in task force management. The JTTF and terrorism investigations are often new experiences for both FBI and non-FBI task force members, and members benefit from stable, consistent, experienced management of the task force. A former JTTF supervisor with many years of experience in the counterintelligence and counterterrorism programs in the FBI told us:

The FBI must recognize the difference between the “criminal” side and the “intelligence” side. The counterterrorism and counterintelligence [program] requires more stability and continuity. It is vital to have continuity [in leadership] because of the nature of counterterrorism work.

Some of the JTTF members we interviewed commented that the lack of continuity in leadership created inconsistencies in the JTTF’s management, work prioritization, and operations. For example, members stated:

- The lack of continuity in the JTTF supervisors has had a negative effect: there was no direction and the team did not maintain cohesion. At some point, one part of the JTTF did not know what the other part was doing; there was a breakdown in communication.
- Turnover has been a problem at the JTTF. You need continuity in a leader and they have to have an interest in [the work]. With every new leader comes a new management design. There was a lack of leadership and direction on the JTTF.
- The impact of the changes in supervision [is] strained communication and a lack of continuity in direction.
- There has been lots of turnover in the supervision of the JTTF. It affects the leadership, makes everyone nervous if you don’t have continuity, especially if you don’t have someone with experience.
- We’re on our sixth supervisor... We have never had one [supervisor] for very long. I’ve had no direction.

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We found that instability in the FBI field office leadership affected some terrorism investigations. For example, in an 18-month period, the FBI's St. Louis Field Office had three different SACs, two different counterterrorism ASACs, and six different JTTF SSAs. Prior to the JTTF supervisor currently assigned, the members told us they had no direction, continuity of leadership, or squad meetings. The squad meetings are important methods of communication and coordination for JTTF members, and without this forum, we were told it was difficult to update case information, or receive direction and assignments. One St. Louis JTTF member described the lack of supervision as the biggest obstacle and stated:

The turnover has impacted us negatively. That's my single biggest complaint. There's a lack of supervision. We just continue doing what we do – through initiative of the task force members. ...if there was a structure or a game plan – we'd know what to expect. With the new supervisor we've had a few meetings. We have 29 people – we need to have meetings to go around the table to see what everyone's working on – they may be connected. But we don't have them [meetings] regularly or nearly enough. It's like a bunch of wasps flying around – but no one's telling us what to do.

The instability in leadership in the St. Louis FBI Field Office also affected the external law enforcement community by significantly delaying the development and pilot testing of the Gateway Information Sharing Initiative (ISI). Originally conceived by local and state law enforcement agencies in and around St. Louis, Missouri, in 1999, the ISI was intended to be a multi-agency regional information sharing network to merge investigative data from federal, state, and local law enforcement agencies into a single, searchable database.<sup>83</sup> The database, housed in the FBI's St. Louis Field Office, marked the first time the FBI entered records into a database containing investigative data from state and local law enforcement agencies. Law enforcement officials who contribute to the database would be able to search it by names, addresses, phrases, vehicle makes, weapons data, scars, tattoos, and other factors to retrieve information from other cases that might be relevant to a case they are

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<sup>83</sup> Developed in 1999, the project began as the St. Louis Intelligence Center, better known as SLIC, to address drug trafficking and violent crime and was originally sponsored by the St. Louis Metropolitan Police, St. Louis County Police, Missouri State Highway Patrol, Illinois State Police, and the St. Louis FBI (including the JTTF). The project has since expanded to include the St. Clair County Sheriff's Office, Collinsville Police, Southern Illinois Police Chiefs Association, and the United States Attorneys' Offices of the Southern District of Illinois and Eastern District of Missouri.

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investigating. Investigators could then export the retrieved data to analytical software that could identify and graphically depict relationships among people, weapons, phone numbers and other components of the crime. The ISI system would allow for link analysis and geo-spatial mapping of the data by members of JTTFs in other cities who planned to launch similar pilot projects: Norfolk, Virginia; San Diego, California; Seattle/Portland, Washington; and Baltimore, Maryland.

During October 2002, the Attorney General issued a news release that stated ISI was to be fully operational within 60 days.<sup>84</sup> He stated:

Information that was previously fragmented and would take analysts months to collate will be connected within seconds. This revolutionary system will enable investigators to identify intelligence gaps and to see tangible links between seemingly unrelated investigations.

If successful, the project would serve as a model for a nationwide information-sharing initiative. However, according to federal officials we interviewed in St. Louis in November 2003, ISI was stalled due to the frequent turnover in the St. Louis FBI leadership leading to developmental delays. A supervisor in the St. Louis FBI Field Office informed us that although ISI was to be operational by December 2002, it was still in the planning stages at the time of our November 2003 interviews. Other federal law enforcement officials we interviewed in St. Louis stated to us that this delay caused frustration and anger within the local law enforcement community who were counting on the FBI to take the lead in this project.

According to a recent information update from the St. Louis FBI field office in January 2005, contracting issues resulted in the dismissal of the original and succeeding vendors. After several months of inactivity, another vendor was awarded a contract by FBI headquarters to complete the project. The name of the project also was changed from the Gateway Information Sharing Initiative, to the Multi-Agency Information Sharing Initiative (MISI), to the Regional Data Exchange (RDEx). The beginning stages of RDEx will include regional databases from such areas as St. Louis, Seattle, San Diego, and Norfolk. According to the FBI, once these areas become operational within their own regional databases, RDEx will move to an inter-regional approach. This approach will link the operating regional databases, so that queries can be made in a wider scope.

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<sup>84</sup> "Attorney General John Ashcroft Unveils Gateway Information Sharing Pilot Project in St. Louis, Missouri," U.S. Department of Justice News Release, October 9, 2002.

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The JTTF staff we interviewed indicated that the St. Louis field office's management team in place at the time of our August 2003 visit had made noticeable changes and there was improvement in the JTTF's management and guidance that also improved task force operations. For example, one JTTF member told us that the new JTTF supervisor had initiated regular task force meetings where everyone discussed their cases. During one of these meetings he learned that he and another JTTF member were conducting surveillance on houses very near each other, and their suspects had a relationship. He turned over ten months worth of surveillance and intelligence information to the other JTTF member, and they expected an indictment within a month. The JTTF member we interviewed estimated that without the shared information, it would have taken another year to get an indictment:

He [the other JTTF member] was in week two of the investigation; we put him in week 50. We had a lot of people working on the same case and didn't know it.

Even though there were evident improvements, each of the managers had been in place for less than one year (e.g., SAC - ten months, ASAC - one month, SSA - one month as JTTF supervisor). Therefore, we could not measure the long-term impact of their changes. As of October 2004, the ASAC had been transferred back to FBI headquarters in Washington D.C. and in January 2005 the SAC also was transferred to FBI headquarters. The St. Louis field office had yet another new SAC and ASAC.

In addition to the transfers of supervisors, some of the JTTF members we interviewed and surveyed commented that frequent transfers of the FBI JTTF agents, sooner than the standard rotation, also can have an impact on the investigations. For example a non-FBI JTTF member commented, "I had a case to work on with an FBI agent and have gone through 5 agents on the same case."

### JTTF Staffing Levels

The FBI's investigative strategy that requires the JTTFs to cover every terrorism lead results in a demanding workload that is surpassing the resources available to the task forces. At all the sites we visited, we found that the JTTFs were exceeding their authorized staffing levels for FBI agents by 75 to 125 percent by borrowing from other FBI programs (such as drugs or white-collar crime).<sup>85</sup>

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<sup>85</sup> The "authorized staffing level" is the number of staff allocated to the JTTF.

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Since September 11, 2001, the FBI has permanently reassigned some of its field agent resources from traditional criminal programs (such as violent crime, white collar crime, and drugs) to meet the workload demands of the counterterrorism and counterintelligence programs. Additionally, the FBI realigned its priorities, and to “protect the U.S. from terrorist attack” became the number one priority. In September 2004 the OIG completed a follow-up audit of the FBI’s casework and human resource allocation. The OIG report stated that the FBI “generally shifted its allocation [of field agents] to reflect its new priorities.”<sup>86</sup> Additionally, the OIG reported that the FBI allocated a larger number of agent resources to counterterrorism matters in FY 2003 than in FY 2000 and reduced the number of positions allocated to traditional crime programs during the same time period. However, the FBI used 845 more agents than it had allocated for terrorism matters, while it used 879 fewer agents than planned in traditional criminal programs in FY 2003.

The FBI monitors the staffing utilization rates of its agents through its Time Utilization and Recordkeeping (TURK) system.<sup>87</sup> Before March 2004, the FBI did not include the non-FBI task force members in the TURK system, which underrepresented the number of man hours devoted to JTTF work. A senior FBI official told us that the non-FBI agents were now included in the TURK system to enable the FBI to assess the overall staffing levels and needs of its task forces.

The JTTF members we interviewed and surveyed described the impact of insufficient staffing as follows:

- With such an important and time consuming mission it is easy for JTTF members including FBI agents to be over-worked and over loaded. The JTTF members work long hours and many, many weekends and holidays at the sacrifice of their families. Most work without complaint or desire of recognition, however, working at an unrelenting pace can cause burn out.

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<sup>86</sup> *The Internal Effects of the Federal Bureau of Investigation’s Reprioritization*, U.S. Department of Justice, Office of the Inspector General, September 2004, Audit Report No. 04-39.

<sup>87</sup> The FBI’s TURK system is used to record the percentage of time spent by field agents on different types of investigations (e.g., counterterrorism, white-collar crime, drugs).

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- Without the commitment of manpower, cases remain under-assigned and the intelligence capabilities are limited.
  - Every person on the task force is overburdened with too much work which I believe leads to the quality [of] investigations that are there not getting done right [sic].
  - Other than slowing the mission, resource problems have tended to bring down [the] morale of the unit...
  - Case loads has [sic] led to very long hours ... Many non-FBI task force members are being over tasked.
  - The complete lack of resources is a daily hindrance to the terrorism investigations the field offices are attempting to conduct. It takes ten times as long to complete a task that should take less than a day.

### **Some JTTFs Experienced Space and Information Technology Connectivity Problems**

#### Space Is Inadequate for Some JTTFs

Although the majority of JTTF members surveyed and interviewed were satisfied with their task force office space, we found through our site visits that various JTTF members were working in cramped conditions that hampered communication, slowed work processes, and limited the JTTF's ability to add members. In addition, JTTF leadership and members told us they needed more space to accommodate additional members or to improve the existing members' working conditions.

Several of the JTTF members we interviewed believed that their working conditions were undesirable. The following table shows how survey respondents rated office space.

**Table 14: JTTF Members' Ratings of Task Force Office Space**

<b>Survey Question: How would you rate the task force's space?</b>					
<b>Task Force</b>	<b>Responses</b>				
	<b>Excellent</b>	<b>Good</b>	<b>Average</b>	<b>Poor</b>	<b>Very Poor</b>
JTTF	17%	24%	31%	18%	10%

Source: Office of the Inspector General, Counterterrorism Task Force Survey, January 2004.

Note: The respondents who replied "not applicable" were excluded.

JTTF members commented that:

- Lack of space has made it difficult to coordinate activities with other squad members.
- Lack of space prohibits additional full-time members.
- Meeting space is very cramped and located in a common area. Issues are difficult to discuss with other agency personnel continually walking through the meeting space. The meeting area is often times too small to accommodate all of the attending personnel.
- There has been a negative impact on the task force due to the lack of space. Currently the task force officers are spread among the entire office.
- The space is too small and cramped. Bigger space coming, we have been promised, over and over and over and over and ...
- [The] working conditions [are] so incredibly poor, adversely impacts efficiency.
- We are presently in a basement with no circulation, no cleaning, no computers and outdated equipment, making morale poor.
- Space is a major issue. We have a very good and large group of agencies but with the lack of space

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and parking for the members, it becomes a deterrent. They do not work in the FBI office due to lack of space which means their databases are not readily available and they need to return to their office to conduct investigations. There would be a greater combination of intel together in one office with space availability.

- Without office space, communication and coordination cannot occur. Until then, cases and targets will not be efficiently worked.

At the time of our visits the San Francisco, St. Louis, and Salt Lake City JTTFs could not accept additional members due to the lack of available office space. The ASAC for the FBI's St. Louis Field Office told us that additional member agencies approached the FBI about joining the JTTF, but he had not accepted their offers because he required additional space. Similar concerns were raised by the San Francisco and Salt Lake City JTTF leaders. In San Francisco, the SSA told us that he wanted to accept the National Security Agency's offer to join the JTTF but did not have space to accommodate any additional members.

The FBI has explored alternatives to improving space and working conditions for JTTF members through acquiring additional office space in offsite locations. The FBI told us that "every basic [reasonable] request requirement has been fulfilled." However, we found that the acquisition of some offsite locations has been delayed and poorly coordinated.

For example, when we visited the Inland Northwest JTTF (in Spokane, Washington, and Coeur d'Alene, Idaho) we found that for 15 months the JTTF was paying a lease for space that it did not occupy. The Inland Northwest JTTF leadership told us that the space was not habitable because the required security upgrades were not complete. Two FBI Special Agents from the JTTF were assigned to plan for the space, acquire the space, and handle all the contracting issues. The staff assigned to prepare for the move had requested, but not received, adequate direction from the FBI on how to move a JTTF to an offsite location. They received conflicting information from FBI Headquarters staff on the procedures used to move an operation offsite. One of the JTTF survey respondents shared the same concerns raised by the Inland Northwest JTTF leaders:

[The] efficiency of the operations and cohesiveness of the JTTF is hampered by the lack of sufficient office space. The designation of and security upgrades on

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an offsite have been pending for an unreasonable amount of time. This is a budgetary, FBI Space Management, and GSA bureaucratic shortcoming.

The move was further complicated because two separate FBI field offices (Seattle, Washington, and Salt Lake City, Utah) had oversight for the Spokane and Coeur d'Alene RAOs, but neither was identified as "the" office responsible for the move. In September 2003, the Inland Northwest JTTF finally moved to its space.

A senior FBI official shared the following perspective on why problems exist concerning the JTTFs' moves.

Even though the FBI's Counterterrorism Division has made counterterrorism the number one priority, the FBI's administrative support divisions have not changed their procedures to support the operational needs of the Counterterrorism Division.

As another example, in July 2003, the New York City FBI field office received \$20 million from Congress to move its JTTF to an offsite location. However, the FBI SAC told us that the move of the New York City JTTF had been delayed because of the manner in which it was funded. He stated that the New York City JTTF received the \$20 million over multiple fiscal years and received only enough funding each fiscal year to acquire the space floor by floor. As of February 2005 the New York City JTTF had moved into one floor in their new space and expected to complete the move to two additional floors in late summer 2005.

#### Information Technology Systems Connectivity Does Not Meet the Needs of Some JTTFs

While the FBI has issued 1,300 new desktops to the JTTFs, we found that there are information technology connectivity problems in some field offices. FBI Counterterrorism Division officials told us all information technology equipment requests received from JTTFs have been approved, but many JTTFs still work in older offices that do not have the adequate connectivity technology to support task force members' needs. Some of the offices are too ill-equipped to allow JTTF members direct access to their parent agencies' databases and systems, which limits the data searches that the JTTFs can complete on site. Task force members are forced to return to their parent agencies to perform data runs which is inefficient and time consuming and a survey respondent commented that, "Communications connectivity is a major obstacle in communicating info[rmation]."

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JTTF members we interviewed were frustrated with the FBI's computer systems and connectivity. They described these systems as "outdated" and "unreliable," which negatively affected the operations. Survey respondents stated that:

- Lack of adequate printer connections, analog computer lines, and similar technical problems at times chill the momentum of the work flow.
- We have to go down five floors to get dial-up internet access which makes no sense in the 21st century.
- It is frustrating that the secure [I]nternet is not always available to task force members without leaving their office space.
- Lack of high-speed [Internet] access to conduct research makes it take a great deal of time to do investigative work.

JTTF members cannot access the Internet from their desktops. Instead, JTTF members can only access the Internet on the one or two dedicated terminals available to each squad. Similarly, the NJTTF members did not have access to the Internet from their desktops for three years. However, in September 2004, the NJTTF moved from FBI Headquarters to Northern Virginia co-located with TTIC (now known as NCTC), and all members gained access to the Internet at their desks. The JTTF and NJTTF members we interviewed believed that the access problem was disruptive to the work process and affected their productivity.

## **CONCLUSION**

The FBI needs to ensure that sufficient staffing, space, and information technology connectivity is available to fully support the task forces' efforts. The FBI also needs to recognize that the frequent rotation of JTTF leadership has a negative impact on the task force structure and work. After the initial expansion of JTTFs in a crisis environment, the FBI now needs to plan for appropriate office space and equipment for new and existing JTTFs.

## **RECOMMENDATIONS**

21. The FBI should determine and allocate sufficient staff to effectively support the terrorism task forces.

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22. The FBI should seek more stability in JTTF leadership.

23. The FBI should develop a plan and issue written guidance for the JTTFs on how to activate new JTTFs and move existing JTTFs to offsite locations.

24. The FBI should ensure sufficient information technology connectivity needed to effectively support the terrorism task forces.

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## EXTERNAL FACTORS

Some factors external to the terrorism task forces and advisory councils affect their overall operations. We found that the DEA has limited membership on some task forces. We also found that the DHS does not provide sufficient numbers of members to the Department's task forces, and for those members it does provide, DHS guidance and direction is inconsistent. In addition, some ATAC members viewed the functions of the state homeland security task forces as duplicative of those performed by the ATACs.

**Although Congress, the DEA, and the Department leadership recognize the critical link between drug trafficking and terrorism, the DEA has minimal membership on the JTTFs and did not assign a permanent representative to the NJTTF until April 2004.**

Despite the DEA's recognition of links between drug trafficking and terrorism (often called narco-terrorism), we found that as of January 2005 the DEA has only assigned one full-time member to the JTTFs.<sup>88</sup> The DEA also did not assign a permanent representative to the NJTTF until April 2004, approximately two years after the NJTTF's inception. In comparison with other Department law enforcement components, the DEA has the lowest level of membership on the JTTFs.<sup>89</sup> According to the NJTTF and JTTF members we interviewed, the DEA was "noticeably absent" from the Department's terrorism task forces.

Since September 11, 2001, law enforcement, and particularly the DEA, has been concerned about the link between terrorism and drug trafficking. In May 2003, the DEA's former Assistant Administrator for Intelligence told the Senate Committee on the Judiciary that:

Prior to September 11, 2001, the law enforcement community typically addressed drug trafficking and terrorist activities as separate issues... these two criminal activities are visibly intertwined...

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<sup>88</sup> The DEA defines a narco-terrorist organization as "an organized group that is complicit in the activities of drug trafficking in order to further, or fund, premeditated, politically motivated violence perpetrated against noncombatant targets with the intention to influence a government or group of people." See testimony of Steven Casteel, former DEA Assistant Administrator for Intelligence, Senate Committee on the Judiciary, May 20, 2003.

<sup>89</sup> By contrast, as of March 2005 the ATF had 65 members and the USMS had 51 members on JTTFs across the country.

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investigating the link between drugs and terrorism has taken on renewed importance.<sup>90</sup>

During a speech in March 2004, the DEA Administrator reinforced these statements when she stated that:

DEA investigations have identified links between groups and individuals under investigation for drug violations and terrorist organizations...As of February 2004, DEA had 51 open Priority Target Organization [PTO] cases with links to terrorist organizations...DEA's intelligence program is working very closely with law enforcement and the intelligence community to identify and anticipate emerging threats posed by the links between drugs and terrorism.<sup>91</sup>

In addition, DEA officials told us that the DEA is skilled in recruiting and developing intelligence sources (human assets) and that the DEA has a network of national and international sources. JTTF survey respondents, as well as JTTF leadership and members interviewed, identified asset development as essential to JTTF terrorism investigations. DEA officials also stated that they excel in surveillance and analyst programs, and that its intelligence program is second to none. Yet, the JTTFs' access to and use of DEA informants and other expertise are limited because the DEA does not assign enough full-time members to the JTTFs.

Further, the DEA ASAC who supervised the only full-time DEA agent on a JTTF told us that he believes that JTTFs are more effective at investigations because they can use the expertise of the FBI, DEA and other law enforcement agencies. For example, using the drug expertise of DEA agents as members of the task force, a suspected terrorist's or supporter's links to drugs or drug trafficking could be more readily identified and the suspect charged and convicted of drug crimes, which may be less difficult to prosecute than a terrorism charge. He further stated that the DEA benefits from its presence on the JTTF through an enhanced exchange of information and a better relationship with the FBI.

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<sup>90</sup> Testimony of Steven Casteel, former DEA Assistant Administrator for Intelligence, Senate Committee on the Judiciary, May 20, 2003.

<sup>91</sup> Testimony of DEA Administrator Karen Tandy before the United States House of Representatives, Committee on Appropriations, Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies, March 24, 2004.

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When we asked officials at FBI headquarters about the need for DEA's presence on the JTTFs, they stated that they would welcome DEA on the task forces and agreed that the JTTFs could benefit from enhanced access to intelligence sources and information sharing through DEA membership. They said that increased DEA membership on JTTFs would ensure that the JTTFs consistently receive timely information on narco-terrorism cases.

However, despite these benefits, DEA membership on the JTTFs is minimal, and actually has declined over time. We reviewed JTTF member rosters and found that in June 2003 the DEA had 14 members on 11 JTTFs, and in May 2004 had decreased its participation to 12 members on 10 JTTFs. As of January 2005, its participation was reduced to one full-time JTTF member from the DEA's Field Office in San Francisco, and 105 JTTF "points of contact."

In response, DEA officials from the Special Operations and Intelligence Divisions stated that the DEA is fully responsive to the FBI's requests for assistance. They stated that in addition to DEA "points of contact," each time the threat level increases, DEA temporarily assigns full-time members to the JTTFs where needed. One DEA SAC in the field informed us that after September 11, 2001, he offered full-time DEA members to his local JTTF but his offer was never acted upon.

The DEA managers we interviewed at headquarters and in the field offices also told us that decisions to assign DEA agents to a JTTF are determined locally by the DEA SAC. The DEA has a designated headquarters group, the Special Coordination Unit, to ensure counterterrorism-related information is shared with appropriate organizations outside of DEA.<sup>92</sup>

When asked in August 2004 about the DEA's JTTF membership, the DEA Administrator told us that the JTTFs are sometimes in locations that the DEA is not, drugs and terrorism are not interconnected in every area where the DEA and a JTTF exist together, and the DEA's resources are stretched. She further stated that the DEA's membership on the JTTFs is "isolated and specific" to the threat for a particular area and that the DEA identified "points

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<sup>92</sup> In December 2001, DEA established the Special Coordination Unit in the Special Operations Division to respond to classified information requests related to terrorism from other law enforcement organizations and the intelligence community. In October 2002, DEA Headquarters established within the Office of Domestic Operations an ad hoc counterterrorism unit for the purpose of tracking information about terrorism investigations and leads provided by its field offices, and sharing terrorism information between appropriate elements within DEA, as well as with outside law enforcement agencies and intelligence agencies with a need to know. In January 2004, the ad hoc unit was merged into the Special Coordination Unit in the Special Operations Division to centralize all the terrorist related investigations and information within DEA.

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of contact” in its field offices to serve as liaisons to the JTTFs where the DEA was not represented.

We compared the lists of the DEA’s domestic field offices with the FBI’s JTTF locations and found that the DEA has offices in 83 of the existing 103 JTTF locations. The DEA is not represented on the JTTFs in high threat areas such as New York City, Washington, DC, Los Angeles, or along the southwest border where the propensity for narco-terrorism may be higher.

We also found that the DEA did not define the role of its JTTF points of contact. We interviewed DEA points of contact during three of our site visits who told us that they had not received any policies or guidance from the DEA headquarters on their liaison role. One of the three could not identify who he was supposed to contact on the JTTF. In addition, in September 2004, the DEA’s NJTTF representative stated that he did not receive guidance from the DEA on his role. He also stated he would like to know more about the JTTFs.

DEA informed us that they had sent several cables to the field describing protocols for information sharing. In 2002, two DEA cables instructed field offices to identify investigations with a potential nexus to terrorism and to send that information to DEA headquarters for review. In 2004, two cables instructed field offices to share terrorism related information with DEA headquarters and simultaneously with the FBI and JTTFs. However, the cables do not provide instructions to the JTTF points of contact and DEA did not provide other documents that address the scope of responsibilities of the points of contact.

## **CONCLUSION**

The DEA does not have enough full-time members on the JTTFs. During our site visits, the few points of contact DEA assigned to the JTTFs and the NJTTF member told us they had limited guidance about their roles. The JTTFs would benefit from more and better informed DEA members, who could share their expertise on developing human assets, surveillance and analytical skills, and provide DEA information and resources that could help the JTTFs. We believe the DEA should reconsider its limited membership on JTTFs.

## **RECOMMENDATIONS**

25. The DEA should increase its full-time membership on the JTTFs and work with the FBI to assess the optimum locations for new DEA members.
26. The DEA should issue written guidance that defines the roles and responsibilities of its JTTF and NJTTF members and points of contact.

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**Many of the DHS ICE task force members told us that ICE has not provided them needed direction, has not cross-trained supervisors or agents in their new areas of responsibility, and has not provided a sufficient number of ICE representatives to perform task force work. As a result, the FBI does not have adequate access to immigration and customs expertise and information systems to assist its investigative efforts. We also were told that the ICE did not always understand the roles of its task force members, leading to assignment of non-JTTF tasks to its members on the JTTFs.**

Both of DHS's Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) divisions are considered critical members of the

**Merging Immigration and Customs Functions**

On March 1, 2003, approximately 180,000 personnel from 22 different organizations were merged under the newly created Department of Homeland Security, with responsibility to manage major domestic incidents by establishing a single, comprehensive national incident management system. Two of these 22 organizations, formerly known as the Immigration and Naturalization Service (INS) from the Department of Justice and the United States Customs Service (Customs) from the Department of the Treasury, each had vital roles in the war on terrorism and thus play a significant role on the Department's terrorism task forces and advisory councils. The inspection functions of INS, U.S. Customs Service, and the U.S. Department of Agriculture were transferred to the DHS and combined into one agency called Customs and Border Protection (CBP) to control the nation's borders and to prevent illegal entry. The enforcement and investigative functions of INS, U.S. Customs Service, the Federal Protective Service, and the Federal Air Marshals Service were combined to create another new DHS agency called Immigration and Customs Enforcement (ICE), which is responsible for identifying and shutting down vulnerabilities in the nation's border, economic, transportation, and infrastructure security.

Source: <http://www.ice.gov/graphics/about/index.htm>

Department terrorism task forces because almost all terrorism cases have an immigration or customs nexus.<sup>93</sup> Moreover, the DHS and the FBI agree that the task forces do not operate as effectively without ICE and CBP agents and analysts who have the expertise in immigration and customs.

The DHS reports that it is the largest contributor of personnel to the JTTFs nationwide and ICE is the largest contributor of personnel (311) among DHS components. ICE also has personnel assigned to other task

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<sup>93</sup> Three agencies comprise ICE: 1) Office of Investigations, whose mission is, "to focus on national security, financial and smuggling violations including illegal arms exports, financial crimes, commercial fraud, human trafficking, narcotics smuggling, child pornography/exploitation, and immigration fraud," 2) Federal Air Marshal Service, whose mission is, "to be responsible for and protect air security and promote public confidence in our nations' civil aviation system through the effective deployment of Federal Air Marshals in order to detect, deter, and defeat hostile acts targeting U.S. carriers, airports, passengers, and crews, and 3) Federal Protective Service, whose mission is, "to provide law enforcement and security services to over one million tenants and daily visitors to all federally owned and leased facilities nationwide." See: *ICE Comments to the DOJ OIG Report on DOJ Terrorism Task Forces*, Michael J. Garcia, Assistant Secretary ICE, May 18, 2005.

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forces in the Department including the FTTTF, ITOS, TFOS, and the NJTTF. However, despite these numbers, according to both FBI and DHS ICE task force members, the DHS ICE has not provided sufficient support to the task forces.

### DHS ICE Has Not Provided Its JTTF Members Needed Direction

Throughout the country, many of the ICE task force members we interviewed described disorganization and lack of guidance from ICE headquarters that has affected task force efficiency. They told us they receive little direction from the ICE, the direction they receive is contradictory, and the supervisors in the ICE field offices are ill-equipped to provide guidance to task force members.

For example, an ICE agent (formerly an INS agent) told us:

- Everything is still up in the air with this new agency. We still have no badges or credentials. We had to electronically convert all our criminal cases over to the Treasury Enforcement Communications System database, which is not classified, and we never got any training in it. The quality of guidance and direction from ICE is extremely poor – no one knows what to do and there is no flow of information. I don't know if my bosses were just not filtering information down to the agents or my bosses are just not getting any information.

Other ICE agents (formerly a Customs agents) told us:

- The direction [from Customs] is limited. It would be nice to have a little more guidance from my agency, more from a national standpoint and what my agency expects. I don't know if what I do here is the same as everyone else.
- I don't go to the ICE supervisor for guidance. With Customs, we're having a little bit of confusion – they're confused as to what DHS headquarters is going to do. Customs is not going to handle any terrorism cases. There was a questionnaire that came out from DHS headquarters as to what the role is of a Special Agent from Customs on the JTTF. I also got a questionnaire from the FBI on my role.

An October 2004 GAO report on immigration programs in DHS supports these concerns. The report noted that ICE officials told GAO that ICE had been “slow to establish uniform operational policies and procedures, causing

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confusion and some delay in the creation of a new, unified ICE culture.”<sup>94</sup> Additionally, the report states:

Officials [in CBP, CIS, and ICE offices] noted that in some cases, unresolved disagreements and confusion regarding the roles and responsibilities of the DHS immigration bureaus related to investigative techniques and other operational issues has the potential for serious consequences.

The GAO report further stated:

One SAC official said that a lack of unified operational procedures had in some cases resulted in confusion or the establishment of local policies. Other SAC officials told us this can be problematic if investigators working together are relying upon different policies and procedures to carry out their investigative work.

An example of the contradictory guidance the DHS ICE provided to its task force members occurred in June 2003. An ICE Program Manager, (referred to as a JTTF Regional Coordinator at that time) from DHS headquarters used an outdated 1999 MOU between the former INS and the JTTF to prohibit ICE agents on the St. Louis, Kansas City, and San Antonio JTTFs from working on intelligence cases. This ICE Program Manager sent an e-mail on June 4, 2003 to St. Louis, Kansas City, and San Antonio ICE field offices referring to the outdated 1999 MOU that stated that FBI supervisors will not assign INS agents to conduct routine intelligence cases. Although the three ICE agents on the task forces and their supervisors agreed to comply with the restriction in the outdated memorandum, only the ICE agent on the St. Louis JTTF complied.<sup>95</sup>

Since many JTTF members work primarily on intelligence cases, the St. Louis ICE JTTF agent told us that he closed out the majority of his cases and the JTTF supervisor had to reassign them to other JTTF members, including agents from other DHS components such as the U.S. Secret Service and Federal Protective Service who were not affected by this memorandum. He

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<sup>94</sup> *Homeland Security, Management Challenges Remain in Transforming Immigration Programs*, GAO-05-81, U.S. Government Accountability Office, October 2004.

<sup>95</sup> The FBI was not made aware of the DHS’s ICE restriction and therefore did not enforce it elsewhere in that region. We interviewed the FBI JTTF supervisors from Kansas City and San Antonio and found that ICE never notified them of this restriction.

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stated the quality of his assignments suffered because he could no longer be assigned as a lead investigator on JTTF cases.

According to a St. Louis ICE JTTF agent, three months later, in September 2003 this restriction was lifted, when Michael Garcia, Assistant Secretary, ICE, addressed a conference of ICE JTTF agents in Baltimore, Maryland, and stated to the participants he was unaware of this e-mail (from the ICE Program Manager) and that it was never his intention to remove ICE JTTF agents from intelligence cases.

Several ICE agents on other JTTFs also told us that they were aware of friction between the DHS and the FBI regarding intelligence cases, but they continued to work these cases. Another ICE agent (formerly a Customs agent) on a JTTF told us that his supervisor informed him that Customs JTTF representatives would not be “handling any terrorism cases,” but this was never enforced.

#### ICE JTTF Agents Expressed Concern About the Lack of Cross-Training in Immigration and Customs Matters

We were told by ICE agents who were members of JTTFs and ATACs that many former INS agents on the JTTFs are now supervised by former Customs staff who have not been cross-trained in immigration matters and are therefore unprepared to provide adequate guidance and supervision to their JTTF members. The majority of JTTF members we surveyed and interviewed described the FBI supervision on the task force as positive. However, task force members also need guidance and supervision from their parent agency on their own agency-related matters.

For example, a JTTF agent (formerly a Customs agent) told us that he needed training in immigration policies and procedures because other JTTF members frequently approached him regarding these issues. He said that he had only cursory knowledge of immigration issues. His agency supervisor had training only in immigration issues and did not have the expertise to guide him on customs issues.

An ICE Resident Agent-in-Charge (formerly a Customs agent), who is an ATAC member, expressed frustration about the lack of direction and training from DHS ICE. He stated that even though he is in charge of an office that combined INS and Customs staff and functions, he received no training in immigration issues and therefore is unaware of what legal or other authority he has related to immigration arrests. He also was unaware that an ICE agent (formerly an INS agent) under his supervision was assigned to the local JTTF

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because, at the time of our interview, former INS and Customs offices were located separately.

This lack of cross-training also led to confusion regarding the assignment of ICE agents to JTTFs. After INS and Customs agencies merged to form ICE, some former Customs supervisors questioned why there was a need to assign an ICE agent (with customs expertise) to a JTTF when an ICE agent (with immigration expertise) was already assigned. JTTFs need ICE agents with expertise in both customs and immigration operations and databases. However, all ICE agents have not been cross-trained in both functions.

The October 2004 GAO report cited steps taken by DHS toward integrating former INS and Customs investigative workforces. According to the report, ICE headquarters issued a cross-training curriculum to all SAC offices in January 2004 with a deadline for all investigators to complete cross-training by September 20, 2004, although there was no deadline for group supervisors or senior managers.<sup>96</sup> According to the GAO report, in late August 2004, 2,175 out of approximately 5,400 former INS and Customs investigators had taken and passed at least one of nine exams, including 1,210 former INS and Customs investigators who had fully completed cross-training. ICE reports that as of March 15, 2005, 4,900 ICE special agents have completed cross-training, which it states represents all non-supervisory special agents in the field and a majority of supervisory and headquarters special agents.

#### Insufficient ICE Staff Detailed to the JTTFs and FTTF

*JTTF*: Most JTTF members and supervisors stated that additional ICE agents, particularly former INS agents, are needed on the JTTFs, since virtually all international terrorism cases have some link to immigration. ICE task force members, including

#### **Enhancing ICE Participation on JTTFs**

The JTTF Enhancement Act of 2003 directed that the Secretary of Homeland Security, “from amounts made available, shall increase the number of law enforcement agents of the Bureau of Citizenship and Immigration services and (make) available for participation in the joint terrorism task force program.” Additionally, Homeland Security Presidential Directive-2 issued in 2001 directed that a “multi-year plan be developed and implemented to enhance the investigative and intelligence analysis capabilities of the INS and Customs, which should significantly increase the number of Customs and INS special agents assigned to the JTTFs.”

References: The JTTF Enhancement Act of 2003, H.R. 3439, November 4, 2003, Section 3, and Homeland Security Presidential Directive-2, October 29, 2001. A.2.

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<sup>96</sup> Investigators must pass, with a score of 70 percent or higher, a series of nine written tests in order to be certified as cross-trained. *Homeland Security, Management Challenges Remain in Transforming Immigration Programs*, GAO-05-81, U.S. Government Accountability Office, October 2004.

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former Customs agents, emphasized to us the need for additional ICE agents with immigration experience on the JTTFs. They stated:

- Omaha could always use more people. I suggest at least two immigration people.
- Not enough bodies from ICE. Every case involves an ICE component.
- Should have a full-time Immigration investigative assistant to locate ICE (legacy INS) immigration records and [files].
- More ICE members from legacy INS.

Similarly, other ICE task force members we interviewed and surveyed indicated a need for additional ICE members with customs expertise. For example, one ICE task force member (formerly Customs) stated:

I get called by customs people constantly. I play a support role to a large number of people. The calls are all day from border stations in four states. I'm currently working on 15 (FBI) taskings but others come in on a daily basis. Eight to ten of them involve me having to visit and interview. I coordinate whatever they need from a customs standpoint, TECS [Treasury Enforcement Communication System] database checks, travel itineraries, etc. FBI asks me to look up customs information that's not terrorism related. I could really use another customs person here but it's unlikely because they (DHS) look at it as we already have four people here, but three are [former] INS.

The NJTTF Director informed us that at the request of DHS, he conducted a critical needs assessment by querying the JTTF field supervisors on how many ICE agents were needed on each of the task forces. The results of this assessment showed that there were 159 full-time and 22 part-time ICE agents on 86 JTTFs in November 2003. However, the field JTTFs requested an additional 138 full-time ICE agents from the DHS. In March 2005, NJTTF officials informed us that as of October 26, 2004, ICE had 311 members assigned to the JTTFs. This represents 269 full-time members and 42 part-time positions, an increase of 110 full-time and 20 part-time personnel. Part of this increase is attributed to the 58 Federal Air Marshals who were already JTTF members (then under TSA) but were subsequently assimilated into the DHS ICE. Because the number of JTTFs increased from 86 to 100 during this

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time frame, the FBI could not verify whether the remainder of the DHS ICE staff increases (72) resulted from the overall increase in the number of JTTFs or the NJTTF's needs assessment that was submitted to the DHS ICE in November 2003, requesting 138 additional positions for the JTTFs.

*FTTTF*: According to the FTTTF Director and the majority of FTTTF members interviewed and surveyed, the lack of DHS ICE analysts and agents assigned to the FTTTF is detrimental to the operation's efficiency. The FTTTF receives results of data inquiries from immigration and customs databases and must rely on ICE task force members to analyze the information. According to the FTTTF Director and members we interviewed, the one ICE agent and one ICE analyst assigned to the FTTTF are overburdened with analysis requests, and the task force needs additional analytical support from ICE and an analyst familiar with customs data.<sup>97</sup> A former ICE employee told us that the one ICE analyst assigned had been employed by the INS only briefly before being detailed to the FTTTF and the analyst's knowledge of immigration databases and procedures was limited.

One FTTTF task force member stated that the lack of analysts makes it difficult to conduct expeditious analyses on time-sensitive information. Because only one ICE person has access to all ICE immigration data systems, that person is inundated with work, and it often takes up to a week for task force members to get answers, which in turn delays analytical products. Another member stated that the FTTTF is dependent on ICE for much of the information used in its analyses. He previously used the ICE representative in his unit to run checks on immigration databases to assist in his analyses. However, there was no longer ICE staff in his unit, which made it cumbersome to request these checks. He stated that it often takes weeks to receive an answer, and it would be more efficient if the FTTTF members had direct access to the DHS data systems.

We also were informed that although initially supportive, the immigration and inspections function of CBP ceased providing support to the FTTTF after January 2003. This is important because CBP staff members are the most knowledgeable on databases with airport entry data. A former senior ICE representative on the FTTTF stated he personally contacted a high-ranking manager at DHS and asked for additional personnel, but he did not receive a response.

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<sup>97</sup> Previously, the DHS had seven ICE FTTTF members (six with immigration experience and one with customs experience). As of January 2005, there are no ICE FTTTF members with customs experience.

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As stated earlier in this report, a senior-level official from the INS served as the FTTTF's Deputy Director from its inception in October 2001 until November 2002. The FTTTF Director stated that he made several requests to the DHS to fill this position, and DHS verbally agreed to do so. JMD's November 2002 management review of the FTTTF had recommended that the "FTTTF Deputy Director be a senior level INS official who commits to a two-year tenure and who has access to the [then] INS Commissioner and field units when circumstances/information dictate action by INS."<sup>98</sup> The report cited the importance of maintaining strong INS leadership and significant staff presence to ensure the FTTTF's access to immigration information needed to identify known or potential terrorists, engage appropriate INS enforcement officials when appropriate, and communicate through INS channels information aimed at denying entry as articulated in the mission. The report further noted that if the INS was to be integrated into the DHS, the FBI should work with the DHS to continue having the FTTTF Deputy Director's position filled by the DHS.

This recommendation for a DHS FTTTF Deputy Director still appears valid. However, as of August 2004 the DHS ICE had declined to fill the position, and DOD/CIFA agreed to fill the position of Deputy Director.

### **ICE Assigns Non-JTTF Tasks to Its Members on the JTTFs**

Several ICE JTTF members, particularly those who formerly were INS agents, told us that their ICE supervisors did not understand their roles on the task force and their reporting responsibilities within the FBI's chain of command. They said this led to the ICE referring taskings with a terrorism nexus directly to their members on the JTTF rather than referring directly to the FBI ASAC for the JTTF. The ICE agents believed all ICE referrals should go directly to the FBI to allow the JTTFs to properly vet cases, make determinations as to whether a terrorism nexus exists, and assign cases to the appropriate JTTF squads. These agents, however, did not want to complain to their ICE supervisors because they enjoyed their work on the JTTF and were concerned that if they did not perform these additional assignments, it might jeopardize their continued placement on the JTTF. For example, an ICE JTTF told us:

INS cases assigned are an obstacle to performing work on the JTTF. You should have one road on terrorism related issues. If INS comes across intelligence that's terrorism related, it should be given to the FBI.

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<sup>98</sup> *Draft White Paper: Management Review of the Foreign Terrorist Tracking Task Force*, U.S. Department of Justice, Justice Management Division, November 13, 2002. (Not officially published.)

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Sometimes, we get stuff from the NSU [National Security Unit at the DHS] that the FBI is clearly not aware of. NSU got information on a business from NY... so they task us [JTTF representatives from ICE]. NSU should have dealt solely with the FBI and taken INS out of the loop. A supervisor here [FBI] should look at a case and rule out terrorism and assign the case accordingly – but not to a JTTF/INS member assigned by NSU. There was a period of overtasking from INS that had nothing to do with our [work].

ICE task force members also commented in our interviews and survey that ICE overtasks its JTTF agents with ICE cases that do not have a terrorism nexus. For example, two ICE JTTF survey respondents stated:

- Despite being designated as “full-time,” my agency continues to require my time on investigations other than JTTF. As my agency is small and received no compensation for my participation in the JTTF, my future here is in question. Also, there is the problem of receiving credit for my efforts on the JTTF. Unfortunately, my agency tends to assess my participation on a quid pro quo basis. This results in a scenario where my own personal career is jeopardized by my full-time participation.
- My parent agency still assigns me daily work and expects notification of ALL my activities. The FBI expects me to be a task force member and conduct the work of the task force, not what my parent agency deems necessary.

The October 2004 GAO report on management challenges also addressed the topic of DHS agents assigned collateral duties, and reported that both DHS inspectors and investigators “have been assigned administrative functions full-time or as a collateral duty,” and “they are not spending all of their time on duties needed to accomplish the program’s mission.”

## **Response to ICE Issues**

### NJTTF Response

Both the NJTTF Director and former Deputy Director (an ICE employee) stated that they would like to see some type of national plan or policy issued by

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the DHS regarding ICE representation on the JTTFs. Both also agreed that updated policies and MOUs defining the ICE roles on the JTTFs as well as providing a strategy on agent assignments to the JTTFs would be useful.

The NJTTF Unit Chief told us during our May 2004 interview that he is aware of some problems in the field with the DHS ICE and the JTTFs (such as confusion resulting from a former Customs or INS supervisor who does not understand the role of the ICE JTTF member, the number of agents assigned to the JTTFs, and the non-JTTF taskings assigned). He stated that he is monitoring these matters.

### DHS/ICE Response

In March 2004, the Assistant Secretary and the Chief of Operations for ICE at the DHS told us that they believe that DHS headquarters had increased guidance and communication to the field since ICE was created. The DHS coordinates its counterterrorism initiatives with the Department through 1) MOUs and written procedures that define the relationships between the two organizations at the field level; 2) ICE participation on the JTTFs, NJTTF, FTTF, and Terrorist Financing Operations Section, 3) ICE's and the FBI's agreement to assign senior-level managers at each other's agencies; and 4) briefings on cases they work jointly.<sup>99</sup> They said that the role of ICE on the task forces is to bring its expertise and knowledge about tools in law enforcement that the JTTFs can use. Additionally, we were told that law enforcement powers and authority available to ICE officers relating to enforcement, detention, or arrest of individuals for violation of immigration or customs laws were not available to FBI or JTTF agents previously. The JTTFs, through their ICE members, can now use these laws to detain or deport a terrorist or terrorist supporter. The ICE officials informed us that it is cross-training ICE members on the JTTFs in both customs and immigration issues to increase their knowledge base.

The Assistant Secretary said he believes that the task forces are effective tools and the task force model works well. He also informed us that he requested an analysis of ICE's participation on the terrorism task forces to determine where and how many personnel are currently assigned, and where ICE will gain the most benefit.<sup>100</sup>

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<sup>99</sup> Terrorist Financing Operations Support (TFOS) is a unit within the FBI that identifies ties to terrorism and terrorist financing. ICE and TFOS are coordinating investigative initiatives that will enable ICE to identify financial systemic vulnerabilities and which will enable TFOS to identify ties to terrorism and terrorist financing.

<sup>100</sup> As mentioned previously in this report, the Unit Chief of the NJTTF told us the DHS requested an analysis of ICE participation on JTTFs. The NJTTF submitted the results of this analysis to the DHS in November 2003.

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## **CONCLUSION**

Both the FBI and DHS recognize that the terrorism task forces cannot operate effectively without ICE agents and analysts who have knowledge of immigration and customs operations. However, task force members and managers repeatedly expressed the need for additional trained staff to provide expert representation from ICE. An adequate number of sufficiently trained representatives from ICE will contribute to more complete and timely counterterrorism investigations. Additionally, ICE task force members complained about a lack of cross-trained supervisors and insufficient guidance from their parent agencies concerning their task force duties. ICE task force members told us that ICE supervisors overtask their JTTF agents with ICE cases that do not have a terrorism nexus. These task force members also told us that ICE has at times referred taskings with a terrorism nexus directly to its JTTF members rather than through the FBI for assignment. This detracts from the FBI's ability to properly manage and coordinate the work of the JTTFs.

## **RECOMMENDATION**

27. The Deputy Attorney General should work jointly with DHS officials to ensure:

- Sufficient DHS participation on the Department's task forces,
- Sufficiently trained ICE members on the task force and their supervisory chain of command,
- Non-task force-related assignments to DHS members are minimized, and
- Updated MOUs defining roles and information sharing responsibilities between the FBI and DHS.

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**Functions Performed by the States' Homeland Security Task Forces are Viewed as Duplicative to Those Performed by the ATACs.**

State homeland security task forces hold meetings, share threat related information and conduct anti-terrorism training, which could be duplicative of the ATACs efforts. ATAC Coordinators, as well as ATAC members, told us that they viewed the activities of the state homeland security task forces and the ATAC as duplicative. Several ATAC members stated that they receive the same information from both the state homeland security task forces and the ATACs, but would rather receive more information than no information. While they do not view this information sharing duplication as a problem, those who were members of both a state homeland security task force and an ATAC expressed concern with the time expended attending dual meetings and trainings. In addition, many ATAC Coordinators told the OIG that the states' offices of homeland security did not regularly coordinate or communicate with the USAOs.

Immediately after September 11, 2001, many states established an Office of Homeland Security to mirror the federal Office of Homeland Security (now DHS). In July 2002, the President called on each Governor to establish a state homeland security task force to serve as a "primary coordinating body with the federal government..." and "...provide a collaborative, cost-effective structure for effectively communicating to all organizations and citizens."<sup>101</sup> In response, each state created a homeland security task force made up of federal, state, and local law enforcement; first responders; private industry security officials; and other government representatives. The mission of these state task forces is to prepare for a coordinated response to a terrorist event or incident and to aid in the prevention of terrorism.

Often, the ATAC and the state homeland security task force consist of the same membership and address similar issues. In some states, there may be more than one judicial district, and therefore more than one ATAC. State homeland security task forces are headquartered in the state capital, while ATACs are headquartered in judicial districts, which may or may not be in the state capital. If the state homeland security task force and ATAC are in different cities, the opportunity for duplication or gaps in information sharing and training activities is increased and coordination between the two entities becomes vital.

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<sup>101</sup> *National Strategy for Homeland Security*, Office of Homeland Security, Office of the President of the United States, July 2002, page 14.

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We found that some states were working jointly with USAOs to coordinate activities and reduce duplication in information sharing and training. For example, the ATAC and state homeland security task force in Alaska have joined together to form one task force. The coordinators from each are now co-coordinators of the joint task force and together host meetings and training. According to U.S. Attorney Timothy M. Burgess (Alaska), the purpose of the task force is to “protect the state’s citizens, resources and infrastructure,” and the merger will “facilitate communication, avoid duplication of effort and ensure adequate and timely responses to prevent any future terrorist incidents in the state.”<sup>102</sup> We found in other sites that the ATAC and the state homeland security task force have no interaction or only communicated occasionally.

## **CONCLUSION**

While some ATACs have established successful partnerships or communication links with the state homeland security task forces, others have no information sharing or established relationships. This results in duplication of, or gaps in, information sharing and training activities that target the same audience.

## **RECOMMENDATION**

28. The ATAC Coordinators should work jointly with the state offices of homeland security and the state homeland security task forces to coordinate activities and to minimize duplication and gaps in terrorism-related information sharing and training.

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<sup>102</sup> *New Anti-Terrorism Task Force Emerges*, Alaska Department of Military and Veteran’s Affairs, Office of Homeland Security and Emergency Services, August 4, 2003.

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## CONCLUSION

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We concluded that the task forces and councils have enhanced information sharing, partnerships, and investigative capabilities for the Department's counterterrorism efforts. The task forces and councils have separate functions that generally are not duplicative, and they strengthen the Department's counterterrorism infrastructure and relationships with other federal, state, local, and private agencies. However, although we recognize that the task forces and councils were established or expanded quickly after the terrorist attacks of September 11, 2001, we found that the Department has not ensured their organizational development or that all their functions have been accomplished. We concluded that the Department:

- Does not use the NSCC for centralizing counterterrorism planning, policy development, and monitoring policy implementation across the Department;
- Has not ensured that the JTTFs and ATACs have a coordinated strategy for sharing information with law enforcement agencies and first responders in remote areas;
- Has not clearly defined what organization has oversight authority for the ATAC program;
- has not ensured the FTTTF's timely acquisition of databases and development of its risk assessment tool for terrorist tracking; and
- Has not ensured sufficient task force membership from certain internal and external organizations to facilitate counterterrorism efforts.

From an organizational development perspective, we concluded that the Department:

- Has not ensured minimum training requirements in counterterrorism, which is a new subject to many task force and council members;
- Has not ensured stability and continuity in task force leadership to minimize work disruption;

- 
- Has not adequately addressed continuing problems with information technology connectivity that interfere with task force work; and
  - Has not fully developed relevant performance measures to determine the outcomes of the task forces and councils, and the contributions of individual members.

To aid in the improvement of the task forces' and councils' operations, we made 28 recommendations some of which include Department-wide issues, others of which address individual task forces and councils. Appendix I contains a complete list of the issues and recommendations. We believe that if the Department pursues these recommendations, its counterterrorism capabilities will be enhanced.

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## APPENDIX I: SUMMARY OF ISSUES AND RECOMMENDATIONS

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### PROGRESS MADE

**The task forces and councils have distinct functions that are generally not duplicative.**

**The establishment of the task forces and councils has facilitated sharing of information and expanding of partnerships with federal, state, and local law enforcement and other government agencies, and private industry.**

**The JTTFs are implementing the FBI's new counterterrorism investigative strategy that has provided them with increased capabilities to help the Department achieve its strategic goal of preventing terrorism and promoting the nation's security. The FBI also has improved its agents' access to automated investigative information.**

### NEEDED IMPROVEMENTS

**Although the National Security Coordination Council (NSCC) is an important and beneficial forum for Department leaders, the NSCC's role is unclear for long-term counterterrorism planning, centralizing and coordinating counterterrorism policy and operations, and monitoring policy implementation by the components.**

1. The Department should assess the counterterrorism functions outlined in the Attorney General's memorandum establishing the NSCC and determine if they are still appropriate for the NSCC. If they are, the Department should ensure that written guidance describes the responsibilities of the NSCC and that the NSCC carries out its assigned functions. If the functions are not appropriate for the NSCC, they should be assigned to another Department entity.

**The FBI has not developed a national training plan for the task forces, defined minimum training standards, or conducted a training needs assessment to determine the training needs of task force members. Similarly, neither EOUSA nor CTS has developed a training plan or conducted a training needs assessment for the ATAC Coordinators or members. Notification of available training is ad hoc, and non-FBI task force members believe that FBI members get preference for training notification and attendance.**

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2. The FBI should develop a national training plan for each task force that includes:

- Responsibility for developing and managing the training plan and program,
- Initial needs assessment,
- Frequency of future needs assessments,
- Development of minimum mandatory training standards and time frames for completion of training, to include completion of the introductory training session within 90 days of joining the task force.
- Required minimum annual training hours,
- Target audience – training equities for FBI and non-FBI task force members, and
- Responsibility for training notification to the field.

3. EOUSA's Office of Legal Education, along with CTS, should develop a national training plan for ATACs that includes:

- Initial needs assessment of ATAC Coordinators,
- How to manage and structure an ATAC (membership, frequency of meetings, methods and sources of communication, how to conduct an ATAC members' needs assessment, identify trainers, and develop a local training plan),
- Frequency of future needs assessments for ATAC Coordinators and ATACs,
- Development of minimum mandatory training standards and time frames for completion of training for ATAC Coordinators,
- Required minimum annual training hours for ATAC Coordinators, and
- Responsibility for training notification to the ATAC Coordinators.

4. The ATAC Coordinators should conduct training needs assessments and develop a training plan for ATAC members.

**The FBI has not developed a structured, systemwide orientation program for new JTTF and NJTTF members. Additionally, the FBI has not provided written guidance that defines the roles and responsibilities of its task force members.**

5. The FBI should develop a formal, standardized orientation program for all new task force members and provide it within 30 days of the new member's start date. Orientation should include:

- FBI policies and procedures,

- 
- Access and use of the ACS system, IDW, and any other case management system,
  - Intelligence gathering versus criminal investigations,
  - Definition of task force member roles and responsibilities,
  - Roles of other Department terrorism task forces and other FBI units,
  - Sources of information and contact information for other organizations frequently used by the terrorism task forces (e.g., DHS, Internal Revenue Service, Social Security Administration, U.S. Postal Service), and
  - Information sharing protocols.

6. The FBI should finalize MOUs with all agencies participating on the Department's terrorism task forces.

**The JTTFs and ATACs have not fully coordinated their efforts to reach out to and share information with law enforcement agencies, first responders, and other relevant organizations in remote areas.**

7. The FBI, CTS, EOUSA, and USAOs should work jointly to develop a coordinated strategy to consistently reach out to remote areas.

**The FBI has not fully developed outcome-oriented performance measures that effectively determine the progress of the JTTFs, the NJTTF, and the FTTTF, or their individual members. CTS and EOUSA have not developed outcome-oriented performance measures for the ATAC program.**

8. The FBI should ensure its performance measures provide an effective means for determining the qualitative and quantitative accomplishments of the task forces and their members in fulfilling the Department's counterterrorism strategy. The measures for the task forces could include the following:

JTTF

- Quality and timeliness of information shared with member and outside agencies (such as, meetings, briefings, and feedback on information received) that furthered investigative efforts;
- Outreach efforts that resulted in improved information sharing and partnerships;
- Quality of intelligence collected and generated that furthered investigative efforts;
- Quality of intelligence/information analysis that furthered investigative efforts;
- Quality and number of human assets that furthered investigative efforts; and

- 
- Disruptions and dismantlements.

#### NJTTF

- Quality and number of products produced for JTTFs and other FBI units that furthered investigative efforts;
- Quality and timeliness of support provided to JTTFs that facilitated the JTTFs mission; and
- Quality and timeliness of information shared with JTTFs and member agencies that furthered investigative efforts.

#### FTTTF

(in addition to those performance measures already established)

- Amount and usefulness of new information added to cases that furthered investigative efforts;
- Timeliness and number of products produced for JTTFs, other FBI units, and outside agencies that furthered investigative efforts; and
- Acquisition of databases required for analysis that resulted in improved analytical products.

9. CTS and EOUSA should develop outcome-oriented performance measures for the ATAC program. The measures for the ATAC program could include the following:

- Quality and timeliness of information shared with member and outside agencies that resulted in improved understanding of terrorism issues and improved prevention activities;
- Quality and timeliness of training for members that resulted in improved understanding of terrorism issues and improved prevention activities;
- Outreach efforts that resulted in increasing targeted membership; and
- Quality and currency of threat assessments that result in improved prevention activities.

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**The ATAC Coordinators are unclear about the roles of CTS, EOUSA, or the USAOs in the ATAC program. No one entity has full responsibility for ATAC program management and oversight is fragmented. The Department, CTS, and EOUSA have not provided ATAC Coordinators adequate guidance on their roles and responsibilities or on how to structure and manage an ATAC. Further, the USAOs' level of compliance with the Attorney General mandate to establish and operate an ATAC varies across judicial districts.**

10. The Department should clearly delineate the roles of CTS, EOUSA, and the USAO in the ATAC program, clarifying who has primary responsibility and authority for:

- Oversight,
- Monitoring ATAC operations,
- Evaluating success of the ATAC program, and
- Enforcing compliance.

11. CTS and EOUSA should jointly issue written guidance defining their roles and responsibilities in the ATAC program, as well as the roles and responsibilities of the Regional ATAC Coordinators, the National ATAC Coordinator, and the EOUSA point of contact for ATACs. This written guidance should be communicated to the ATAC Coordinators.

12. CTS or EOUSA should issue written guidance for ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC.

13. EOUSA should strategically analyze the ATAC budget to assess the need for future funding.

14. ATAC Coordinators should regularly update and maintain accurate electronic rosters of the ATAC membership.

15. ATACs should meet at least quarterly, and ATAC Coordinators should periodically review and communicate the ATAC mission to members.

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**The FBI has not provided stable leadership, organizational structure, or adequate resources to the FTTTF to fully meet its mission. In addition, the FBI has assigned responsibilities to the FTTTF outside of its defined mission. As a result, the FTTTF is behind schedule in its acquisition of databases and development and implementation of its risk assessment tool. Additionally, the FTTTF has not sufficiently marketed its services, and consequently many JTTF and NJTTF members were unaware of the FTTTF and did not use the FTTTF's services to aid their investigations.**

16. The FTTTF should develop a plan to acquire and regularly update the required databases from other agencies.

17. The FBI should identify and address the obstacles the FTTTF encounters in securing and regularly updating required databases from other agencies.

18. The FBI should identify and address the FTTTF's unmet resource requirements for staff (FBI and other government agencies), space, and equipment.

19. The FBI should ensure long-term, stable leadership, organizational structure, and housing for the FTTTF.

20. The FTTTF should develop and implement a plan to improve awareness and understanding of its services.

**Although the FBI has reallocated considerable resources to the counterterrorism program, the JTTFs still experience certain staffing shortages and turnover in leadership. Some JTTFs experience space and information technology connectivity problems.**

21. The FBI should determine and allocate sufficient staff to effectively support the terrorism task forces.

22. The FBI should seek more stability in JTTF leadership.

23. The FBI should develop a plan and issue written guidance for the JTTFs on how to activate new JTTFs and move existing JTTFs to offsite locations.

24. The FBI should ensure sufficient information technology connectivity needed to effectively support the terrorism task forces.

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**Although Congress, the DEA, and the Department leadership recognize the critical link between drug trafficking and terrorism, the DEA has minimal membership on the JTTFs and did not assign a permanent representative to the NJTTF until April 2004.**

25. The DEA should increase its full-time membership on the JTTFs and work with the FBI to assess the optimum locations for new DEA members.

26. The DEA should issue written guidance that defines the roles and responsibilities of its JTTF and NJTTF members and points of contact.

**Many of the ICE task force members told us that ICE has not provided them needed direction, has not cross-trained supervisors or agents in their new areas of responsibility, and has not provided a sufficient number of representatives to perform task force work. As a result, the FBI does not have adequate access to immigration and customs expertise and information systems to assist its investigative efforts. We also were told that ICE did not always understand the roles of its task force members, leading to assignment of non-JTTF tasks to its members on the JTTFs.**

27. The Deputy Attorney General should work jointly with DHS officials to ensure:

- Sufficient DHS participation on the Department's task forces,
- Sufficiently trained ICE members on the task force and their supervisory chain of command,
- Non-task force-related assignments to DHS members are minimized, and
- Updated MOUs defining roles and information sharing responsibilities between the FBI and DHS.

**Functions Performed by the States' Homeland Security Task Forces are Viewed as Duplicative to Those Performed by the ATACs.**

28. The ATAC Coordinators should work jointly with the state offices of homeland security and the state homeland security task forces to coordinate activities and to minimize duplication and gaps in terrorism-related information sharing and training.

## APPENDIX II: TERRORISM TASK FORCES AND COUNCILS

	<b>Anti-Terrorism Advisory Councils (ATAC)</b>	<b>Joint Terrorism Task Force (JTTF)</b>	<b>National Joint Terrorism Task Force (NJTTF)</b>	<b>Foreign Terrorist Tracking Task Force (FTTTF)</b>	<b>National Security Coordination Council (NSCC)</b>
<b>Mission</b>	“To coordinate the dissemination of information and the development of investigative and prosecutive strategy throughout the United States.”	“To detect, prevent, and investigate individuals or groups carrying out terrorists acts directed against the United States.”	“To enhance communication, coordination, and cooperation between federal, state, and local government agencies by providing a point of fusion for terrorism intelligence and supporting the JTTFs.”	“To provide information that helps keep foreign terrorists and their supporters out of the United States or leads to their exclusion, removal, surveillance, or prosecution.”	To promote the “seamless coordination of all [DOJ] functions relating to national security, particularly [its] efforts to combat terrorism.”
<b>History</b>	Established by the Attorney General September 17, 2001 as Anti-Terrorism Task Forces  September 25, 2003 (renamed to Anti-Terrorism Advisory Councils)	Established in May 1980 in the FBI’s New York Field Office.	Established by the FBI Director in July 2002.	Mandated by Presidential Directive-2 issued on October 29, 2001.  Started in DOJ on October 31, 2001.	Established by the Attorney General March 5, 2002.
<b>Functions</b>	<ul style="list-style-type: none"> <li>• Coordinates anti-terrorism initiatives</li> <li>• Initiates training programs</li> <li>• Facilitates information sharing.</li> <li>• Works with JTTF</li> </ul>	<ul style="list-style-type: none"> <li>• Investigates actual and perceived domestic and international terrorism acts that occur in or affect the United States</li> <li>• Acts as a “force multiplier” by maintaining a multi-agency taskforce with state, federal, and local participants.</li> <li>• Shares intelligence information</li> </ul>	<ul style="list-style-type: none"> <li>• Operates an interagency taskforce that fully utilizes expertise offered by each representative.</li> <li>• Establishes and maintains liaisons with intelligence, law enforcement and federal partners with a terrorism focus.</li> <li>• Assesses terrorism intelligence to de-conflict information and minimize the</li> </ul>	<ul style="list-style-type: none"> <li>• Responds to requests received from the Counter-terrorism Division’s operational units, the CIA and the JTTFs to perform data runs against public, proprietary, and government data systems.</li> <li>• Maintains the Consolidated Terrorist List that combines the FBI’s Violent Gang and Terrorist</li> </ul>	<ul style="list-style-type: none"> <li>• Serves as a forum for DOJ’s component/ agency leaders to meet bi-weekly to discuss terrorism issues,</li> <li>• Coordinates DOJ’s terrorism policy, planning, and operations,</li> <li>• Frames national security issues for the Attorney</li> </ul>

	<b>Anti-Terrorism Advisory Councils (ATAC)</b>	<b>Joint Terrorism Task Force (JTTF)</b>	<b>National Joint Terrorism Task Force (NJTTF)</b>	<b>Foreign Terrorist Tracking Task Force (FTTTF)</b>	<b>National Security Coordination Council (NSCC)</b>
<b>Functions</b>		with task force members and agency contacts that are properly cleared and have a "need to know." <ul style="list-style-type: none"> <li>•Declassifies intelligence and shares with law enforcement and others.</li> <li>•Detects and prevents terrorist acts</li> <li>•Apprehends terrorism suspects</li> <li>•Develops human assets,</li> <li>•Coordinates federal, state, and local law enforcement's response to a terrorist act.</li> </ul>	duplication of effort, <ul style="list-style-type: none"> <li>•Promotes information sharing between participating agencies,</li> <li>• Conducts special studies on terrorism matters,</li> <li>• Coordinates with FTTTF, FBI's Counterterrorism Division's Operational Units, Terrorist Threat Integration Center, and the Strategic Intelligence Operations Center, and</li> <li>• Administrative support to the JTTFs.</li> </ul>	Organization File (VGTOF) and 22 Most Wanted with the Department of State's TIPOFF. <ul style="list-style-type: none"> <li>• Acquires data federal agencies and private industries data sets to improve its search capabilities.</li> <li>• Conducts risk assessments on flight training candidates, and persons requesting changes to their VISA status.</li> </ul>	General's and Deputy Attorney General's consideration <ul style="list-style-type: none"> <li>• Reviews DOJ's resource allocations for terrorism matters,</li> <li>• Oversees the operations of the Joint Intelligence Coordinating Council,</li> <li>• Provides input into the DOJ's position on terrorism matters and presents this position to other agencies.</li> </ul>
<b>Budget</b>	<b>FY 2002</b> - \$9.3 million  \$100,000 for each of the 93 judicial districts, no additional funding since FY 2002	<b>FY 2004</b> - \$286 million (total)  <b>FY 2005</b> - \$375 million (total)	<b>FY 2004</b> - \$5.1 million (total), \$2.8 million (non-personnel)	<b>FY 2004</b> - \$61.6 million  <b>FY 2005</b> - \$52.3 million	<b>FY 2003</b> - \$2 million  Now Funded out of Office of the Deputy Attorney General budget.
<b>Total Number of Groups</b>	93*  * One ATAC for each judicial district, except Guam and Northern Mariana Islands are combined into one.	Pre 9/11 – 35 JTTFs As of March 2005 – 103 JTTFs	1	1	1
<b>Field/ Headquarters</b>	Field and Headquarters	Field	Headquarters	Headquarters	Headquarters
<b>Size/Total Number of Members</b>	11,000 members (approximately)	5,085 members	62 total members representing 40 agencies	138 total members	10 Permanent Members, Invited Guests as needed

	<b>Anti-Terrorism Advisory Councils (ATAC)</b>	<b>Joint Terrorism Task Force (JTTF)</b>	<b>National Joint Terrorism Task Force (NJTTF)</b>	<b>Foreign Terrorist Tracking Task Force (FTTTF)</b>	<b>National Security Coordination Council (NSCC)</b>
<b>Types of Members</b>	Private industry, federal, state, and local law enforcement, intelligence community, federal agencies	FBI agents and analysts, other government agencies, federal, state, and local law enforcement	Federal, state, and local law enforcement, intelligence community members, FBI agents and FBI intelligence operations support.	FBI agents and analysts, federal and military members from the intelligence community, and members from other federal agencies.	Senior DOJ leadership including the: <ul style="list-style-type: none"> <li>• Deputy Attorney General</li> <li>• Chief of Staff to the Attorney General</li> <li>• FBI, Director</li> <li>• AAG Criminal Division</li> <li>• AAG Office of Justice Programs</li> <li>• Counsel, OIPR</li> <li>• DEA, Administrator</li> <li>• USMS, Director</li> <li>• ATF, Director</li> <li>• BOP, Director</li> <li>• Senior Counsel National Security Matters</li> </ul>

	<b>Anti-Terrorism Advisory Councils (ATAC)</b>	<b>Joint Terrorism Task Force (JTTF)</b>	<b>National Joint Terrorism Task Force (NJTTF)</b>	<b>Foreign Terrorist Tracking Task Force (FTTTF)</b>	<b>National Security Coordination Council (NSCC)</b>
<b>Management Structure</b>	<p><b>Headquarters</b> Administrative oversight provided by the Eloisa's ATAC Coordinator and six Regional ATAC Coordinators from the Criminal Division's Counterterrorism Section.</p> <p><b>Field</b> Chaired by the United States Attorney in each judicial district. A senior Assistant U.S. Attorney serves as the district's ATAC Coordinator and is assisted by an Intelligence Research Specialist.</p>	<p><b>Headquarters</b> Administrative oversight provided by the National Joint Terrorism Task Force and the FBI's Counterterrorism Division.</p> <p><b>Field</b> Divided into International Terrorism and Domestic Terrorism. Operational oversight provided by a Supervisory Special agent with the approval of the Assistant Special Agent in Charge and Special Agent in Charge.</p>	<p><b>Headquarters</b> Headed by an FBI Unit Chief and a DHS Deputy Unit Chief. Reports directly to the Deputy Assistant Director for the Operations Support Branch of the Counterterrorism Division. Has 4 FBI Supervisory Special Agents that assist in managing the NJTTF's operations.</p>	<p><b>Headquarters</b> Originally, FTTTF's Director reported to the U.S. Deputy Attorney General and served as a liaison to the then Commissioner of the Immigration and Naturalization Service and a Senior Advisor to the President's Assistant for Homeland Security.</p> <p>In August 6, 2002, the Attorney General mandated that FTTTF's reporting responsibility shift to the FBI's Counterterrorism Division.</p>	<p><b>Headquarters</b> Chaired by the United States Deputy Attorney General. Staff from the Deputy Attorney General's Office support its operations.</p>

**APPENDIX III: ELECTRONIC SYSTEMS USED BY THE TASK FORCES: LEO, RISS, AND NLETS**

<b>Communication System</b>	<b>Content and Services</b>	<b>Organization</b>	<b>Users</b>
<b>LEO</b>	<ul style="list-style-type: none"> <li>• Contains Law Enforcement Online Special Interest Groups that provide access for members of specialized organizations and law enforcement disciplines</li> <li>• Capability to send and receive e-mail between LEO users and unsecured Internet email addresses</li> <li>• Bulletin boards for posting information events from local, state, and federal law enforcement, criminal justice, and public safety agencies</li> <li>• Concise information on various topics and news briefs</li> <li>• Contains “chat” features for users to communicate electronically in a secure environment in real time</li> <li>• Electronic calendar used to post upcoming dates for conferences meetings, training courses, seminars, and other dates</li> <li>• Library containing broad range of publications, documents, studies, and research</li> <li>• Learning modules</li> </ul>	<ul style="list-style-type: none"> <li>• 32,500 members (2/3 are state and local, 1/3 are federal, and some international users)</li> <li>• Started in 1995</li> <li>• Operates as a Virtual Private Network (VPN) with secure access through the Internet</li> <li>• Connected to Riss.net</li> </ul>	<ul style="list-style-type: none"> <li>• JTTF</li> <li>• NJTTF</li> <li>• ATAC Coordinators (to communicate with law enforcement)</li> </ul>

<b>Communication System</b>	<b>Content and Services</b>	<b>Organization</b>	<b>Users</b>
<b>RISS</b>	<ul style="list-style-type: none"> <li>• Information sharing (bulletin boards, contact lists, national gang database, publications)</li> <li>• 6 regional criminal intelligence databases available for simultaneous query</li> <li>• Data analysis (telephone toll case, financial, computer forensics, and criminal activity analyses)</li> <li>• Telecommunications (long distance telephone service)</li> <li>• Investigative Support (some financial support available for multi-jurisdictional investigations)</li> <li>• Equipment Sharing (investigative equipment available for loan to members)</li> <li>• Training (coordinated or conducted by staff)</li> </ul>	<ul style="list-style-type: none"> <li>• Nearly 6,000 local, state, and federal law enforcement agencies are members</li> <li>• First center opened in 1974</li> <li>• Objective is to enhance the ability of law enforcement to identify, target, and remove criminal conspiracies that may span jurisdictions, including international</li> <li>• Comprised of 6 regional centers, operates in all 50 states, D.C., U.S. territories, Canada, England, and Australia.</li> <li>• A secure network utilizing Web-based technology</li> <li>• Received \$24.9 million from Congress in 2001</li> </ul>	<ul style="list-style-type: none"> <li>• JTTF</li> <li>• ATAC Coordinators (to communicate with law enforcement and members)</li> </ul>
<b>NLETS</b>	<ul style="list-style-type: none"> <li>• Links together state, local, and federal law enforcement and justice agencies for information exchange</li> <li>• Acts primarily as a network provider</li> <li>• Also acts as a data warehouse to justice community</li> <li>• Contains links to member agencies, state, and other related websites</li> <li>• Shares driver's license information</li> </ul>	<ul style="list-style-type: none"> <li>• International computer based message switching system</li> <li>• Operates in a secure environment</li> <li>• User population includes all states/territories, selected international agencies, and all federal agencies with a justice component</li> <li>• A 501(c)(3), not for profit agency</li> <li>• Representatives from each state elect a Board of Directors and Officers</li> <li>• Membership dues are primary source of income</li> <li>• Supported by a central computer system at the Arizona Department of Public Safety</li> </ul>	<ul style="list-style-type: none"> <li>• JTTF</li> </ul>

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## **APPENDIX IV: SURVEY INSTRUMENT AND RESULTS**

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### DOJ's TERRORISM TASK FORCES

Thank you for your participation in our survey.

The Department of Justice's Office of the Inspector General is conducting a nationwide evaluation of the Department's Counterterrorism Task Forces [i.e., National Joint Terrorism Task Force (NJTTF), Joint Terrorism Task Force (JTTF), Anti-Terrorism Advisory Council (ATAC) formerly the Anti-Terrorism Task Force, and Foreign Terrorist Tracking Task Force (FTTTF)] and we need your help. You have been identified as a contributor to this effort and we need your candid responses to the questions that follow.

We obtained your name from the FBI's or the United States Attorneys' Office for your area. Your responses will not identify you individually. The information that you provide us will be consolidated with information received from respondents in other jurisdictions and used to assess the functions, accomplishments, and challenges of the terrorism task forces. Whether you are a new member, a former member, or have served on the task force since its inception, your input is very important to us; so please share your thoughts and experiences. If you are not a member of a Terrorism Task Force, please indicate as such on the survey provided. While participation is strictly voluntary, we are counting on you to respond openly to the questions provided. Please save your responses by selecting the "Finish" button. Note: If you exit the survey without selecting "Finish", your responses will not be saved.

If you have any questions or concerns please don't hesitate to contact Jennifer La Point in the Office of the Inspector General's Evaluation and Inspections Division on (202) 616-4620.

### MEMBERSHIP INFORMATION AND EXPERIENCE

Are you or have you ever been a member of a Department of Justice Terrorism Task Force or Advisory Council?

- I am currently a member.
- I am no longer a member but have been a member within the last 12 months.
- I was a member more than 12 months ago.
- No, I have never been a member of the DOJ's Terrorism Task Forces.

1. Which of the following describes your current involvement on a Department of Justice Terrorism Task Force or Advisory Council. Please choose the statement that describes your main level of participation.

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I am a member of the Federal Bureau of Investigation's Joint Terrorism Task Force (JTTF).

(Only select this option if you work as a Task Force Officer/Agent who actively conducts JTTF investigations at the FBI's direction.)

I am a member of the United States Attorneys Anti-Terrorism Advisory Council (ATAC). \*(See note below)

I am a member of the National Joint Terrorism Task Force (NJTTF)

I am a member of the Foreign Terrorist Tracking Task Force (FTTTF)

\* On 9/25/03, Attorney General John Ashcroft announced that the nation's 93 Anti-Terrorism Task Forces (ATTF) will be reconstituted as Anti-Terrorism Advisory Councils (ATAC). Therefore any mention of the Anti-Terrorism Advisory Council (ATAC) in this survey refers to the previously known Anti-Terrorism Task Force (ATTF)\*. Throughout this survey, you will see the term TASK FORCE/ADVISORY COUNCIL. This term means that you are either a Terrorism Task Force (FTTTF, JTTF, NJTTF) or Advisory Council (ATAC) member, so please respond accordingly.

2. When did you join this Terrorism Task Force or Advisory Council?

Month

January  February  March  April  May  June  July  August  September  
 October  November  December

Year (yyyy)

2a. How were you selected to serve on this task force or advisory council? (check all that apply)

Applied for the position  Selected by management without applying  
 Volunteered  Already performing related functions  Prior Task Force experience  
 Don't know

2b. Are you a full-time or part-time member?

Full time  Part time

How many hours do you spend on this Task Force per week?

FORMER MEMBER

1. Which of the following statements identifies your former Task Force/Advisory Council involvement?

---

I was a member of the Federal Bureau of Investigation's Joint Terrorism Task Force (JTTF)

I was a member of the United States Attorneys Anti-Terrorism Advisory Council (formerly known as the Anti-Terrorism Task Force) (ATTF/ATAC).

I was a member of the National Joint Terrorism Task Force (NJTTF)

I was a member of the Foreign Terrorist Tracking Task Force (FTTTF).

2. When did you join?

Month

January  February  March  April  May  June  July  August  September  
 October  November  December

Year (yyyy)

3. When did you leave?

Month

January  February  March  April  May  June  July  August  September  
 October  November  December

Year (yyyy)

4. Why did you leave?

5. How should the task force's/advisory council's performance be measured?

6. How should the task force/advisory council be improved?

7. We are interested in knowing more about your task force experiences. Please complete the questions which follow based upon your task force involvement. The questions are written in a manner which suggests that you are still a member of this task force. Do you wish to proceed?

Yes  No

3. Approximately how many years do you anticipate remaining on this task force? (write in number)

Don't know

4. Please identify your years of professional work experience in the following categories:

Law Enforcement Investigations

Domestic Terrorism

---

International Terrorism [ ]  
Counterintelligence [ ]  
Intelligence [ ]  
Other Investigations [ ]

5. What level of security clearance do you have?

[ ] Interim Clearance [ ] Secret [ ] Top Secret [ ] Top Secret with SCI access  
[ ] Don't know [ ] None

How does it impact your ability to do your job?

5a. When did you receive this clearance?

Month

[ ] January [ ] February [ ] March [ ] April [ ] May [ ] June [ ] July [ ] August [ ] September  
[ ] October [ ] November [ ] December

Year (yyyy) [ ] Don't know [ ]

5b. Was it before or after joining the task force?

[ ] Before [ ] After

#### ROLES AND RESPONSIBILITIES

6. Are you a supervisor, coordinator, or task force/advisory council member?

[ ] Member [ ] Coordinator [ ] Supervisor

6a. When did you assume this position?

Month

[ ] January [ ] February [ ] March [ ] April [ ] May [ ] June [ ] July [ ] August [ ] September  
[ ] October [ ] November [ ] December

Year (yyyy) [ ]

6b. How long did your predecessor serve in this position?

[ ] No Predecessor [ ] 1 month [ ] 2 months [ ] 3 months [ ] 4 months [ ] 5 months  
[ ] 6 or more months

7. Briefly describe your role on the Task Force/Advisory Council.

8. What percentage of your work on the task force is devoted to (this should equal 100%):

---

% Domestic Terrorism  % International Terrorism  % Terrorism Support (Intelligence Analysis, Electronic Surveillance, etc.)  % Other

9. Do you have written policies, procedures, and/or objectives that address your role as a Task Force/Advisory Council participant?

Yes  No  Don't know

9c. How does the lack of defined policies, procedures, and/or objectives that address your role on the Task Force/Advisory Council impact your ability to carry-out your role?

9a. What are the written policies, procedures and/or objectives that address your role on the task force/advisory council?

9b. Where did these policies, procedures and/or objectives originate? (check all that apply)

Federal Bureau of Investigation  Parent Agency  United States Attorneys Office  Self-generated

10. Please respond to the following statements regarding your role on the task force/advisory council.

The FBI defined my role on the task force/advisory council.

Yes  No  Not Applicable

The U.S. Attorney/U.S. Attorneys' Office defined my role on the taskforce/advisory council.

Yes  No  Not Applicable

The U.S. Attorney General defined my role on the taskforce/advisory council.

Yes  No  Not Applicable

My parent agency defined my role on the task force/advisory council.

Yes  No  Not Applicable

I defined my role of the task force/advisory council.

Yes  No  Not Applicable

My role on the task force/advisory council has not been determined.

Yes  No  Not Applicable

10a. Do conflicts exist between the expectations of your parent agency and those of the task force leadership concerning your role?

Yes  No

---

Please describe these conflicts and how it has impacted your work on the Task Force.

## PERFORMANCE

11. Did you receive a list of performance standards that apply to your role as a member of the task force/advisory council?

Yes  No

11a. Please list these performance standards.

11 b. How would you rate these standards in assisting you in your job performance on the task force/advisory council?

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

11c. Where did these performance standards originate?

Federal Bureau of Investigation  Parent Agency  United States Attorneys Office  
 Self-generated

12. Is your performance on this task force....

Routinely measured by your parent agency?  
 Yes  No  Don't know  Not Applicable

Routinely measured by the FBI  
 Yes  No  Don't Know  Not Applicable

Reported by the FBI to your supervisor at your parent agency?  
 Yes  No  Don't know  Not Applicable

13. Is the overall performance of this task force/advisory council measured?

Yes  No  Don't know

How is the overall performance of this task force/advisory council measured?

13a. In your opinion, how should the task force's/advisory council's performance be measured?

## MEETINGS

14. In the last year, how often did the entire task force/advisory council meet?

---

Daily  Weekly  Every two weeks  Once a month  Quarterly  Never  
 Other

How have the lack of meetings (full, squad, or sub-committee) impacted the performance of the task force/advisory council?

Please specify meeting frequency.

14a. At these meetings of the entire task force/advisory council, please rate how the following are accomplished:

Information/Intelligence shared

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Training planned

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Training conducted

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Taskings assigned

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Cases updated

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Administrative issues discussed

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Agency updates are provided

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Threat assessments discussed

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

14b. How would you rate the usefulness of these meetings in preparing you to plan for and respond to terrorism?

---

Very Useful  Useful  Not at all useful  Not able to evaluate  No opinion

14c. How can the task force/advisory council meetings be improved?

15. In the last year, how often did the task force's squad or advisory council's sub-committees meet?

Daily  Weekly  Every two weeks  Once a month  Quarterly  Never  
 Other  We don't have any squad or subcommittees on our task force/advisory council.

Please specify frequency.

How have the lack of meetings (full, squad, or sub-committee) impacted the performance of the task force/advisory council?

15a. At these squad or sub-committee meetings, please rate how the following are accomplished:

Information/Intelligence shared

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Training conducted

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Taskings assigned

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Cases updated

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Administrative issues discussed

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Training planned

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Agency updates are provided

---

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

Threat assessments discussed

Excellent  Good  Average  Poor  Very Poor  Don't Know  
 Not Applicable

15b. How would you rate the usefulness of these squad or sub-committee meetings in preparing you to plan for and respond to terrorism?

Very Useful  Useful  Not at all useful  Not able to evaluate  No opinion

15c. How can the squad or sub-committee meetings be improved?

15d. How would these improvements impact your role on this task force/advisory council?

15d. How would these improvements impact your role on this task force/advisory council?

## TRAINING

16. How were your terrorism training needs determined?

Task Force Supervisor determined with my/my agency's input  
 ATAC Coordinator determined with my/my agency's input  
 Task Force Supervisor determined without my/my agency's input  
 ATAC Coordinator determined without my/my agency's input  
 I alone determined my training needs  Needs not determined  
 Other  Don't know

Please explain

17. Since becoming a task force/advisory council participant, have you completed any terrorism training?

Yes  No

17a. The following is a list of terrorism related training courses sponsored by either the FBI or the United States Attorneys Office. Please complete the information which follows for each course.

International Terrorism CD

Useful  Not Useful  Did not complete

---

Domestic Terrorism CD  
 Useful  Not Useful  Did not complete

Identifying Terrorist Groups/Characteristics  
 Useful  Not Useful  Did not complete

Terrorism/Incident Response  
 Useful  Not Useful  Did not complete

Terrorism/Investigative Strategies  
 Useful  Not Useful  Did not complete

Cultural Sensitivity  
 Useful  Not Useful  Did not complete

FISA/USA Patriot ACT  
 Useful  Not Useful  Did not complete

NJTTF Conference  
 Useful  Not Useful  Did not complete

Terrorism Financing  
 Useful  Not Useful  Did not complete

Other  
 Useful  Not Useful  Did not complete

Please specify other course titles

18. Overall, how has all of the training you have received impacted your work on the task force or advisory council?

19. Is there counterterrorism training that you need or should receive that you have not taken?

Yes  No

19a. Please explain:

## RESOURCES

20. How would you rate the task force's/advisory council's resources?

Number of Staff

Excellent  Good  Average  Poor  Very Poor  Not Applicable

Equipment

Excellent  Good  Average  Poor  Very Poor  Not Applicable

---

Space

Excellent  Good  Average  Poor  Very Poor  Not Applicable

Staff Skills

Excellent  Good  Average  Poor  Very Poor  Not Applicable

Overall Rating

Excellent  Good  Average  Poor  Very Poor  Not Applicable

20a. What impact has the problem(s) with resources had on the task force/advisory council achieving its mission?

21. Briefly describe what resources the task force/advisory council needs that it doesn't have.

22. The Congress has drafted legislation suggesting that the United States Attorneys should continue to participate in the Joint Terrorism Task Forces rather than maintaining a separate set of U.S. Attorney Task Forces. If this legislation is adopted, how will it impact the counterterrorism coverage in your area?

Favorably impact  Unfavorably impact  No impact  Not sure of impact  
 Other

Please explain.

**SUPERVISION AND GUIDANCE**

23. Upon joining the task force, were you given an orientation to the and the FBI's policies and procedures?

Yes  No  Don't know

Briefly describe the orientation process.

How did the lack of an orientation process impact your work on the task force?

24. The next list of statements applies to the supervision, direction, and support that you receive as a task force participant. Please rate the statements that characterize the quality of supervision and guidance that you receive on the with the scale provided.

The chain of command for this task force is well defined.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

There is stability in the management structure of this task force

---

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

I have the authority I need to perform my job on this task force.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

My task force supervisor provides the guidance I need.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

My task force supervisor provides the support I need.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

My task force supervisor encourages my input in decisions affecting my work.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

My supervisor from my parent agency provides me with the guidance I need to effectively represent my agency.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

24a. How can the quality of the supervision and support that you receive be improved?

24b. How does the quality of guidance your receive from the FBI and/or your parent agency impact your work on the task force?

## TASKINGS

25. Please identify how many taskings you are currently working on in each category listed below.

I am currently not working on any taskings.

International Terrorism

Domestic Terrorism

Counterintelligence

Terrorism Financing

Weapons of Mass Destruction

\* Other

\* Please identify the categories and quantities for these Other taskings.

26. Considering your taskings for this task force, please rate the following statements:  
The taskings I receive are in my area of expertise.

---

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

The taskings I receive are assigned to other members/agencies for completion.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

When appropriate, I am assigned as the lead investigator on cases that are in my areas of expertise.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

I am normally included in the initial stages of a tasking where my expertise is most useful.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

The contributions I make to this task force are worthwhile to the mission of this task force.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

An FBI Special Agent is usually assigned as the lead agent on all IT cases.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

An FBI Special Agent is usually assigned as the lead agent on all DT cases.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree  
 Not Applicable  Don't Know

27. Do you receive non- taskings?

Yes  No

27a. How often do you receive these assignments?

Seldom  Occasionally  Frequently

28. How have these non- taskings impacted your role on this task force? (check all that apply)

I am not assigned to complex investigations.

I am not assigned to lead investigations.

I primarily support the work of other task force members/agents.

My task force cases remain open for extended periods of time.

My task force cases are unresolved.

I work longer hours to complete my work.  No impact.

Other

---

Please explain:

29. Do you have complete access to the following sources of FBI information?

Automated Case System (ACS)

Yes  No  Don't know

FBI databases

Yes  No  Don't know

FBI records

Yes  No  Don't know

Other sources of information from the FBI

Yes  No  Don't know

29a. How has the limited access to FBI information impacted your work on the task force?

30. At the worksite, do you have access to....?

parent agency's databases

Yes  No  Don't know

parent agency's contacts

Yes  No  Don't know

parent agency's intelligence

Yes  No  Don't know

parent agency's email

Yes  No  Don't know

Internet/www

Yes  No  Don't know

30a. How has this limited access impacted your work on the task force?

INFORMATION SHARING

31. Which of the following describes your information sharing responsibilities on this task force?

My responsibility is to share information with my parent agency supervisor.

---

Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

My responsibility is to share information with my FBI supervisor.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

My responsibility is to share information directly with my agency head.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

My responsibility is to share information that I receive from the participating agencies on the task force.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

My responsibility is to share information that I receive from other agencies that are not task force members.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

My responsibility is to share information from my parent agency with the task force.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

My responsibility is to share information with other task forces.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

I don't share any information with the task force.  
 Strongly Agree  Agree  Neither Agree Nor Disagree  
 Disagree  Strongly Disagree  Not Applicable  Unknown

31.a. Where are your task force information sharing responsibilities defined? (check all that apply)

Policy from my agency  FBI Policy  Memorandum of Understanding (FBI and My Agency)  Attorney General's Guidelines  Good Management Practice  
 They aren't defined  Other  Don't know

32. From which of the following sources do you receive information on this Task Force? (check all that apply)

National Joint Terrorism Task Force  Local JTTF

- 
- FBI's weekly Intelligence Bulletin
  - Secure Video Teleconferencing System (SVTS)
  - National Law Enforcement Telecommunications System (NLETS)
  - National Criminal Information Center (NCIC) Watch Lists
  - Regional Information Sharing Systems Law
  - ATAC Coordinator's Electronic Messages
  - Law Enforcement Online (LEO)
  - Anti-Terrorism Information Exchange (ATIX)  Other

32a. Considering the sources of information that you identified how would you rate the:

Quality

- Excellent  Good  Average  Poor  Very Poor  Unknown
- Not Applicable

Timeliness

- Excellent  Good  Average  Poor  Very Poor  Unknown
- Not Applicable

Relevance to your work on the task force

- Excellent  Good  Average  Poor  Very Poor  Unknown
- Not Applicable

23. Which of the following describes your information sharing responsibilities on this task force?

I share information from my parent agency with ATAC members.

- Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree
- Not Applicable  Unknown

I share information from the ATAC meetings with my parent agency.

- Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree
- Not Applicable  Unknown

I share information that I receive from other agencies with the ATAC members.

- Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree
- Not Applicable  Unknown

I do not share information with the ATAC members.

- Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree
- Not Applicable  Unknown

I do not share any information from the ATAC with my parent agency or any other agency.

- Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

---

Not Applicable  Unknown

24. Where are your task force information sharing responsibilities defined?  
 Policy from my agency  Attorney General's Guidelines  Good Management Practice  They aren't defined  Other  Don't know

25. How does the ATAC Coordinator/United States Attorneys' Office share information outside of scheduled meetings? (check all that apply)

Electronic Mail (email)  Alert System  Telephone Calls  Other  
 Information not shared outside of meetings.

Please explain:

26. As a result of your membership on the ATAC, do you get the information you need in order to effectively perform your terrorism related job duties at your parent agency?  
 Yes  No

27. How has this impacted your ability to perform your terrorism related job duties at your parent agency?

28. On a scale of 1-5 with (1 being the most important and 5 being the least important) how would you rank order the following ATAC priorities?

Training for ATAC members  Information Sharing  
 Coordination of Counterterrorism Related Initiatives  
 Coordination of Prosecutions  Promoting Community Awareness

How has the change from an Anti-Terrorism Task Force to an Anti-Terrorism Advisory Council impacted your role on this task force?

What types of training have you conducted or provided? (check all that apply)

Identifying Terrorist Groups/Characteristics  
 Terrorism/Incident Response  
 Terrorism Investigative Strategies  Cultural Sensitivity  
 FISA/USA PATRIOT ACT  Terrorism Financing  Other

Please identify other training coordinated or provided:

33. On a scale of 1-5 with (1 being the most important and 5 being the least important), how would you rank order the following JTTF priorities?

Investigate Terrorist Threats  Coordinate Special Events  
 Provide Counterterrorism Training  Information Sharing and Coordination

---

Community Partnerships

33. On a scale of 1-5 with (1 being the most important and 5 being the least important) how would you rank order the following NJTTF priorities?

- Point of fusion for information sharing (receipt and exchange)
- Provide guidance to the field JTTF members from my agency
- Respond to threats within my area of expertise.
- Conduct special studies to determine a terrorism nexus
- Community Awareness

34. How often do you interact with NJTTF members? (interactions can be in person, by telephone, email, etc.)

- Daily  Weekly  Every two weeks  Once a month  As needed  Never
- Other

34a. Which of the following describes the reasons for your interactions with NJTTF members? (check all that apply)

- To receive guidance and direction  To respond to inquiries
- To discuss agency specific needs  To complete taskings
- To share information /intelligence

34b. How often do you interact with FTTTF members ?

(interactions can be in person, by telephone, email, etc.)

- Daily  Weekly  Every two weeks  Once a month
- Never  Other  As needed

34c. Which of the following describes the reasons for your interactions with FTTTF? (check all that apply)

- To receive guidance and direction  To respond to inquiries
- To discuss agency specific needs  To complete taskings
- To obtain information  To request analysis

35. The FBI plans to move the NJTTF's operations to the Terrorism Threat Integration Center. How will this planned move impact the NJTTF's operations?

- Improve the NJTTF's operations
- No change in the NJTTF's operations
- Adversely impact the NJTTF's operations
- Not sure of the impact  Other

---

35a. Please explain:

34. How often do you interact with JTTF members? (interactions can be in person, by telephone, email, etc.)

Daily  Weekly  Every two weeks  Once a month  As needed  
 Never  Other

34a. Which of the following describes the reasons for your interactions with JTTF members? (check all that apply)

To receive guidance and direction  To respond to inquiries  
 To discuss agency specific needs  To complete taskings  
 To share information /intelligence

34b. How often do you interact with FTTTF members ?

(interactions can be in person, by telephone, email, etc.)

Daily  Weekly  Every two weeks  Once a month  Never  
 Other  As needed

34c. Which of the following describes the reasons for your interactions with FTTTF? (check all that apply)

To receive guidance and direction  To respond to inquiries  
 To discuss agency specific needs  To complete taskings  
 To obtain information  To request analysis

35. The FBI plans to move the NJTTF's operations to the Terrorism Threat Integration Center. How will this planned move impact the NJTTF's operations?

Improve the NJTTF's operations  
 No change in the NJTTF's operations  
 Adversely impact the NJTTF's operations  
 Not sure of the impact  Other

33. On a scale of 1-5 with (1 being the most important and 5 being the least important) how would you rank order the following FTTTF priorities?

Conduct data searches  
 Conduct special studies to determine a terrorism nexus  
 Maintain terrorist watch lists  Conduct risk assessments  
 Maintain multidisciplinary databases

---

35. How often do you interact with members of the following groups? (interactions can be in person, by telephone, email, etc.)

Anti-Terrorism Advisory Council

Daily  Weekly  Monthly  Quarterly  Never

Department of Homeland Security (DHS)

Daily  Weekly  Monthly  Quarterly  Never

Executive Office for United States Attorneys (EOUSA)

Daily  Weekly  Monthly  Quarterly  Never

Joint Terrorism Task Force (JTTF)

Daily  Weekly  Monthly  Quarterly  Never

National Joint Terrorism Task Force

Daily  Weekly  Monthly  Quarterly  Never

Terrorism Screening Center (TSC)

Daily  Weekly  Monthly  Quarterly  Never

Terrorism Threat Integration Center (TTIC)

Daily  Weekly  Monthly  Quarterly  Never

United States Attorneys Office

Daily  Weekly  Monthly  Quarterly  Never

36. Which of the following describes the reasons for these interactions? (check all that apply)

To give guidance and direction

To receive guidance and direction  To respond to inquiries

To share information  To discuss agency specific needs

To obtain information to complete taskings from my agency  Other

36a. Please explain:

What have been the task force's/advisory council's greatest accomplishments?

What have been the task force's/advisory council's greatest challenges?

Is there anything else that you would like to share about the task force/advisory council?

What is your current job title?

---

Assistant Chief  Assistant Special Agent In Charge  Assistant United States Attorney  Deputy U.S. Marshall  Captain  Chief  Deputy Commissioner  Detective  Director  Federal Air Marshal  Intelligence Analyst  Intelligence Research Specialist  Investigator  Lieutenant  Manager  Officer  Resident Agent In Charge  Sergeant  Special Agent  Special Agent in Charge  Supervisory Special Agent  Sheriff  Other

If not provided above, please provide your current job title.

#### Agency Affiliation

Local Government/Agency  
 State Government/Agency  
 Private Business (Utilities, Transportation, Private Security, Pharmaceutical, etc.)  
 Bureau of Alcohol, Tobacco, and Firearms (ATF)  
 Bureau of Immigration and Customs Enforcement (BICE)  
 Central Intelligence Agency (CIA)  
 Drug Enforcement Administration (DEA)  
 Executive Office of United States Attorneys (EOUSA)  
 Federal Bureau of Investigations (FBI)  
 Federal Bureau of Prisons (BOP)  
 Federal Protective Service (FPS)  
 Internal Revenue Service (IRS)  
 National Imagery and Mapping Agency (NIMA)  
 National Security Agency (NSA)  
 Office of Special Investigations (OSI)  
 Military Intelligence Unit (Air Force, Army, Naval)  
 Transportation Security Administration (TSA)  
 United States Attorneys Office  
 United States Marshals Service (USM)  
 United States Secret Service (USS)  
 Other Federal Government Agency

#### Geographic Region

Northeast (CT, MA, ME, NH, NJ, NY, PA, RI, VT)  
 Midwest (IA, IL, IN, KS, MI, MN, MO, ND, NE, OH, SD, WI)  
 South (AR, AL, DE, District of Columbia, FL, GA, KY, LA, MD, MS, NC, OK, SC, TN, TX, VA, WV)  
 West (AK, AZ, CA, CO, HI, ID, MT, NM, NV, OR, UT, WA, WY)

Please press the finish button to save your responses. Thank you for your time and cooperation. We appreciate your help.

## COUNTERTERRORISM TASK FORCE SURVEY RESULTS

**Are you or have you ever been a member of a DOJ Terrorism Task Force or Advisory Council?**

	Frequency	Percent	Valid Percent	Cumulative Percent
I am currently a member	531	75.4	75.4	75.4
I am no longer a member, but have been a member w/in the last 12 months	30	4.3	4.3	79.7
I was a member more than 12 months ago	9	1.3	1.3	81.0
I have never been a member	134	19.0	19.0	100.0
Total	704	100.0	100.0	

**Which of the following statements describes your current involvement on a DOJ Terrorism Task Force or Advisory Council?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	JTTF	266	37.8	46.6	46.6
	ATAC	270	38.4	47.3	93.9
	NJTTF	19	2.7	3.3	97.2
	FTTTF	16	2.3	2.8	100.0
	TOTAL	571	81.1	100.0	
Missing	System	133	18.9		
Total		704	100.0		

**Are you a full-time or part-time member?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Full time	213	30.3	72.0	72.0
	Part time	83	11.8	28.0	100.0
	TOTAL	296	42.0	100.0	
Missing	System	408	58.0		
Total		704	100.0		

**Which of the following statements identifies your former Task Force/Advisory Council involvement?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	JTTF	26	3.7	63.4	63.4
	ATAC	13	1.8	31.7	95.1
	FTTTF	2	.3	4.9	100.0
	TOTAL	41	5.8	100.0	
Missing	System	663	94.2		
Total		704	100.0		

**What level of security clearance do you have?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Interim Clearance	7	1.0	1.3	1.3
	Secret	59	8.4	10.6	11.9
	Top Secret	204	29.0	36.7	48.6
	Top Secret w/ SCI access	176	25.0	31.7	80.2
	Don't know	67	9.5	12.1	92.3
	None	43	6.1	7.7	100.0
	TOTAL	556	79.0	100.0	
Missing	System	148	21.0		
Total		704	100.0		

**Are you a supervisor, coordinator, or task force/advisory council member?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Member	461	65.5	82.9	82.9
	Coordinator	44	6.3	7.9	90.8
	Supervisor	51	7.2	9.2	100.0
	TOTAL	556	79.0	100.0	
Missing	System	148	21.0		
Total		704	100.0		

**Do you have policies, procedures, and/or objectives that address your role as a Task Force/Advisory Council participant?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	233	33.1	42.0	42.0
	No	201	28.6	36.2	78.2
	Don't know	121	17.2	21.8	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**Where did these policies, procedures, and/or objectives originate?  
(1 = FBI, 2 = Parent Agency, 3 = USAO, 4 = Self-generated)**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	473	67.2	67.2	67.2
"1,"	77	10.9	10.9	78.1
"1,2"	2	.3	.3	78.4
"1,2,"	32	4.5	4.5	83.0
"1,2,3,"	11	1.6	1.6	84.5
"1,2,3,4,"	1	.1	.1	84.7
"1,2,4,"	4	.6	.6	85.2
"1,3,"	19	2.7	2.7	87.9
"1,3,4,"	3	.4	.4	88.4
"1,4,"	7	1.0	1.0	89.3
"2"	2	.3	.3	89.6
"2,"	28	4.0	4.0	93.6
"2,3,"	2	.3	.3	93.9
"2,3,4,"	3	.4	.4	94.3
"2,4,"	3	.4	.4	94.7
"3,"	28	4.0	4.0	98.7
"3,4,"	4	.6	.6	99.3
"4,"	5	.7	.7	100.0
Total	704	100.0	100.0	

**Please respond to the following statements regarding your role on the task force/advisory council:**

**The FBI defined my role on the task force/advisory council.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	258	36.6	46.5	46.5
	No	224	31.8	40.4	86.8
	Not applicable	73	10.4	13.2	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**The U.S. Attorney's Office defined my role on the task force/advisory council.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	201	28.6	36.2	36.2
	No	252	35.8	45.4	81.6
	Not applicable	102	14.5	18.4	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**The U.S. Attorney General defined my role on the task force/advisory council.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	131	18.6	23.6	23.6
	No	299	42.5	53.9	77.5
	Not applicable	125	17.8	22.5	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**My parent agency defined my role on the task force/advisory council.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	297	42.2	53.5	53.5
	No	163	23.2	29.4	82.9
	Not applicable	95	13.5	17.1	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**I defined my role on the task force/advisory council.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	207	29.4	37.4	37.4
	No	247	35.1	44.6	81.9
	Not applicable	100	14.2	18.1	100.0
	TOTAL	554	78.7	100.0	
Missing	System	150	21.3		
Total		704	100.0		

**My role on the task force/advisory council has not been determined.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	55	7.8	9.9	9.9
	No	226	32.1	40.8	50.7
	Not applicable	273	38.8	49.3	100.0
	TOTAL	554	78.7	100.0	
Missing	System	150	21.3		
Total		704	100.0		

**Do conflicts exist between the expectations of your parent agency and those of the task force leadership concerning your role?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	65	9.2	11.7	11.7
	No	490	69.6	88.3	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**Did you receive a list of performance standards that apply to your role as a member of the task force/advisory council?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	92	13.1	16.6	16.6
	No	463	65.8	83.4	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**How would you rate these standards in assisting you in your job performance on the task force/advisory council?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	29	4.1	31.2	31.2
	Good	41	5.8	44.1	75.3
	Average	14	2.0	15.1	90.3
	Poor	2	.3	2.2	92.5
	Very Poor	2	.3	2.2	94.6
	Don't know	1	.1	1.1	95.7
	Not applicable	4	.6	4.3	100.0
	TOTAL	93	13.2	100.0	
Missing	System	611	86.8		
Total		704	100.0		

**Is your performance on the task force routinely measured by your parent agency?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	150	21.3	51.0	51.0
	No	58	8.2	19.7	70.7
	Don't know	29	4.1	9.9	80.6
	Not applicable	57	8.1	19.4	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Is your performance on this task force routinely measured by the FBI?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	171	24.3	58.2	58.2
	No	47	6.7	16.0	74.1
	Don't know	68	9.7	23.1	97.3
	Not applicable	8	1.1	2.7	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Is your performance on this task force reported by the FBI to your supervisor at your parent agency?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	73	10.4	24.8	24.8
	No	72	10.2	24.5	49.3
	Don't know	67	9.5	22.8	72.1
	Not applicable	82	11.6	27.9	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Is the performance of this task force/advisory council measured?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	142	20.2	25.6	25.6
	No	62	8.8	11.2	36.8
	Don't know	351	49.9	63.2	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**In the last year, how often did the entire task force/advisory council meet?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	23	3.3	4.2	4.2
	Weekly	62	8.8	11.2	15.3
	Every 2 weeks	42	6.0	7.6	22.9
	Once a month	145	20.6	26.2	49.1
	Quarterly	168	23.9	30.3	79.4
	Never	30	4.3	5.4	84.8
	Other	84	11.9	15.2	100.0
	TOTAL	554	78.7	100.0	
Missing	System	150	21.3		
Total		704	100.0		

At these meetings of the entire task force/advisory council, please rate how the following are accomplished:

**Information/Intelligence shared**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	198	28.1	37.8	37.8
	Good	203	28.8	38.7	76.5
	Average	72	10.2	13.7	90.3
	Poor	24	3.4	4.6	94.8
	Very Poor	7	1.0	1.3	96.2
	Don't know	11	1.6	2.1	98.3
	Not applicable	9	1.3	1.7	100.0
	TOTAL	524	74.4	100.0	
Missing System	180	25.6			
Total	704	100.0			

**Training Planned**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	77	10.9	14.7	14.7
	Good	199	28.3	38.0	52.7
	Average	125	17.8	23.9	76.5
	Poor	32	4.5	6.1	82.6
	Very Poor	9	1.3	1.7	84.4
	Don't know	34	4.8	6.5	90.8
	Not applicable	48	6.8	9.2	100.0
	TOTAL	524	74.4	100.0	
Missing System	180	25.6			
Total	704	100.0			

**Training Conducted**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	94	13.4	17.9	17.9
	Good	176	25.0	33.5	51.4
	Average	121	17.2	23.0	74.5
	Poor	36	5.1	6.9	81.3
	Very Poor	10	1.4	1.9	83.2
	Don't know	36	5.1	6.9	90.1
	Not applicable	52	7.4	9.9	100.0
	TOTAL	525	74.6	100.0	
Missing System	179	25.4			
Total	704	100.0			

**Taskings assigned**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	69	9.8	13.1	13.1
	Good	181	25.7	34.5	47.6
	Average	116	16.5	22.1	69.7
	Poor	34	4.8	6.5	76.2
	Very Poor	11	1.6	2.1	78.3
	Don't know	45	6.4	8.6	86.9
	Not applicable	69	9.8	13.1	100.0
	TOTAL	525	74.6	100.0	
Missing	System	179	25.4		
Total		704	100.0		

**Cases updated**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	103	14.6	19.7	19.7
	Good	176	25.0	33.6	53.2
	Average	89	12.6	17.0	70.2
	Poor	31	4.4	5.9	76.1
	Very Poor	8	1.1	1.5	77.7
	Don't know	44	6.3	8.4	86.1
	Not applicable	73	10.4	13.9	100.0
	TOTAL	524	74.4	100.0	
Missing	System	180	25.6		
Total		704	100.0		

**Administrative issues discussed**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	112	15.9	21.3	21.3
	Good	215	30.5	41.0	62.3
	Average	114	16.2	21.7	84.0
	Poor	20	2.8	3.8	87.8
	Very Poor	4	.6	.8	88.6
	Don't know	32	4.5	6.1	94.7
	Not applicable	28	4.0	5.3	100.0
	TOTAL	525	74.6	100.0	
Missing	System	179	25.4		
Total		704	100.0		

**Agency updates are provided**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	146	20.7	27.8	27.8
	Good	213	30.3	40.6	68.4
	Average	87	12.4	16.6	85.0
	Poor	27	3.8	5.1	90.1
	Very Poor	9	1.3	1.7	91.8
	Don't know	25	3.6	4.8	96.6
	Not applicable	18	2.6	3.4	100.0
	TOTAL	525	74.6	100.0	
Missing	System	179	25.4		
Total		704	100.0		

**Threat assessments discussed**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	163	23.2	31.0	31.0
	Good	205	29.1	39.0	70.1
	Average	78	11.1	14.9	85.0
	Poor	23	3.3	4.4	89.3
	Very Poor	13	1.8	2.5	91.8
	Don't know	23	3.3	4.4	96.2
	Not applicable	20	2.8	3.8	100.0
	TOTAL	525	74.6	100.0	
Missing	System	179	25.4		
Total		704	100.0		

**How would you rate the usefulness of these meetings in preparing you to plan for and respond to terrorism?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very useful	159	22.6	30.3	30.3
	Useful	270	38.4	51.5	81.9
	Not at all useful	40	5.7	7.6	89.5
	Not able to evaluate	38	5.4	7.3	96.8
	No opinion	17	2.4	3.2	100.0
	Total	524	74.4	100.0	
Missing	System	180	25.6		
Total		704	100.0		

**In the last year, how often did the task force's squad or advisory council's sub-committees meet?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	14	2.0	2.5	2.5
	Weekly	51	7.2	9.2	11.7
	Every 2 weeks	29	4.1	5.2	16.9
	Once a month	85	12.1	15.3	32.3
	Quarterly	50	7.1	9.0	41.3
	Never	20	2.8	3.6	44.9
	Other	99	14.1	17.8	62.7
	We don't have squads/sub-committees	207	29.4	37.3	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**At these squad or sub-committee meetings please rate how the following are accomplished:**

**Information/Intelligence shared**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	97	13.8	30.1	30.1
	Good	93	13.2	28.9	59.0
	Average	29	4.1	9.0	68.0
	Poor	7	1.0	2.2	70.2
	Very Poor	4	.6	1.2	71.4
	Don't know	60	8.5	18.6	90.1
	Not applicable	32	4.5	9.9	100.0
	TOTAL	322	45.7	100.0	
Missing	System	382	54.3		
Total		704	100.0		

**Training conducted**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	43	6.1	13.4	13.4
	Good	83	11.8	25.8	39.1
	Average	53	7.5	16.5	55.6
	Poor	14	2.0	4.3	59.9
	Very Poor	4	.6	1.2	61.2
	Don't know	60	8.5	18.6	79.8
	Not applicable	65	9.2	20.2	100.0
	TOTAL	322	45.7	100.0	
Missing	System	382	54.3		
Total		704	100.0		

**Taskings assigned**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	57	8.1	17.8	17.8
	Good	94	13.4	29.3	47.0
	Average	47	6.7	14.6	61.7
	Poor	10	1.4	3.1	64.8
	Very Poor	6	.9	1.9	66.7
	Don't know	61	8.7	19.0	85.7
	Not applicable	46	6.5	14.3	100.0
	TOTAL	321	45.6	100.0	
Missing	System	383	54.4		
Total		704	100.0		

**Cases updated**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	62	8.8	19.3	19.3
	Good	94	13.4	29.3	48.6
	Average	36	5.1	11.2	59.8
	Poor	11	1.6	3.4	63.2
	Very Poor	6	.9	1.9	65.1
	Don't know	63	8.9	19.6	84.7
	Not applicable	49	7.0	15.3	100.0
	TOTAL	321	45.6	100.0	
Missing	System	383	54.4		
Total		704	100.0		

**Administrative issues discussed**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	75	10.7	23.3	23.3
	Good	102	14.5	31.7	55.0
	Average	41	5.8	12.7	67.7
	Poor	6	.9	1.9	69.6
	Very Poor	2	.3	.6	70.2
	Don't know	61	8.7	18.9	89.1
	Not applicable	35	5.0	10.9	100.0
	TOTAL	322	45.7	100.0	
Missin g	System	382	54.3		
Total		704	100.0		

**Training planned**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	47	6.7	14.7	14.7
	Good	79	11.2	24.7	39.4
	Average	52	7.4	16.3	55.6
	Poor	19	2.7	5.9	61.6
	Very Poor	5	.7	1.6	63.1
	Don't know	62	8.8	19.4	82.5
	Not applicable	56	8.0	17.5	100.0
	TOTAL	320	45.5	100.0	
Missing	System	384	54.5		
Total		704	100.0		

**Agency updates are provided**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	67	9.5	20.9	20.9
	Good	101	14.3	31.5	52.3
	Average	42	6.0	13.1	65.4
	Poor	11	1.6	3.4	68.8
	Very Poor	7	1.0	2.2	71.0
	Don't know	60	8.5	18.7	89.7
	Not applicable	33	4.7	10.3	100.0
	Total	321	45.6	100.0	
Missing	System	383	54.4		
Total		704	100.0		

**Threat assessments discussed**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	77	10.9	24.1	24.1
	Good	91	12.9	28.5	52.7
	Average	40	5.7	12.5	65.2
	Poor	8	1.1	2.5	67.7
	Very Poor	7	1.0	2.2	69.9
	Don't know	59	8.4	18.5	88.4
	Not applicable	37	5.3	11.6	100.0
	TOTAL	319	45.3	100.0	
Missing	System	385	54.7		
Total		704	100.0		

**How would you rate the usefulness of these squad or sub-committee meetings in preparing you to plan for and respond to terrorism?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very useful	79	11.2	24.3	24.3
	Useful	120	17.0	36.9	61.2
	Not at all useful	23	3.3	7.1	68.3
	Not able to evaluate	62	8.8	19.1	87.4
	No opinion	41	5.8	12.6	100.0
	TOTAL	325	46.2	100.0	
Missing	System	379	53.8		
Total		704	100.0		

**How were your terrorism training needs determined?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	TF Supervisor determined w/ my agency's input	94	13.4	17.1	17.1
	ATAC Coordinator determined w/ my agency's input	74	10.5	13.4	30.5
	TF Supervisor determined w/out my agency's input	37	5.3	6.7	37.2
	ATAC Coordinator determined w/out my agency's input	26	3.7	4.7	41.9
	I alone determined my needs	74	10.5	13.4	55.4
	Needs not determined	94	13.4	17.1	72.4
	Other	52	7.4	9.4	81.9
	Don't know	100	14.2	18.1	100.0
	TOTAL	551	78.3	100.0	
	Missing	System	153	21.7	
Total		704	100.0		

**Since becoming a task force/advisory council participant, have you completed any terrorism training?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	429	60.9	77.3	77.3
	No	126	17.9	22.7	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

The following is a list of terrorism related training courses sponsored by either the FBI or the United States Attorneys Office. Please complete the information which follows for each course.

**International Terrorism CD**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	211	30.0	49.0	49.0
	Not useful	11	1.6	2.6	51.5
	Did not complete	209	29.7	48.5	100.0
	TOTAL	431	61.2	100.0	
Missing	System	273	38.8		
Total		704	100.0		

**Domestic Terrorism CD**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	178	25.3	41.3	41.3
	Not useful	5	.7	1.2	42.5
	Did not complete	248	35.2	57.5	100.0
	TOTAL	431	61.2	100.0	
Missing	System	273	38.8		
Total		704	100.0		

**Identifying Terrorist Groups/Characteristics**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	200	28.4	46.3	46.3
	Not useful	3	.4	.7	47.0
	Did not complete	229	32.5	53.0	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**Terrorism/Incident Response**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	156	22.2	36.1	36.1
	Not useful	3	.4	.7	36.8
	Did not complete	273	38.8	63.2	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**Terrorism/Investigative Strategies**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	135	19.2	31.3	31.3
	Not useful	1	.1	.2	31.5
	Did not complete	296	42.0	68.5	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**Cultural Sensitivity**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	166	23.6	38.4	38.4
	Not useful	9	1.3	2.1	40.5
	Did not complete	257	36.5	59.5	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**FISA/USA PATRIOT ACT**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	225	32.0	52.1	52.1
	Not useful	13	1.8	3.0	55.1
	Did not complete	194	27.6	44.9	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**NJTTF Conference**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	72	10.2	16.7	16.7
	Not useful	5	.7	1.2	17.8
	Did not complete	355	50.4	82.2	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**Terrorism Financing**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	98	13.9	22.7	22.7
	Not useful	10	1.4	2.3	25.0
	Did not complete	324	46.0	75.0	100.0
	TOTAL	432	61.4	100.0	
Missing	System	272	38.6		
Total		704	100.0		

**Other**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Useful	119	16.9	37.0	37.0
	Not useful	2	.3	.6	37.6
	Did not complete	201	28.6	62.4	100.0
	TOTAL	322	45.7	100.0	
Missing	System	382	54.3		
Total		704	100.0		

**Is there counterterrorism training that you need or should receive that you have not taken?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	284	40.3	51.4	51.4
	No	269	38.2	48.6	100.0
	TOTAL	553	78.6	100.0	
Missing	System	151	21.4		
Total		704	100.0		

**How would you rate the task force's/advisory council's resources?**

**Number of staff**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	118	16.8	21.3	21.3
	Good	236	33.5	42.5	63.8
	Average	112	15.9	20.2	84.0
	Poor	38	5.4	6.8	90.8
	Very Poor	11	1.6	2.0	92.8
	Not applicable	40	5.7	7.2	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**Equipment**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	75	10.7	13.5	13.5
	Good	173	24.6	31.2	44.8
	Average	155	22.0	28.0	72.7
	Poor	45	6.4	8.1	80.9
	Very Poor	15	2.1	2.7	83.6
	Not Applicable	91	12.9	16.4	100.0
	TOTAL	554	78.7	100.0	
Missing	System	150	21.3		
Total		704	100.0		

**Space**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	94	13.4	16.9	16.9
	Good	154	21.9	27.7	44.7
	Average	145	20.6	26.1	70.8
	Poor	61	8.7	11.0	81.8
	Very Poor	29	4.1	5.2	87.0
	Not Applicable	72	10.2	13.0	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**Staff skills**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	166	23.6	29.9	29.9
	Good	239	33.9	43.1	73.0
	Average	82	11.6	14.8	87.7
	Poor	18	2.6	3.2	91.0
	Very Poor	2	.3	.4	91.4
	Not Applicable	48	6.8	8.6	100.0
	TOTAL	555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**Overall rating**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Excellent	94	13.4	16.9	16.9
	Good	264	37.5	47.6	64.5
	Average	131	18.6	23.6	88.1
	Poor	24	3.4	4.3	92.4
	Very Poor	4	.6	.7	93.2
	Not Applicable	38	5.4	6.8	100.0
TOTAL		555	78.8	100.0	
Missing	System	149	21.2		
Total		704	100.0		

**The Congress has drafted legislation suggesting that the United States Attorneys should continue to participate in the Joint Terrorism Task Forces rather than maintaining a separate set of U.S. Attorney task forces. If this legislation is adopted, how will it impact the counterterrorism coverage in your area?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Favorably impact	194	27.6	35.0	35.0
	Unfavorably impact	55	7.8	9.9	44.9
	No impact	89	12.6	16.1	61.0
	Not sure of impact	213	30.3	38.4	99.5
	Other	3	.4	.5	100.0
	TOTAL	554	78.7	100.0	
Missing	System	150	21.3		
Total		704	100.0		

**Upon joining the task force, were you given an orientation to the FBI and the FBI's policies and procedures?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	171	24.3	58.0	58.0
	No	109	15.5	36.9	94.9
	Don't know	15	2.1	5.1	100.0
	TOTAL	295	41.9	100.0	
Missing	System	409	58.1		
Total		704	100.0		

The next list of statements applies to the supervision, direction, and support that you receive as a task force participant. Please rate the statements that characterize the quality of supervision and guidance you receive with the scale provided.

**The chain of command for this task force is well-defined.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	123	17.5	41.8	41.8
	Agree	118	16.8	40.1	82.0
	Neutral	24	3.4	8.2	90.1
	Disagree	14	2.0	4.8	94.9
	Strongly disagree	7	1.0	2.4	97.3
	Not applicable	1	.1	.3	97.6
	Don't know	7	1.0	2.4	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**There is stability in the management structure of this task force.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	87	12.4	29.6	29.6
	Agree	122	17.3	41.5	71.1
	Neutral	41	5.8	13.9	85.0
	Disagree	28	4.0	9.5	94.6
	Strongly disagree	9	1.3	3.1	97.6
	Not applicable	1	.1	.3	98.0
	Don't know	6	.9	2.0	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**I have the authority I need to perform my job on this task force.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	93	13.2	31.6	31.6
	Agree	141	20.0	48.0	79.6
	Neutral	30	4.3	10.2	89.8
	Disagree	14	2.0	4.8	94.6
	Strongly disagree	7	1.0	2.4	96.9
	Not applicable	3	.4	1.0	98.0
	Don't know	6	.9	2.0	100.0
	Total	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**My task force supervisor provides the guidance I need.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	104	14.8	35.4	35.4
	Agree	110	15.6	37.4	72.8
	Neutral	41	5.8	13.9	86.7
	Disagree	13	1.8	4.4	91.2
	Strongly disagree	8	1.1	2.7	93.9
	Not applicable	12	1.7	4.1	98.0
	Don't know	6	.9	2.0	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**My task force supervisor provides the support I need.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	109	15.5	37.1	37.1
	Agree	108	15.3	36.7	73.8
	Neutral	42	6.0	14.3	88.1
	Disagree	16	2.3	5.4	93.5
	Strongly disagree	4	.6	1.4	94.9
	Not applicable	9	1.3	3.1	98.0
	Don't know	6	.9	2.0	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**My task force supervisor encourages my input in decision affecting my work.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	118	16.8	40.3	40.3
	Agree	113	16.1	38.6	78.8
	Neutral	32	4.5	10.9	89.8
	Disagree	12	1.7	4.1	93.9
	Strongly disagree	3	.4	1.0	94.9
	Not applicable	10	1.4	3.4	98.3
	Don't know	5	.7	1.7	100.0
	TOTAL	293	41.6	100.0	
Missing	System	411	58.4		
Total		704	100.0		

**My supervisor from my parent agency provides me with the guidance I need to effectively represent my agency.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	78	11.1	26.5	26.5
	Agree	83	11.8	28.2	54.8
	Neutral	37	5.3	12.6	67.3
	Disagree	16	2.3	5.4	72.8
	Strongly disagree	7	1.0	2.4	75.2
	Not applicable	66	9.4	22.4	97.6
	Don't know	7	1.0	2.4	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**I am currently not working on any taskings.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Ø	636	90.3	90.3	90.3
	"1"	68	9.7	9.7	100.0
	TOTAL	704	100.0	100.0	

*Note: Ø - indicates those respondents that did not type anything in response to the question. The table shows that 68 respondents indicated they were not currently working on any taskings.*

**Considering your taskings for this task force, please rate the following statements:**

**The taskings I receive are in my area of expertise.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	77	10.9	26.9	26.9
	Agree	131	18.6	45.8	72.7
	Neutral	39	5.5	13.6	86.4
	Disagree	4	.6	1.4	87.8
	Strongly disagree	6	.9	2.1	89.9
	Not applicable	26	3.7	9.1	99.0
	Don't know	3	.4	1.0	100.0
	TOTAL	286	40.6	100.0	
Missing	System	418	59.4		
Total		704	100.0		

**The taskings I receive are assigned to other members/agencies for completion.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	10	1.4	3.5	3.5
	Agree	38	5.4	13.4	16.9
	Neutral	32	4.5	11.3	28.2
	Disagree	99	14.1	34.9	63.0
	Strongly disagree	33	4.7	11.6	74.6
	Not applicable	61	8.7	21.5	96.1
	Don't know	11	1.6	3.9	100.0
	TOTAL	284	40.3	100.0	
Missing	System	420	59.7		
Total		704	100.0		

**When appropriate, I am assigned as the lead investigator on cases that are in my areas of expertise.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	58	8.2	20.4	20.4
	Agree	93	13.2	32.6	53.0
	Neutral	37	5.3	13.0	66.0
	Disagree	13	1.8	4.6	70.5
	Strongly disagree	8	1.1	2.8	73.3
	Not applicable	71	10.1	24.9	98.2
	Don't know	5	.7	1.8	100.0
	TOTAL	285	40.5	100.0	
Missing	System	419	59.5		
Total		704	100.0		

**I am normally included in the initial stages of a tasking where my expertise is most useful.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	77	10.9	26.9	26.9
	Agree	107	15.2	37.4	64.3
	Neutral	41	5.8	14.3	78.7
	Disagree	15	2.1	5.2	83.9
	Strongly disagree	6	.9	2.1	86.0
	Not applicable	37	5.3	12.9	99.0
	Don't know	3	.4	1.0	100.0
	TOTAL	286	40.6	100.0	
Missing	System	418	59.4		
Total		704	100.0		

**The contributions I make to this task force are worthwhile to the mission of the task force.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	107	15.2	37.4	37.4
	Agree	117	16.6	40.9	78.3
	Neutral	24	3.4	8.4	86.7
	Disagree	10	1.4	3.5	90.2
	Strongly disagree	3	.4	1.0	91.3
	Not applicable	19	2.7	6.6	97.9
	Don't know	6	.9	2.1	100.0
	TOTAL	286	40.6	100.0	
Missing	System	418	59.4		
Total		704	100.0		

**An FBI Special Agent is usually assigned as the lead agent on all IT cases.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	59	8.4	20.6	20.6
	Agree	68	9.7	23.8	44.4
	Neutral	25	3.6	8.7	53.1
	Disagree	53	7.5	18.5	71.7
	Strongly disagree	10	1.4	3.5	75.2
	Not applicable	37	5.3	12.9	88.1
	Don't know	34	4.8	11.9	100.0
	TOTAL	286	40.6	100.0	
Missing	System	418	59.4		
Total		704	100.0		

**An FBI Special Agent is usually assigned as the lead agent on all DT cases.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	51	7.2	17.8	17.8
	Agree	68	9.7	23.8	41.6
	Neutral	27	3.8	9.4	51.0
	Disagree	46	6.5	16.1	67.1
	Strongly disagree	9	1.3	3.1	70.3
	Not applicable	42	6.0	14.7	85.0
	Don't know	43	6.1	15.0	100.0
	TOTAL	286	40.6	100.0	
Missing	System	418	59.4		
Total		704	100.0		

**Do you receive non-JTTF related taskings?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	132	18.8	45.2	45.2
	No	160	22.7	54.8	100.0
	TOTAL	292	41.5	100.0	
Missing	System	412	58.5		
Total		704	100.0		

**How often do you receive these assignments?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Seldom	34	4.8	25.8	25.8
	Occasionally	62	8.8	47.0	72.7
	Frequently	36	5.1	27.3	100.0
	TOTAL	132	18.8	100.0	
Missing	System	572	81.3		
Total		704	100.0		

**Do you have complete access to the following sources of FBI information?**

**Automated Case System**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	187	26.6	63.6	63.6
	No	83	11.8	28.2	91.8
	Don't know	24	3.4	8.2	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**FBI databases**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	177	25.1	60.2	60.2
	No	84	11.9	28.6	88.8
	Don't know	33	4.7	11.2	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**FBI records**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	184	26.1	62.6	62.6
	No	76	10.8	25.9	88.4
	Don't know	34	4.8	11.6	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Other sources of information from the FBI**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	189	26.8	64.5	64.5
	No	58	8.2	19.8	84.3
	Don't know	46	6.5	15.7	100.0
	TOTAL	293	41.6	100.0	
Missing	System	411	58.4		
Total		704	100.0		

**At the worksite, do you have access to . . . ?**

**Parent agency's databases**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	160	22.7	54.4	54.4
	No	105	14.9	35.7	90.1
	Don't know	29	4.1	9.9	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Parent agency's contacts**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	210	29.8	71.4	71.4
	No	54	7.7	18.4	89.8
	Don't know	30	4.3	10.2	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Parent agency's intelligence**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	178	25.3	60.5	60.5
	No	83	11.8	28.2	88.8
	Don't know	33	4.7	11.2	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Parent agency's e-mail**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	159	22.6	54.1	54.1
	No	101	14.3	34.4	88.4
	Don't know	34	4.8	11.6	100.0
	TOTAL	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Internet/WWW**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	221	31.4	75.2	75.2
	No	45	6.4	15.3	90.5
	Don't know	28	4.0	9.5	100.0
	Total	294	41.8	100.0	
Missing	System	410	58.2		
Total		704	100.0		

**Which of the following describes your information sharing responsibilities?**

**My responsibility is to share information with my parent agency supervisor.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	91	12.9	31.3	31.3
	Agree	101	14.3	34.7	66.0
	Neither agree nor disagree	20	2.8	6.9	72.9
	Disagree	10	1.4	3.4	76.3
	Strongly disagree	3	.4	1.0	77.3
	Not applicable	61	8.7	21.0	98.3
	Don't know	5	.7	1.7	100.0
	TOTAL	291	41.3	100.0	
Missing	System	413	58.7		
Total		704	100.0		

**My responsibility is to share information with my FBI supervisor.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	132	18.8	45.5	45.5
	Agree	114	16.2	39.3	84.8
	Neither agree nor disagree	16	2.3	5.5	90.3
	Disagree	7	1.0	2.4	92.8
	Not applicable	15	2.1	5.2	97.9
	Don't know	6	.9	2.1	100.0
	TOTAL	290	41.2	100.0	
Missing	System	414	58.8		
Total		704	100.0		

**My responsibility is to share information directly with my agency head.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	51	7.2	17.7	17.7
	Agree	62	8.8	21.5	39.2
	Neither agree nor disagree	57	8.1	19.8	59.0
	Disagree	44	6.3	15.3	74.3
	Strongly disagree	16	2.3	5.6	79.9
	Not applicable	53	7.5	18.4	98.3
	Don't know	5	.7	1.7	100.0
	TOTAL	288	40.9	100.0	
Missing	System	416	59.1		
Total		704	100.0		

**My responsibility is to share information that I receive from the participating agencies on the task force.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	89	12.6	30.8	30.8
	Agree	125	17.8	43.3	74.0
	Neither agree nor disagree	32	4.5	11.1	85.1
	Disagree	7	1.0	2.4	87.5
	Strongly disagree	3	.4	1.0	88.6
	Not applicable	26	3.7	9.0	97.6
	Don't know	7	1.0	2.4	100.0
	TOTAL	289	41.1	100.0	
Missing	System	415	58.9		
Total		704	100.0		

**My responsibility is to share information I receive from other agencies that are no task force members.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	67	9.5	23.2	23.2
	Agree	112	15.9	38.8	61.9
	Neither agree nor disagree	39	5.5	13.5	75.4
	Disagree	24	3.4	8.3	83.7
	Strongly disagree	7	1.0	2.4	86.2
	Not applicable	33	4.7	11.4	97.6
	Don't know	7	1.0	2.4	100.0
	TOTAL	289	41.1	100.0	
Missing	System	415	58.9		
Total		704	100.0		

**My responsibility is to share information from my parent agency with the task force.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	91	12.9	31.5	31.5
	Agree	120	17.0	41.5	73.0
	Neither agree nor disagree	27	3.8	9.3	82.4
	Disagree	1	.1	.3	82.7
	Strongly disagree	2	.3	.7	83.4
	Not applicable	44	6.3	15.2	98.6
	Don't know	4	.6	1.4	100.0
	TOTAL	289	41.1	100.0	
Missing	System	415	58.9		
Total		704	100.0		

**My responsibility is to share information with other task forces.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	63	8.9	22.2	22.2
	Agree	104	14.8	36.6	58.8
	Neither agree nor disagree	51	7.2	18.0	76.8
	Disagree	20	2.8	7.0	83.8
	Strongly disagree	9	1.3	3.2	87.0
	Not applicable	30	4.3	10.6	97.5
	Don't know	7	1.0	2.5	100.0
	TOTAL	284	40.3	100.0	
Missing	System	420	59.7		
Total		704	100.0		

**I don't share any information with the task force.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	1	.1	.3	.3
	Agree	2	.3	.7	1.0
	Neither agree nor disagree	8	1.1	2.8	3.8
	Disagree	70	9.9	24.5	28.3
	Strongly disagree	148	21.0	51.7	80.1
	Not applicable	48	6.8	16.8	96.9
	Don't know	9	1.3	3.1	100.0
	TOTAL	286	40.6	100.0	
Missing	System	418	59.4		
Total		704	100.0		

**Where are your task force information sharing responsibilities defined?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		414	58.8	58.8	58.8
	"1"	1	.1	.1	58.9
	"1,"	7	1.0	1.0	59.9
	"1,2,"	10	1.4	1.4	61.4
	"1,2,3,"	7	1.0	1.0	62.4
	"1,2,3,4,"	12	1.7	1.7	64.1
	"1,2,3,4,5"	1	.1	.1	64.2
	"1,2,3,4,5,"	10	1.4	1.4	65.6
	"1,2,3,4,5,6,7,8,"	1	.1	.1	65.8
	"1,2,3,5,"	4	.6	.6	66.3
	"1,2,3,5,6,"	1	.1	.1	66.5
	"1,2,4,"	4	.6	.6	67.0
	"1,2,4,5,"	2	.3	.3	67.3
	"1,2,5,"	7	1.0	1.0	68.3
	"1,3"	1	.1	.1	68.5
	"1,3,"	6	.9	.9	69.3
	"1,3,4,"	1	.1	.1	69.5
	"1,3,5,"	3	.4	.4	69.9
	"1,3,6,8,"	1	.1	.1	70.0
	"1,5,"	6	.9	.9	70.9
	"1,6,"	2	.3	.3	71.2
	"1,7,"	1	.1	.1	71.3
	"2,"	34	4.8	4.8	76.1
	"2,3,"	11	1.6	1.6	77.7
	"2,3,4,"	9	1.3	1.3	79.0
	"2,3,4,5,"	5	.7	.7	79.7
	"2,3,5,"	1	.1	.1	79.8
	"2,3,7,"	1	.1	.1	80.0
	"2,4,"	18	2.6	2.6	82.5

"2,4,5,"	3	.4	.4	83.0
"2,4,5,7,"	2	.3	.3	83.2
"2,5,"	8	1.1	1.1	84.4
"2,6,"	1	.1	.1	84.5
"3"	1	.1	.1	84.7
"3,"	16	2.3	2.3	86.9
"3,4,"	2	.3	.3	87.2
"3,4,5,"	1	.1	.1	87.4
"3,5,"	3	.4	.4	87.8
"3,6,"	1	.1	.1	87.9
"3,7,"	1	.1	.1	88.1
"4,"	6	.9	.9	88.9
"4,5,"	3	.4	.4	89.3
"5,"	10	1.4	1.4	90.8
"5,6,"	3	.4	.4	91.2
"6"	1	.1	.1	91.3
"6,"	22	3.1	3.1	94.5
"6,8,"	2	.3	.3	94.7
"7,"	1	.1	.1	94.9
"8,"	36	5.1	5.1	100.0
TOTAL	704	100.0	100.0	

1 = Policy from my agency, 2 = FBI Policy, 3 = MOU between FBI and my parent agency, 4 = Attorney General's Guidelines, 5 = Good management practice, 6 = They aren't defined, 7 = Other, 8 = Don't know

**The following 10 questions were only directed to ATAC respondents:**

**Which of the following describes your information sharing responsibilities on this task force?**

**I share information from my parent agency with ATAC members.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	125	17.8	48.3	48.3
	Agree	92	13.1	35.5	83.8
	Neutral	18	2.6	6.9	90.7
	Disagree	3	.4	1.2	91.9
	Strongly disagree	1	.1	.4	92.3
	Not applicable	17	2.4	6.6	98.8
	Don't know	3	.4	1.2	100.0
	TOTAL	259	36.8	100.0	
Missing	System	445	63.2		
Total		704	100.0		

**I share information from the ATAC meetings with my parent agency.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	123	17.5	47.3	47.3
	Agree	93	13.2	35.8	83.1
	Neutral	18	2.6	6.9	90.0
	Disagree	2	.3	.8	90.8
	Strongly disagree	1	.1	.4	91.2
	Not applicable	20	2.8	7.7	98.8
	Don't know	3	.4	1.2	100.0
	TOTAL	260	36.9	100.0	
Missing	System	444	63.1		
Total		704	100.0		

**I share information that I receive from other agencies with the ATAC members.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	98	13.9	38.0	38.0
	Agree	101	14.3	39.1	77.1
	Neutral	29	4.1	11.2	88.4
	Disagree	8	1.1	3.1	91.5
	Strongly disagree	1	.1	.4	91.9
	Not applicable	16	2.3	6.2	98.1
	Don't know	5	.7	1.9	100.0
	TOTAL	258	36.6	100.0	
Missing	System	446	63.4		
Total		704	100.0		

**I do not share information with the ATAC members.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	2	.3	.8	.8
	Agree	7	1.0	2.8	3.6
	Neutral	19	2.7	7.7	11.3
	Disagree	82	11.6	33.1	44.4
	Strongly disagree	104	14.8	41.9	86.3
	Not applicable	26	3.7	10.5	96.8
	Don't know	8	1.1	3.2	100.0
	TOTAL	248	35.2	100.0	
Missing	System	456	64.8		
Total		704	100.0		

**I do not share any information from the ATAC with my parent agency or any other agency.**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly agree	1	.1	.4	.4
	Agree	3	.4	1.2	1.6
	Neutral	8	1.1	3.2	4.9
	Disagree	89	12.6	36.0	40.9
	Strongly disagree	113	16.1	45.7	86.6
	Not applicable	26	3.7	10.5	97.2
	Don't know	7	1.0	2.8	100.0
	TOTAL	247	35.1	100.0	
Missing	System	457	64.9		
Total		704	100.0		

**Where are your advisory council information sharing responsibilities defined?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		443	62.9	62.9	62.9
	"1,"	42	6.0	6.0	68.9
	"1,4,"	3	.4	.4	69.3
	"1,4,5,"	10	1.4	1.4	70.7
	"1,5,"	8	1.1	1.1	71.9
	"1,5,6,"	1	.1	.1	72.0
	"1,7,"	1	.1	.1	72.2
	"1,8,"	1	.1	.1	72.3
	"4,"	30	4.3	4.3	76.6
	"4,5,"	3	.4	.4	77.0
	"4,5,6,"	2	.3	.3	77.3
	"4,7,"	1	.1	.1	77.4
	"4,8,"	3	.4	.4	77.8
	"5,"	39	5.5	5.5	83.4
	"5,6,"	3	.4	.4	83.8
	"5,7,"	1	.1	.1	83.9
	"6,"	80	11.4	11.4	95.3
	"7,"	2	.3	.3	95.6
	"8,"	30	4.3	4.3	99.9
	5	1	.1	.1	100.0
TOTAL	704	100.0	100.0		

1 = Policy from my agency, 2 = Attorney General's Guidelines, 3 = Good management practice, 4 = They aren't defined, 5 = Other, 6 = Don't know

**How does the ATAC Coordinator/U.S. Attorney's Office share information outside of scheduled meetings?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	444	63.1	63.1	63.1
"1,"	120	17.0	17.0	80.1
"1,2,"	16	2.3	2.3	82.4
"1,2,3,"	23	3.3	3.3	85.7
"1,2,3,4,"	3	.4	.4	86.1
"1,3,"	49	7.0	7.0	93.0
"1,3,4,"	17	2.4	2.4	95.5
"1,3,5,"	1	.1	.1	95.6
"1,4,"	8	1.1	1.1	96.7
"3,"	3	.4	.4	97.2
"3,4,"	1	.1	.1	97.3
"3,5,"	1	.1	.1	97.4
"4,"	5	.7	.7	98.2
"5,"	13	1.8	1.8	100.0
TOTAL	704	100.0	100.0	

1 = Electronic mail (email), 2 = Alert System, 3 = Telephone calls, 4 = Other, 5 = Information not shared outside meetings

**As a result of your membership on the ATAC, do you get the information you need in order to effectively perform your terrorism related job duties at your parent agency?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	221	31.4	86.0	86.0
No	36	5.1	14.0	100.0
TOTAL	257	36.5	100.0	
Missing System	447	63.5		
Total	704	100.0		

*The following 4 questions were directed only to JTTF respondents:*

**How often do you interact w/ NJTTF members? (interactions can be in person, by telephone, email, etc.)**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Daily	30	4.3	11.6	11.6
Weekly	25	3.6	9.7	21.2
Every 2 weeks	5	.7	1.9	23.2
Once a month	8	1.1	3.1	26.3
As needed	108	15.3	41.7	68.0
Never	78	11.1	30.1	98.1
Other	5	.7	1.9	100.0
TOTAL	259	36.8	100.0	
Missing System	445	63.2		
Total	704	100.0		

**Which of the following describes the reasons for your interactions with the NJTTF members?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	520	73.9	73.9	73.9
"1,"	7	1.0	1.0	74.9
"1,2,"	1	.1	.1	75.0
"1,2,3"	1	.1	.1	75.1
"1,2,3,"	1	.1	.1	75.3
"1,2,3,4,"	2	.3	.3	75.6
"1,2,3,4,5,"	24	3.4	3.4	79.0
"1,2,4,"	2	.3	.3	79.3
"1,2,4,5,"	11	1.6	1.6	80.8
"1,2,5,"	2	.3	.3	81.1
"1,3,4,"	1	.1	.1	81.3
"1,4,5,"	1	.1	.1	81.4
"1,5,"	7	1.0	1.0	82.4
"2,"	21	3.0	3.0	85.4
"2,3,"	2	.3	.3	85.7
"2,3,4,5,"	4	.6	.6	86.2
"2,3,5,"	5	.7	.7	86.9
"2,4,"	6	.9	.9	87.8
"2,4,5,"	16	2.3	2.3	90.1
"2,5"	1	.1	.1	90.2
"2,5,"	8	1.1	1.1	91.3
"3,"	7	1.0	1.0	92.3
"3,4,5,"	3	.4	.4	92.8
"3,5,"	1	.1	.1	92.9
"4,"	11	1.6	1.6	94.5
"4,5,"	7	1.0	1.0	95.5
"5,"	32	4.5	4.5	100.0
TOTAL	704	100.0	100.0	

1 = To receive guidance and direction, 2 = To respond to inquiries, 3 = To discuss agency specific needs, 4 = To complete taskings, 5 = To share information/intelligence

**How often do you interact w/ FTTTF members?**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid				
Daily	11	1.6	4.3	4.3
Weekly	9	1.3	3.5	7.8
Every 2 weeks	2	.3	.8	8.6
Once a month	4	.6	1.6	10.2
As needed	104	14.8	40.8	51.0
Never	123	17.5	48.2	99.2
Other	2	.3	.8	100.0
Total	255	36.2	100.0	
Missing	System	449	63.8	
TOTAL	704	100.0		

**The FBI plans to move the NJTTF's operations to the Terrorism Threat Integration Center. How will this planned move impact the NJTTF's operations?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Improve NJTTF operations	36	5.1	14.0	14.0
	No change in the NJTTF operations	14	2.0	5.4	19.4
	Not sure of the impact	208	29.5	80.6	100.0
	TOTAL	258	36.6	100.0	
Missing	System	446	63.4		
Total		704	100.0		

*The following 5 questions were only directed to NJTTF respondents:*

**How often do you interact w/ JTTF members?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	10	1.4	52.6	52.6
	Weekly	1	.1	5.3	57.9
	As needed	7	1.0	36.8	94.7
	Never	1	.1	5.3	100.0
	TOTAL	19	2.7	100.0	
Missing	System	685	97.3		
Total		704	100.0		

**Which of the following describes the reasons for your interactions with JTTF members?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		686	97.4	97.4	97.4
	1,2,3,4,5	2	.3	.3	97.7
	1,2,3,5	2	.3	.3	98.0
	1,2,4,5	1	.1	.1	98.2
	1,2,5	1	.1	.1	98.3
	1,3,5,	1	.1	.1	98.4
	2,3,4,5	1	.1	.1	98.6
	2,3,5	1	.1	.1	98.7
	2,4,	1	.1	.1	98.9
	2,4,5	2	.3	.3	99.1
	2,5	2	.3	.3	99.4
	5	4	.6	.6	100.0
	TOTAL	704	100.0	100.0	

1 = To receive guidance and direction, 2 = To respond to inquiries, 3 = To discuss agency specific needs, 4 = To complete taskings, 5 = To share information/intelligence

**How often do you interact with FTTTF members (interactions can be in person, by telephone, email, etc.)?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	1	.1	5.3	5.3
	Every 2 weeks	1	.1	5.3	10.5
	As needed	9	1.3	47.4	57.9
	Never	8	1.1	42.1	100.0
	TOTAL	19	2.7	100.0	
Missing	System	685	97.3		
Total		704	100.0		

**Which of the following describes the reasons for your interactions with FTTTF?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		693	98.4	98.4	98.4
	"1,3,5,"	1	.1	.1	98.6
	"2,"	1	.1	.1	98.7
	"2,4,5,6,"	1	.1	.1	98.9
	"2,5,"	2	.3	.3	99.1
	"3,5,"	1	.1	.1	99.3
	"5,"	3	.4	.4	99.7
	"5,6,"	2	.3	.3	100.0
	TOTAL	704	100.0	100.0	

1 = To receive guidance and direction, 2 = To respond to inquiries, 3 = To discuss agency specific needs, 4 = to complete taskings, 5 = To obtain information, 6 = To request analysis

**The FBI plans to move the NJTTF's operations to the Terrorism Threat Integration Center. How will this planned move impact the NJTTF's operations?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Improve the NJTTF operations	6	.9	31.6	31.6
	No change in NJTTF operations	1	.1	5.3	36.8
	Not sure of impact	12	1.7	63.2	100.0
	TOTAL	19	2.7	100.0	
Missing	System	685	97.3		
Total		704	100.0		

The following 8 questions were only directed to FTTF respondents:

How often do you interact with members of the following groups?  
(interactions can be in person, by telephone, email, etc.)

**JTTF members**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	1	.1	6.7	6.7
	Quarterly	1	.1	6.7	13.3
	Never	13	1.8	86.7	100.0
	TOTAL	15	2.1	100.0	
Missing	System	689	97.9		
Total		704	100.0		

**Department of Homeland Security**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	5	.7	31.3	31.3
	Weekly	3	.4	18.8	50.0
	Monthly	2	.3	12.5	62.5
	Quarterly	1	.1	6.3	68.8
	Never	5	.7	31.3	100.0
	Total	16	2.3	100.0	
Missing	System	688	97.7		
Total		704	100.0		

**Executive Office of the United States Attorneys (EOUSA)**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Quarterly	1	.1	6.7	6.7
	Never	14	2.0	93.3	100.0
	TOTAL	15	2.1	100.0	
Missing	System	689	97.9		
Total		704	100.0		

**Joint Terrorism Task Force (JTTF)**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Weekly	1	.1	6.7	6.7
	Monthly	2	.3	13.3	20.0
	Quarterly	2	.3	13.3	33.3
	Never	10	1.4	66.7	100.0
	TOTAL	15	2.1	100.0	
Missing	System	689	97.9		
Total		704	100.0		

**National Joint Terrorism Task Force (NJTTF)**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	1	.1	6.7	6.7
	Weekly	2	.3	13.3	20.0
	Monthly	1	.1	6.7	26.7
	Quarterly	1	.1	6.7	33.3
	Never	10	1.4	66.7	100.0
	Total	15	2.1	100.0	
Missing	System	689	97.9		
Total		704	100.0		

**Terrorism Screening Center (TSC)**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	2	.3	13.3	13.3
	Weekly	3	.4	20.0	33.3
	Monthly	1	.1	6.7	40.0
	Never	9	1.3	60.0	100.0
	TOTAL	15	2.1	100.0	
Missing	System	689	97.9		
Total		704	100.0		

**Terrorism Threat Integration Center (TTIC)**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	1	.1	7.1	7.1
	Weekly	3	.4	21.4	28.6
	Monthly	1	.1	7.1	35.7
	Quarterly	1	.1	7.1	42.9
	Never	8	1.1	57.1	100.0
	TOTAL	14	2.0	100.0	
Missing	System	690	98.0		
Total		704	100.0		

**United States Attorneys Office (USAO)**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Daily	1	.1	7.1	7.1
	Weekly	2	.3	14.3	21.4
	Never	11	1.6	78.6	100.0
	TOTAL	14	2.0	100.0	
Missing	System	690	98.0		
Total		704	100.0		

What is your current job title?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Assistant Chief	21	3.0	3.1	3.1
	ASAC	7	1.0	1.0	4.1
	AUSA	26	3.7	3.8	7.9
	Deputy USM	18	2.6	2.6	10.5
	Captain	21	3.0	3.1	13.5
	Chief	57	8.1	8.3	21.8
	Deputy Commissioner	1	.1	.1	22.0
	Detective	16	2.3	2.3	24.3
	Director	23	3.3	3.3	27.7
	Federal Air Marshal	3	.4	.4	28.1
	Intell Analyst	20	2.8	2.9	31.0
	IRS	15	2.1	2.2	33.2
	Investigator	29	4.1	4.2	37.4
	Lieutenant	32	4.5	4.7	42.1
	Manager	14	2.0	2.0	44.1
	Officer	11	1.6	1.6	45.7
	RAC	11	1.6	1.6	47.3
	Sergeant	16	2.3	2.3	49.6
	Special Agent	172	24.4	25.0	74.7
	SAC	9	1.3	1.3	76.0
	SSA	32	4.5	4.7	80.6
Sheriff	11	1.6	1.6	82.2	
Other	122	17.3	17.8	100.0	
TOTAL	687	97.6	100.0		
Missing	System	17	2.4		
Total		704	100.0		

**Agency Affiliation**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	ATF	31	4.4	4.5	4.5
	DEA	5	.7	.7	5.2
	FBI	109	15.5	15.9	21.1
	BOP	7	1.0	1.0	22.2
	BICE	28	4.0	4.1	26.2
	CIA	12	1.7	1.7	28.0
	FPS	7	1.0	1.0	29.0
	TSA	9	1.3	1.3	30.3
	EOUSA	1	.1	.1	30.5
	USSS	7	1.0	1.0	31.5
	IRS	14	2.0	2.0	33.5
	OSI	4	.6	.6	34.1
	USAO	47	6.7	6.9	41.0
	USMS	29	4.1	4.2	45.2
	Military Intelligence Unit	5	.7	.7	45.9
	State govt./agency	87	12.4	12.7	58.6
	Local govt./agency	170	24.1	24.8	83.4
	Private Business	22	3.1	3.2	86.6
	Other Federal Agency	92	13.1	13.4	100.0
	TOTAL	686	97.4	100.0	
Missing	System	18	2.6		
Total		704	100.0		

**Geographic Region**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Northeast	129	18.3	18.6	18.6
	Midwest	150	21.3	21.6	40.3
	South	287	40.8	41.4	81.7
	West	127	18.0	18.3	100.0
	TOTAL	693	98.4	100.0	
Missing	System	11	1.6		
Total		704	100.0		

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## APPENDIX V: NSCC MEMORANDUM

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Office of the Attorney General  
Washington, D.C. 20530

March 5, 2002

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM: THE ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "John Ashcroft", written over the printed name "THE ATTORNEY GENERAL".

SUBJECT: Establishment of the National Security Coordination Council

Nearly five months after the devastating terrorist attacks of September 11, 2001, the Department of Justice stands at the forefront of President Bush's efforts to secure the American homeland. Throughout the Department, we have made great strides toward fully deploying the arsenal of justice to combat terrorism, and we have done so without compromising our commitment to the rule of law. But there is much work to be done.

The assaults on America that occurred on September 11, and the supreme imperative to prevent further terrorist attacks, mandate a more coordinated effort to combat terrorism and address other national security challenges, both within the Department of Justice, and in the Department's interaction with other law enforcement and intelligence agencies.

Therefore, effective immediately, I hereby establish the National Security Coordination Council (NSCC) of the Department of Justice, which shall be chaired by the Deputy Attorney General. It shall be the principal mission of the NSCC to ensure a more seamless coordination of all functions of the Department relating to national security, particularly the Department's efforts to combat terrorism directed against the United States.

Under the Deputy Attorney General's leadership, the Council will:

- (1) Centralize and coordinate policy, resource allocation, operations, and long-term planning of DOJ components regarding counter-terrorism, counter-espionage, and other major national security issues;
- (2) Monitor the implementation of Department policy to ensure that components are taking all necessary and appropriate actions to prevent and disrupt the occurrence of terrorist attacks in the United States;
- (3) Provide an institutionalized Department forum for crisis management;

- (4) Promote coordination and information-sharing within the Department, between DOJ and other federal agencies and interagency bodies, and between DOJ and state and local law enforcement authorities, to prevent, prepare for, and respond to terrorist attacks within the United States;
- (5) Frame national security issues for resolution by the Deputy Attorney General or the Attorney General; and
- (6) Ensure that positions advanced by the Deputy Attorney General on behalf of DOJ at interagency meetings of the National Security Council, the Homeland Security Council, and other interagency forums reflect input from DOJ national security components.

In addition to the Deputy Attorney General, the NSCC's members will include the following Department officials with responsibility for national security matters:

- Chief of Staff to the Attorney General;
- FBI Director (with appropriate participation by the Executive Assistant Director for Counter-Terrorism/Counter-Intelligence);
- Assistant Attorney General, Criminal Division (with appropriate participation by the Terrorism and Violent Crime Section, the Office of International Affairs, and other Division components);
- Commissioner of the Immigration and Naturalization Service;
- Assistant Attorney General, Office of Justice Programs; and
- Counsel, Office of Intelligence Policy and Review.

The NSCC will meet on a bi-weekly basis or more frequently as needed. In addition to the Deputy Attorney General and the permanent members listed above, other senior Department officials – as well as senior officials from the Central Intelligence Agency and other government agencies – will be invited to attend NSCC meetings when appropriate. The NSCC will receive staff support from attorneys in the Office of the Deputy Attorney General with expertise in national security matters, and from ODAG administrative personnel. The functions and personnel of the Executive Office of National Security will henceforth be incorporated into the NSCC's operations.

The establishment of the NSCC marks a new chapter in the Department of Justice's commitment to protecting the safety and well-being of the American people. I call upon all Department officials and employees to dedicate themselves to the success of this vital effort.

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## APPENDIX VI: ATAC MEMORANDUMS

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Office of the Attorney General  
Washington, D. C. 20530

September 17, 2001

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM:  THE ATTORNEY GENERAL

SUBJECT: ANTI-TERRORISM PLAN

Last Tuesday marked a turning point in this country's fight against terrorism. That morning, the forces of terrorism attacked the citizens of our country with a ferocity that was nothing short of a declaration of war against the American people. The President of the United States has announced that we will meet that declaration with a full commitment of resources and with a firm resolve to rid the world of terrorism. The fight against terrorism must be our first and overriding priority.

As the 1995 bombing in Oklahoma City and the events of last week clearly demonstrated, much of the terrorism directed at American citizens is orchestrated and carried out by persons residing in our country -- people who enjoy the blessings of our free society yet commit themselves to its destruction. We in law enforcement must do everything within our power to apprehend those persons and to eradicate the forces of terrorism in our country. The memory of those who fell last week and our sworn duty to "support and defend the Constitution of the United States against all enemies, foreign and domestic" demand that we dedicate ourselves to this mission.

Accordingly, I hereby direct every United States Attorney to commit all available resources and manpower to our national mission against terrorism, and I instruct each United States Attorney's Office to implement the following measures to enhance our capacity to combat terrorism:

- (1) *Implement the Department's Anti-Terrorism Plan.* The guiding principle of this enforcement plan is the prevention of future terrorism through the dismantling of terrorist organizations operating within the United States. This plan focuses on preventing terrorism by arresting and detaining violators who have been identified as persons who participate in, or lend support to, terrorist activities. Federal law enforcement agencies and the United States Attorneys' Offices will use every available law enforcement tool to incapacitate these individuals and their organizations.
- (2) *Establish an Anti-Terrorism Task Force within each district.* At my direction, each United States Attorney's Office last week identified one experienced prosecutor who will serve as the Anti-Terrorism Coordinator for that district. That Coordinator is to convene a meeting of representatives from the federal law enforcement agencies -- including the FBI, INS, DEA, Customs Service, Marshals Service, Secret Service

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and ATF -- and the primary state and local police forces in that district.<sup>1</sup> That group will constitute the Anti-Terrorism Task Force in each district.

These task forces will be part of a national network that will coordinate the dissemination of information and the development of investigative and prosecutive strategy throughout the country. The efforts of each task force will be coordinated by the Anti-Terrorism Coordinator in that district. Each Anti-Terrorism Coordinator will, in turn, coordinate with a National Anti-Terrorism Coordinator in the Terrorism & Violent Crime Section of the Criminal Division. The National Anti-Terrorism Coordinators will be assigned by region of the country, and they will have primary responsibility for coordinating activities within their assigned region and integrating those activities into the Department's national anti-terrorism strategy.

The creation of these Anti-Terrorism Task Forces and their coordination on a national level will serve several purposes. First, these task forces will be a conduit of information about suspected terrorists between the federal and local agencies. Intelligence about terrorist networks obtained by federal agencies will be disseminated through these task forces to the local police officials who can help monitor those networks in their localities. Also, intelligence developed by local police will be conveyed through this collaboration to the federal agencies.

Second, the Anti-Terrorism Task Force in each district will serve as a coordinating body for implementing the operational plan for the prevention of terrorism. Once information is received indicating that individuals or groups of individuals in a particular district are terrorists or supporters of terrorism, the members of the Anti-Terrorism Task Force, in conjunction with their National Anti-Terrorism Coordinator, will determine and implement the most effective strategy for incapacitating them.

Third, the Anti-Terrorism Task Force in each district will serve as a standing organizational structure for a coordinated response to a terrorist incident in that district.

In sum, the implementation of task forces coordinated by the United States Attorney in each district will provide the operational foundation for a concerted national assault against terrorism. With the Criminal Division providing centralized strategic guidance and the task forces tailoring the strategy to the circumstances of each district, this system will provide law enforcement with a comprehensive and

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<sup>1</sup>In those districts which fall within the jurisdiction of one of the Joint Terrorism Task Forces, representatives of those task forces should participate as members of the Anti-Terrorism Task Force in each district.

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seamless approach to attack terrorism within our borders.

The task forces will be receiving clear guidance from the Department on an ongoing basis. The Deputy Attorney General and the Assistant Attorney General for the Criminal Division held a teleconference today with all United States Attorneys and Anti-Terrorism Coordinators in which they discussed the Department's immediate anti-terrorism strategy and provided guidance for establishing the task forces in each district. The Department will be distributing materials about the mission and methods of the task forces. Also, a national conference of the Coordinators will be held at the National Advocacy Center, at which representatives of the Attorney General and the FBI Director will detail the operational plan for terrorism prevention and provide briefings about the terrorist activities in each region of the country.

- (3) *Provide regular reports on anti-terrorism activities.* Each district is to report regularly on the activities of its Anti-Terrorism Task Force. EOUSA will develop and distribute a template for that report, and the reports will be compiled for review by the Deputy Attorney General, the Assistant Attorney General for the Criminal Division and myself. These reports will be closely reviewed to ensure that the Anti-Terrorism Task Forces around the country are properly structured and staffed, and that they maintain their focus and effectiveness over time.
- (4) *Appoint an immigration coordinator.* Each district is to appoint an Assistant United States Attorney to act as the district's liaison with the Immigration and Naturalization Service and to oversee the handling of all immigration cases brought as a result of this anti-terrorism plan.
- (5) *Implement the Anti-Terrorism Plan by the following deadlines:*
  - a. Each district was to appoint an Anti-Terrorism Coordinator by September 13, 2001.
  - b. Each district is to designate an immigration coordinator by noon September 18, 2001.
  - c. The Anti-Terrorism Coordinator in each district is to convene a meeting of the Anti-Terrorism Task Force by close of business September 18, 2001.
  - d. The Anti-Terrorism Coordinator is to submit the first report on the activities of the task force by close of business September 24, 2001.

I understand that this is an aggressive and ambitious agenda, and that it represents a change in the manner of doing business in the United States Attorneys' Offices. We must all recognize, however, that our mission has changed with the events of last week. The threat that seemed fairly

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remote to most Americans six days ago is now felt in every heart and in every home in the United States. If we hope to dispel this threat, we must meet it with ingenuity and determination. I call upon each of you to commit yourselves and your offices to this mission. The security of the nation demands such a commitment.



U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

October 25, 2001

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS' OFFICES  
ALL FEDERAL BUREAU OF INVESTIGATION FIELD OFFICES

FROM: THE DEPUTY ATTORNEY GENERAL 

SUBJECT: Authority of Anti-Terrorism Task Force Operations

On September 17, 2001, the Attorney General issued an anti-terrorism directive that tasked each United States Attorney with coordinating operations of the Anti-Terrorism Task Force ("ATTF") within each district. The responsibilities of the United States Attorney and his or her Anti-Terrorism Coordinator include the following: (1) convening and establishing the agenda for task force meetings; (2) ensuring that the participating state, local and federal agencies work in a coordinated fashion and freely share information; (3) developing a consensus among the task force members about investigative and prosecutive priorities and strategy; (4) collaborating with the National Anti-Terrorism Coordinators about priorities and strategy; and (5) ensuring that the member agencies maintain a long-term focus on anti-terrorism after the initial reaction to the September 11<sup>th</sup> attacks subsides.

Questions have been raised about the extent of the United States Attorneys' authority over task force operations, and specifically about their role in investigative activities that are not related to an ongoing prosecution. I will answer those questions with this memorandum.

I liken the role of the United States Attorney on the ATTF to that of an Assistant United States Attorney ("AUSA") who becomes involved in a case prior to an arrest, and therefore before the investigation officially turns into a prosecution. When an AUSA becomes involved at such a stage, he or she does not supplant the case agent as the primary investigator on the case. The case agent retains the responsibility for managing the investigation, and the AUSA simply provides guidance to ensure that the investigation aligns with the strategy for the ultimate prosecution. Similarly, the United States Attorney's role on the Anti-Terrorism Task Force is not to dictate how the member agencies carry out their investigative work, but rather to ensure that the work of each task force is directed, effective and consistent with the national anti-terrorism strategy. The United States Attorney is to coordinate task force operations, but to do so without jeopardizing the investigative initiative and operational independence of the investigating agencies.

ALL FEDERAL BUREAU OF INVESTIGATION FIELD OFFICES

Subject: Authority of Anti-Terrorism Task Force Operations

This allocation of coordinating authority between the United States Attorney and the investigating agencies will apply equally to those districts in which an FBI Joint Terrorism Task Force ("JTTF") was already operating before the ATTFs began as well as to those districts that have never had a JTTF. In those districts that currently have a JTTF, however, the allocation of operational authority will be more strictly defined, in recognition of the FBI's established presence and leadership role in those districts. While the JTTFs will certainly "participate as members of the Anti-Terrorism Task Force," as directed by the Attorney General, the FBI leadership in those districts will retain and exercise primary operational authority, in coordination and consultation with the ATTF and the United States Attorney's Anti-Terrorism Coordinator, over all JTTF investigative activities that are not related to an ongoing prosecution. In all other districts, the United States Attorney and the FBI will jointly coordinate ATTF investigative activities in accordance with the paradigm described above.

I trust that this memorandum answers any concerns about the allocation of responsibility between the United States Attorneys' Offices and the FBI Field Offices in the Department's campaign against terrorism. Thank you for all your hard work, and for your dedication to the cause of protecting our country against terrorism.



Office of the Attorney General  
Washington, D. C. 20530

September 24, 2003

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: THE ATTORNEY GENERAL

Handwritten signature of John Ashcroft in black ink.

SUBJECT: Responsibilities of Anti-Terrorism Advisory Councils (ATACs)

On September 17, 2001, I issued an anti-terrorism directive which established Anti-Terrorism Task Forces (ATTFs) in each of the Districts in order to facilitate the Department's number one priority: the protection of America against the threat of terrorism. Since that time, the U.S. Attorneys have constituted and led the ATTFs as a complement to the operational counterterrorism efforts of the Federal Bureau of Investigation (FBI) and the Joint Terrorism Task Forces (JTTFs).

As the chief federal law enforcement officials in your respective Districts, each U.S. Attorney has brought inherent leadership and experience to ensure effective implementation of the President's war on terrorism. I appreciate the many successful projects that you have initiated, including large-scale projects such as the Interview Project and the Airport Security Reviews, countless training programs and forums, and the facilitation of a new era of information sharing. You have made great strides in reaching out to state and local law enforcement, forging unprecedented levels of outreach and cooperation, as well as coordinating with the new Department of Homeland Security (DHS).

Maintaining this leadership within each District is critical to the President's mission to prevent future terrorist attacks and the Department's objective to work as a seamless organization in our war against terrorism. We have now reached the two-year mark since the establishment of the ATTFs, and this memorandum is intended to provide further clarity as to your respective roles as leaders of these entities and to ensure that your activities are fully integrated with the operations of the JTTFs.

Each existing ATTF will reconstitute its current membership intact as an Anti-Terrorism Advisory Council (ATAC), which shall be chaired by the U.S. Attorney in each District. As detailed below, the ATACs will continue their core functions: (1) coordinating specific anti-terrorism initiatives; (2) initiating training programs; and (3) facilitating information sharing. Regarding the core operational aspects of terrorism investigations, the ATACs will work in

partnership with the JTTFs, who will retain primary responsibility for terrorism investigations, continuing to coordinate among FBI field offices and their respective counterparts in federal, state, and local law enforcement and intelligence agencies in conducting international and domestic investigations. As described more fully below, ATACs will continue to coordinate operational and investigative work in certain investigations. I also ask that you once again reach out to all law enforcement entities that have heretofore not participated in the ATTFs and invite them to join the newly constituted ATACs.

### ATAC Responsibilities

1. Coordinate Anti-Terrorism Initiatives:

- a. Ensure that federal, state, and local enforcement efforts are focused and coordinated as they pursue targets who may be connected to terrorism.
- b. Mobilize and coordinate federal, state, and local officials for national prevention-based initiatives that involve significant prospects of imminent prosecution, such as Airport Security Reviews, Nuclear Power Plant Security Reviews, and Interview Projects.
- c. Provide a central forum for agencies to congregate and identify potential terrorism links among their investigations. As the entities that work regularly with all enforcement agencies, you are positioned to bring agencies together which would not otherwise know that their respective investigations are linked. These forums are especially useful where there is either no JTTF headquartered in a particular district or where the suspected activities do not warrant investigation by the JTTFs. Where such forums focus on homeland security initiatives, it is anticipated that the ATACs will coordinate and work with the DHS.

2. Initiate Training Programs.

- a. Provide federal, state, and local law enforcement officials with legal training on federal criminal procedure, the United States Code, the USA PATRIOT Act and investigative techniques available post-PATRIOT Act, other new federal initiatives, and the array of federal charges that can be used to neutralize suspected terrorists and terrorist supporters.
- b. Sponsor and coordinate hands-on training programs concerning recent cases that may have relevance to your districts, including, for example, credit card fraud,

- c. Social Security fraud, immigration fraud, asylum fraud, alien smuggling, bankruptcy fraud, cyber-crimes, and money laundering.
- d. Continue to provide in the short term – and invite DHS to assist in coordinating – training programs in areas such as HAZMAT recognition and protecting issues including chemical, biological, and nuclear agents; threat recognition; using incident command systems; and public health issues.

3. **Information Sharing:**

- a. Foster regular meetings where agencies that do not ordinarily come in contact with each other can learn about the capabilities and assets of other agencies.
- b. Continue to employ Intelligence Research Specialists in each district who coordinate with intelligence specialists in other agencies and review incoming intelligence. These specialists will be members of the ATACs and JTTFs and will help further ensure that there is no duplication of efforts. They will also continue to provide JTTFs with intelligence information generated by ATAC members who are not JTTF members, as well as intelligence obtained by U.S. Attorneys' Offices from non-terrorism prosecutions and investigations.
- c. Disseminate terrorism-related information to ATAC member agencies by utilizing Chief Information Officers, Law Enforcement Coordinators, and the Regional Information Sharing Network (RISS). While you do not have primary responsibility for disseminating FBI materials, when requested, the ATACs will continue to serve as a supporting role to JTTFs/FBI to ensure that all ATAC members receive timely information.

4. **Operational Aspects of Terrorism Investigations:** The JTTFs will retain primary operational responsibility for terrorism investigations. At the same time, ATACs will continue to take the lead where they are better equipped to manage particular projects either because of other pressing JTTF priorities or limited JTTF resources. In addition, in districts where JTTFs are not headquartered, the ATACs shall continue to coordinate operational and investigative work in certain investigations.

Thank you for the continued leadership that you have displayed as the chief law enforcement officials in your respective districts. I trust that this memorandum provides further clarity to this effort. I recognize also that each District is different and that you must tailor these responsibilities in a manner that fits your local needs. Your continued dedication is critical to effective implementation of the Department's number one priority: the war on terrorism.

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**TALKING POINTS ON ANTI-TERRORISM ADVISORY COUNCILS  
FOR U.S. ATTORNEYS**

- We have now reached the two-year mark since the horrific attacks on September 11, 2001, and the subsequent stand up the Anti-Terrorism Task Forces (ATTFs). The ATTFs have made great strides in furthering the President's war on terrorism and in forging relationships with state and local law enforcement. Maintaining this leadership within the Districts is critical to the Department's mission.
- In light of this two year anniversary and after a review of lessons learned, the Attorney General is announcing several changes to the ATTFs:
  - First, each existing ATTF will reconstitute with its current membership intact as an Anti-Terrorism Advisory Council (ATAC).
  - Second, the Attorney General is issuing a Memorandum that will provide further clarity to the U.S. Attorneys as to their respective roles as leaders of these entities. The ATACs primary responsibilities will be to: (1) coordinate anti-terrorism initiatives; (2) initiate training programs; and (3) facilitate information-sharing.
  - Third, the changes will also strengthen coordination between the ATACs and the Joint Terrorism Task Forces (JTTFs). JTTFs will retain primary operational responsibility for terrorism investigations, while ATACs will continue to take the lead where they are better equipped to manage particular projects either because of other pressing JTTF priorities or limited JTTF resources. In districts where JTTFs are not headquartered, the ATACs will continue to coordinate operational and investigative work in certain investigations.
- The Attorney General has also called on the U.S. Attorneys to renew their efforts to reach out to state and local law enforcement, asking that the U.S. Attorneys invite all law enforcement entities that have heretofore not participated in the ATTFs to join this effort.
- The USAOs recognize the importance of the role of, and will continue to work closely with, the Regional Coordinators in the Counter-Terrorism Section of the Criminal Division.

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## APPENDIX VII: FTTTF MEMORANDUMS

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Office of the Attorney General  
Washington, D.C. 20530

April 11, 2002

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL, THE ASSISTANT ATTORNEY GENERAL FOR THE CRIMINAL DIVISION, THE ASSISTANT ATTORNEY GENERAL FOR LEGAL POLICY, THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION, THE COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE, THE ADMINISTRATOR OF THE DRUG ENFORCEMENT ADMINISTRATION, THE DIRECTOR OF THE EXECUTIVE OFFICE OF UNITED STATES ATTORNEYS, THE DIRECTOR OF THE MARSHALS SERVICE, AND THE DIRECTOR OF THE FOREIGN TERRORIST TRACKING TASK FORCE.

FROM: THE ATTORNEY GENERAL   
SUBJECT: Coordination of Information Relating to Terrorism

The prevention of terrorist activity is the overriding priority of the Department of Justice. By memoranda dated November 8 and 13, 2001, I directed Department components to review their policies and procedures to ensure information sharing, information analysis, and coordination of activities with federal, state and local agencies to prevent acts threatening public safety and national security. The Deputy Attorney General has reported to me the specific actions taken to implement those directives. I commend you on the substantial progress the Department has achieved in analyzing information, sharing intelligence, and coordinating activities in the multi-front effort to combat terrorism.

I am hereby directing you to undertake further action to institutionalize the Department's ongoing efforts to coordinate information and activities to prevent and disrupt terrorist activities.

1. Expand Terrorist Information in Law Enforcement Databases.

The Federal Government maintains a number of databases that provide real-time information to officials in foreign diplomatic outposts, at border points of entry, and for interior domestic law enforcement. Expansion of information in such databases relating to known and suspected terrorists will greatly enhance the ability of federal, state, and local officials to prevent terrorists from obtaining visas to enter the United States, to deny them entry into our borders, to detect and apprehend those already in the country, and to gather

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intelligence on the plans and activities of terrorist conspiracies. Accordingly, I hereby direct all investigative components within the Department of Justice to establish procedures to provide, on a regular basis and in electronic format, the names, photographs (if available), and other identifying data of all known or suspected terrorists for inclusion in the following databases:

- The Department of State TIPOFF System. This system is designed to detect known or suspected terrorists who are not U.S. citizens as they apply for visas overseas or as they attempt to pass through U.S., Canadian, and Australian border entry points. Expanding terrorist information in the database will preclude the issuance of visas to known terrorists; warn U.S. diplomatic posts of the security risk posed by certain applicants; and alert intelligence and law enforcement agencies of the travel plans of suspected terrorists.
- The FBI National Crime Information Center (NCIC). The NCIC is the nations principal law enforcement automated information sharing tool. It provides on-the-street access to information to over 650,000 U.S. local, state, and federal law enforcement officers. The inclusion of terrorist information in this powerful database will assist in locating known foreign terrorists who have entered the U.S. undetected, warn law enforcement officers of a potential security risk, and alert intelligence and law enforcement agencies of the presence of a suspected terrorist at a specific location and time. Agencies contributing terrorist information should establish procedures and protocols for direct electronic input of the data into NCIC, observing applicable restrictions on the entry of classified information into the system. To expand further local and state law enforcement access to relevant terrorist information, the FBI shall establish procedures with the Department of State that will enable, on a recurring basis, the inclusion of qualifying TIPOFF data into NCIC. The FBI shall establish procedures that inform law enforcement officers what action should be taken when encountering suspected terrorists. Furthermore, the NCIC must properly characterize individuals as either suspected terrorists or known terrorists, with the latter designation reserved for individuals against whom sufficient evidence exists to justify such a determination.
- The U.S. Customs Service Interagency Border Inspection System (IBIS). This system is the primary automated screening tool used by both the Immigration and Naturalization Service (INS) and U.S. Customs Service at ports-of-entry. The inclusion of terrorist data in this integrated database will help preclude the entry of known and suspected terrorists into the U.S., warn inspectors of a potential security threat, and alert intelligence and law enforcement agencies that a suspected terrorist is attempting to enter the U.S. at a specific location and time. Such information on known or suspected

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foreign terrorists must be placed in IBIS unless it is already accessible through an automated IBIS query of NCIC.

The procedures established for providing information to the databases listed above may allow for case-by-case exceptions where the component head or his responsible designee determines that disclosure would compromise classified information, jeopardize an investigation, or compromise a confidential source.

2. Coordinate Foreign Terrorist Information.

The international response to the September 11<sup>th</sup> attacks has been defined by multilateral cooperation and resolve to restore security and liberty to freedom-loving people of the world. The success of the response has depended in large part on improved sharing among governments of information relating to terrorists, their associates, and their activities. Continued vigilance against international terrorist conspiracies requires procedures to institutionalize such information coordination. Accordingly, I hereby direct the FBI, through its Legal Attaches, to establish procedures to obtain on a regular basis the fingerprints, other identifying information, and available biographical data of all known or suspected foreign terrorists who have been identified and processed by foreign law enforcement agencies. The FBI shall also coordinate with the Department of Defense to obtain, to the extent permitted by law, on a regular basis the fingerprints, other identifying information, and available biographical data of known or suspected foreign terrorists who have been processed by the U.S. Military. Such information shall be placed into the Integrated Automated Fingerprint Identification System (IAFIS) and other appropriate law enforcement databases to assist in detecting and locating foreign terrorists.

3. Establish Secure System for Information Coordination with State and Local Partners.

The various information systems described above are databases, triggered by a name query, that serve as an alert mechanism and pointer index. Effective information coordination requires more sophisticated mechanisms for expanded searches, multipoint information flow, and integrated analysis. Federal agencies have the benefit of classified systems that enable keyword searches of relevant documents, secure e-mail, and other important collaborative information sharing tools. However, there is no corresponding national system with comparable capability for integrated information coordination on counterterrorism with and among state and local law enforcement agencies.

By memorandum of November 13, 2001, I directed all U.S. Attorneys to develop protocols for coordinating information to, from, and among our state and local partners in law enforcement. I encouraged the use, where practicable, of technologies already available and currently in use by the Department to facilitate information-sharing. I hereby direct the Deputy Attorney General to coordinate among the applicable components the development of a secure but unclassified web-based system to enable local, state, and federal users to post,

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retrieve, and read information, restrict access to certain products, send secure e-mail, and receive automatic e-mail notifications when new items are posted. This integrated system should allow for future capabilities, such as imagery and photographs, instant messaging and database access and restricted access to classified information at least at the Secret level and ideally in higher classifications.

4. Analyze Foreign Terrorist Data.

On October 30, 2001, the President directed that the Department establish the Foreign Terrorist Tracking Task Force (FTTTF). The mission of the FTTTF is to keep foreign terrorists and their supporters out of the United States by providing critical and timely information to border control and interior enforcement agencies and officials. To do so requires electronic access to large sets of data, including the most sensitive material from law enforcement and intelligence sources. Analyzing such data will enable the FTTTF to discern patterns and probabilities of terrorist activities.

I hereby direct the FTTTF to identify the agency information systems and data sets needed to fulfill its mission. Each agency is to provide to the FTTTF unfiltered, timely and electronic access to the information systems and data sets deemed relevant by the Director of the FTTTF, subject to any legal restrictions on the sharing of such information.

5. Standardize Procedures for Sharing of Sensitive Information.

Section 203 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56, authorizes the sharing of foreign intelligence and counterintelligence information obtained as part of a criminal investigation, including through grand jury proceedings and Title III electronic surveillance, with relevant Federal officials to assist in the performance of their duties. The officials receiving such information may use it only as necessary in the conduct of their official duties and subject to any limitations on the unauthorized disclosure of such information. The Criminal Division has developed and distributed model forms to be used to notify the supervising court when grand jury information has been shared pursuant to section 203.

Section 905 of the USA PATRIOT Act requires the Department and other Federal agencies with law enforcement responsibilities to share expeditiously foreign intelligence obtained in the course of a criminal investigation with the Director of Central Intelligence, subject to limitations otherwise provided by law and exceptions delineated in regulations to be issued by the Department. In the types of criminal cases in which foreign intelligence information is commonly encountered -- including terrorism, drug trafficking, and organized crime investigations -- strong relationships for information-sharing and coordination with the Intelligence Community are already in place.

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I hereby direct the Assistant Attorney General for Legal Policy, in consultation with the Criminal Division, FBI, and other relevant components, to draft, for my consideration and promulgation, procedures, guidelines, and regulations to implement sections 203 and 905 of the USA PATRIOT Act in a manner that makes consistent and effective the standards for sharing of information, including sensitive or legally restricted information, with other Federal agencies. Those standards should be directed toward, consistent with law, the dissemination of all relevant information to Federal officials who need such information in order to prevent and disrupt terrorist activity and other activities affecting our national security. At the same time, the procedures, guidelines, and regulations should seek to ensure that shared information is not misused for unauthorized purposes, disclosed to unauthorized personnel, or otherwise handled in a manner that jeopardizes the rights of U.S. persons, and that its use does not unnecessarily affect criminal investigations and prosecutions. The standards adopted will govern the coordination of information directed by this memorandum, and well as other voluntary or mandated sharing of criminal investigative information.

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The September 11 attacks demonstrate that the war on terrorism must be fought and won at home as well as abroad. To meet this continuing threat, law enforcement officials at all levels of government -- federal, state, and local -- must work together, coordinating information and leveraging resources in the joint effort to prevent and disrupt terrorist activity. You have worked hard and accomplished much in this common fight, but more remains to be done to help secure America and protect her people. I thank you for your continued service, dedication, and cooperative spirit in this time of continuing national need.



Office of the Attorney General  
Washington, D. C. 20530

August 6, 2002

MEMORANDUM FOR ROBERT S. MUELLER, III  
DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION

FROM: THE ATTORNEY GENERAL

SUBJECT: Foreign Terrorist Tracking Task Force

The Foreign Terrorist Tracking Task Force (FTTTF) was established by Homeland Security Presidential Directive-2 (HSPD-2) on October 29, 2001, as a premier component of the President's initiative to combat terrorism. Despite substantial funding and logistics challenges, the FTTTF already has achieved significant success in establishing and coordinating programs to deny entry into the United States of aliens associated with, suspected of being engaged in, or supporting terrorist activity.

In order to sustain and build upon this success, the Department of Justice must continue to commit the necessary budget and personnel resources in a timely manner. To enable the FTTTF to continue its current level of operations through the end of the current fiscal year, I am directing the Immigration and Naturalization Service to reallocate \$10 million from its budget for FY 2002 to the FTTTF as soon as possible. I would like the FBI to contribute \$13 million from currently available no-year funds to support the FTTTF FY 2003 funding needs (the Department is working with OMB to identify other non-FBI sources for additional FY 2003 requirements). Please coordinate the allocation of these funds to the FTTTF with the Controller of the Department of Justice.

The FTTTF has been providing vital operational support for the Bureau's counterterrorism mission. In that regard, I commend your plan, as reflected in "Phase II" of the FBI's reorganization, to formally consolidate the FTTTF within the Counterterrorism Division. Please move forward as quickly as possible to formalize this element of the reorganization. Consistent with HSPD-2, the Director of the FTTTF will continue to report to the Deputy Attorney General as well as the FBI Director.

Finally, it is imperative that we move forward as quickly as possible to identify a new Director of the FTTTF in the wake of Steve McCraw's departure, and that the Bureau continue to assign high-performing personnel to the FTTTF to serve in critical positions. I appreciate your work toward that objective.

Thank you for your attention to these matters and for your continued leadership in the war against terrorism.

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## APPENDIX VIII: THE OFFICE OF THE DEPUTY ATTORNEY GENERAL'S RESPONSE

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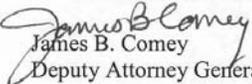
U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530  
May 27, 2005

MEMORANDUM FOR PAUL A. PRICE  
ASSISTANT INSPECTOR GENERAL FOR  
EVALUATION AND INSPECTIONS

FROM:   
James B. Comey  
Deputy Attorney General

SUBJECT: Draft Evaluation Report on the Department of Justice's  
Terrorism Task Forces, A-2003-009

Thank you for the opportunity to review and provide comments on the draft report on the Department's Terrorism Task Forces.

Your report addressed three recommendations to the Office of the Deputy Attorney General and the following are our comments thereon:

Recommendation 1. "The Department should assess the counterterrorism functions outlined in the Attorney General's memorandum establishing the NSCC and determine if they are still appropriate for the NSCC. If they are, the Department should ensure that written guidance describes the responsibilities of the NSCC and that the NSCC carries out its assigned functions. If the functions are not appropriate for the NSCC, they should be assigned to another Department entity."

Comment. We agree that we should assess the counterterrorism functions outlined in the Attorney General's memorandum establishing the NSCC and determine if they are still appropriate for the NSCC. In fact, as part of a larger review of the Department's national security responsibilities, we have begun to examine more closely the best approach to the coordination of counterterrorism functions within the greater national security umbrella.

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Memorandum for Assistant Inspector General Paul A. Price  
Subject: Draft Evaluation Report on the Department of Justice's Terrorism Task Forces,  
A-2003-009  
Page 2

Recommendation 2. "The Department should clearly delineate the roles of CTS, EOUSA, and the USAO in the ATAC program, clarifying who has primary responsibility and authority for:

- Oversight,
- Monitoring ATAC operations,
- Evaluating success of the ATAC program, and
- Enforcing compliance."

Comment. We agree that issuing additional guidance and adoption of best practices for addressing operation, training, and membership issues in the ATACs is a helpful suggestion. A working group has been formed to develop the materials and we hope to issue such guidance by the end of the year.

Recommendation 27. "The Deputy Attorney General should work jointly with DHS officials to ensure:

- Sufficient DHS participation on the Department's task forces,
- Sufficiently trained ICE members on the task force and their supervisory chain of command,
- Non-task force-related assignments to DHS members are minimized, and
- Updated MOUs defining roles and information sharing responsibilities between FBI and DHS."

Comment. We agree and, as DHS and we jointly undertake to implement and execute the National Response Plan and other related Homeland Security policies and programs, we will work with our colleagues at DHS to ensure effective participation of DHS components on the JTTFs.

I thank you again for the rigorous examination you undertook of our most vital national security mission. The recommendations you provided will help strengthen our processes and procedures and greatly enhance the ability of our dedicated professionals throughout the Department to attack this most pressing national challenge.

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## APPENDIX IX: OIG ANALYSIS OF THE OFFICE OF THE DEPUTY ATTORNEY GENERAL'S RESPONSE

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The OIG sent copies of the draft report to the Office of the Deputy Attorney General (ODAG) with a request for written comments on Recommendations 1, 10, and 27. The ODAG responded to the OIG in a memorandum dated May 27, 2005, concurring with all of the recommendations. The ODAG agreed to review the functions of the NSCC, issue additional guidance to the ATACs, and work with the DHS to ensure sufficient DHS participation on the terrorism task forces. Our analysis of the ODAG's response follows.

### RECOMMENDATIONS

**Recommendation 1: Resolved – Open.** The Department should assess the counterterrorism functions outlined in the Attorney General's memorandum establishing the NSCC and determine if they are still appropriate for the NSCC. If they are, the Department should ensure that written guidance describes the responsibilities of the NSCC and that the NSCC carries out its assigned functions. If the functions are not appropriate for the NSCC, they should be assigned to another Department entity.

Summary of the ODAG's Response. The ODAG concurred with the recommendation and stated that as part of a larger review of the Department's national security responsibilities, the ODAG has "begun to examine more closely the best approach to the coordination of counterterrorism functions within the greater national security umbrella."

The OIG's Analysis. The review of the Department's national security responsibilities planned by the ODAG is responsive to the recommendation. By October 31, 2005, please provide us the results of this review and the ODAG's recommendations regarding whether the NSCC or another entity should carry out its assigned counterterrorism functions.

**Recommendation 10: Resolved – Open.** The Department should clearly delineate the roles of CTS, EOUSA, and the USAO in the ATAC program, clarifying who has primary responsibility and authority for:

- Oversight,
- Monitoring ATAC operations,
- Evaluating success of the ATAC program, and
- Enforcing compliance.

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Summary of the ODAG's Response. The ODAG concurred with the recommendation (incorrectly numbered as 2 in the ODAG's response) and stated that issuing additional guidance and adopting best practices to address operational, training, and membership issues for the ATACs are helpful suggestions. The ODAG has formed a working group to develop and issue the guidance by the end of the year.

The OIG's Analysis. The ODAG's working group and its plan to issue additional ATAC guidance is responsive to the recommendation. By October 31, 2005, please provide us copies of any guidance, recommendations, or written materials developed by the working group.

**Recommendation 27: Resolved – Open.** The Deputy Attorney General should work jointly with DHS officials to ensure:

- Sufficient DHS participation on the Department's task forces,
- Sufficiently trained ICE members on the task forces and their supervisory chain of command,
- Non-task-force related assignments to DHS members are minimized, and
- Updated MOUs defining roles and information sharing responsibilities between the FBI and DHS.

Summary of the ODAG's Response. The ODAG concurred with the recommendation and agreed to work with its colleagues at the DHS to ensure effective participation of DHS components on the JTTFs.

The OIG's Analysis. The ODAG's plan to work with the DHS is responsive to the recommendation. By October 31, 2005, please provide us with examples of the ODAG's coordination with the DHS to ensure effective participation on the JTTFs.

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## APPENDIX X: THE CRIMINAL DIVISION'S RESPONSE

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U.S. Department of Justice

Criminal Division

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Office of the Assistant Attorney General

Washington, D.C. 20530

May 18, 2005

### MEMORANDUM

**TO:** Paul A. Price  
Assistant Inspector General  
for Evaluation and Inspections

**FROM:** John C. Richter *JCR/gas*  
Acting Assistant Attorney General  
Criminal Division

**SUBJECT:** Response to Draft Evaluation Report on the  
Department of Justice's Terrorism Task Forces

#### I. General Comments

We have reviewed the final draft report of the Office of Inspector General (OIG) entitled "The Department of Justice's Terrorism Task Forces" (the "Report") and submit comments herein as requested. We appreciate the opportunity to provide these comments. The OIG staff who prepared the Report have been thoughtful, conscientious and professional throughout the review. They have listened respectfully to our positions and carefully assessed the factual information that we have provided to them. The unrestrained access we have provided the OIG staff to Criminal Division/Counterterrorism technology, training conferences, staff and policy documents has given them the ability to explore the program in depth.

We applaud the Report's recognition that progress has been made on a variety of fundamental and critically important counterterrorism issues, and we appreciate the inclusion of a section in the Report on accomplishments of the ATAC program. The Report acknowledges that the events of September 11, 2001 have brought about significant change in the Justice Department. The challenges confronting the Justice Department involving policy, strategy and tactics have prompted the Department to "redefine its mission, objectives and priorities." (Report at i) These historic changes have been the efforts of real people: dedicated public servants seeking to protect our national security interests consistent with constitutional values. So, underlying particular findings of the Report are long hours spent by government officials struggling to effectively, efficiently and thoughtfully contribute to the defining mission of our generation.

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As set forth below, we concur with the overall recommendations in the Report that pertain to the ATAC program. We are currently making substantial progress toward successfully implementing those recommendations and we are fully committed to taking further steps to succeed in that objective. We discuss below specific comments on each of the Report's recommendations concerning the ATAC program and suggestions for updating some of the factual information.

## II. Specific Issues

### A. Role of CTS

The Report identifies five recommendations applicable to CTS. We address these recommendations in detail below. However, as a threshold matter, it is important to emphasize that CTS has worked closely with the USAOs and EOUSA to establish a successful ATAC program and will continue to do so to ensure the effective implementation of the recommendations.

As we articulated to the OIG Staff, and as documented in the OIG Report, CTS "provides assistance to ATAC Coordinators in the development, coordination, and prosecution of terrorism cases." (Report at i) This is our critical role, the arena in which we provide "value-added." The Criminal Division's authority, as delineated in the DAG's Interim Guidance Concerning Terrorism Matters, is focused upon matters and cases. CTS has consistently devoted its resources, strategic planning and execution – whether in terms of training, guidance, information-sharing and investigative and prosecutorial strategies – on cases and matters. See, e.g., Report at p. 72 (With respect to training "the focus has primarily been on the legal and investigative aspects of terrorism-related cases to ensure a consistent and unified prosecutorial approach to these cases.") The management, administration, and guidance on how to properly organize an ATAC is the responsibility of each individual USAO, as administered by EOUSA. As the Report recognizes, "According to the Attorney General's memorandum, each U.S. Attorney has the autonomy to operate the ATAC to fit the district's needs." (Report at 8)

As set forth below, CTS is ready and willing to work closely with the USAOs and EOUSA in the various areas covered by the recommendations, including instituting ATAC performance measures, ensuring ATAC compliance, or monitoring whether ATACs are regularly meeting, among other things, as suggested by Recommendations ## 7, 9 and 12. Similarly, with respect to Recommendation #10, EOUSA and the USAO have responsibility for oversight, monitoring ATAC operations, evaluating success of the ATAC program, and enforcing compliance. We are working with EOUSA and the USAOs to assist them in developing best practices concerning these aspects of the program. This coordinated effort is critical to the full

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implementation of the recommendations and we are committed to continuing our close working relationship with EOUSA and the USAOs.<sup>1</sup>

B. Recommendations

The Report's Recommendations 3, 7, 9, 11, and 12 were specifically addressed to the Counterterrorism Section (CTS), and we respond to each of those recommendations.

Recommendation 3: That EOUSA's Office of Legal Education, along with CTS, should develop a national training plan for ATAC's that includes:

- Initial needs assessment of ATAC Coordinators;
- How to manage and structure an ATAC (membership, frequency of meetings, methods and sources of communication, how to conduct an ATAC members' needs assessment, identify trainers, and develop a local training plan);
- Frequency of future needs assessments for ATAC Coordinators and ATACs;
- Development of minimum mandatory training standards and time frames for completion of training for ATAC Coordinators;
- Required minimum annual training hours for ATAC Coordinators; and
- Responsibility for training notification to the ATAC Coordinators.

We concur with the need to develop a national training plan for ATACs and agree that EOUSA's Office of Legal Education (OLE) should have primary responsibility for this. Significant training has already occurred. We refer you specifically to the discussion of training in EOUSA's response. The information regularly distributed by CTS in the form of written guidance, memos, and monographs, as well as materials contained in the on-line CTS Counterterrorism Resource Library is the most useful training for ATAC Coordinators in their work as terrorism prosecutors. These are the tools needed by prosecutors to conduct the investigation and prosecution of substantive terrorism and terrorism-related cases, and they are widely available to all ATAC Coordinators. This information, in combination with the annual ATAC Coordinators' conference, is providing legal training needed by prosecutors.

However, a national training plan is clearly necessary. CTS will work closely to assist OLE in developing a national training plan and will provide subject matter experts as appropriate. We anticipate that this national training plan will include an initial needs assessment of ATAC Coordinators, guidance on how to manage and structure an ATAC Council, and standards and time frames for completing ATAC Coordinator training, which may include self-assessments that this requirement has already been met. We do not believe, however, that

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<sup>1</sup> As we emphasized at the Exit Conference, and formally document in this response, the energy, commitment and work ethic of the Deputy Counsel to the Director of EOUSA has been extraordinary. In both word and deed, her efforts to forge a joint partnership between and among CTS, EOUSA and the USAOs have been significant and successful.

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setting minimum annual training hours for ATAC Coordinators would assist ATACs in any meaningful way to achieve the goals of the program. Training is being conducted by nearly every ATAC in the country. Although reporting of such training has not been a requirement, CTS and EOUSA are aware of this activity through the CTS Regional Coordinators, who are advised of and usually invited to attend training events. Imposition of mandatory training requirements would need to be accompanied by appropriate funding. Once OLE establishes a national training plan, EOUSA can monitor compliance with that plan, assess the frequency and suitability of training, and determine if further measures are necessary to accomplish the goals of the ATAC program.

Steps have already been taken to draft a national training plan. OLE convened an ATAC Training Committee consisting of representatives from EOUSA, USAOs and CTS. Specifically, this committee is comprised of a CTS Deputy Chief, two CTS attorneys (each of whom was recently the ATAC Coordinator in their district), the CTS National ATAC Coordinator, the Deputy Counsel to the Director of EOUSA, the Assistant Director of EOUSA's Office of Legal Education and ten ATAC Coordinators from diverse regions who are actively engaged in ATAC training in their districts. This group met on May 9, 2005 for an initial strategy meeting on the creation of a training program as recommended in the Report. The Committee agreed that current efforts could be supplemented by training for newly designated ATAC Coordinators who may not be experienced in the subject matter of terrorism and need an accelerated course to allow them to function rapidly in their new assignment. This concept will be given further consideration and developed by the Training Committee.

The Committee also agreed that ATAC Coordinators need assistance in determining the type of training that they should offer their ATAC membership, as well as in providing terrorism prevention training to their ATAC members. It was agreed that a survey would be formulated and circulated to assess the training needs of ATAC Coordinators and ATAC members and that a program would be created to address identified needs. It is anticipated that the Committee will convene frequently over the next several months to address these training issues.

Recommendation 7: The FBI, CTS, EOUSA, and USAOs should work jointly to develop a coordinated strategy to consistently reach remote areas.

We agree that all agencies should work jointly to develop a coordinated strategy to consistently reach remote areas. Many ATAC Coordinators and their IRSs are making substantial progress towards that end by communicating terrorism and threat information to law enforcement and other agencies in the rural areas of their districts. We note that the IG staff also found some extraordinary effort by ATAC Coordinators to reach remote areas. Unlike some JTTFs that are responsible for more than one state, ATACs are functioning in every judicial district in the country, and 24 states have two or more ATAC Councils within their state boundaries who are reaching law enforcement and other agencies in their areas. Even in those states with one ATAC for a large geographic area, ATAC Coordinators consistently reported that establishing lines of communication was the first priority when ATTFs (now ATACs) were

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formed. Most ATACs used part of their initial terrorism money to install computers and video-teleconferencing equipment to communicate with remote areas and establish a network for information sharing. Here are just a few examples of such practices:

- Idaho uses email to communicate all terrorism and threat related information to ATAC members, including all Sheriffs and Chiefs in the district. They also have regional address groups for information related to a specific region such as their Northern Border and Southwest Region.
- Wyoming has a computer network, which includes all law enforcement agencies in the state, that it uses to communicate terrorism information, and their IRS works with the FBI to travel around to conduct training in remote areas. They also participate with the Denver JTTF, which is geographically close to many remote areas of Wyoming, and work with the Wyoming DHS to maintain points of contact throughout the state.
- South Dakota uses a state information system that is manned 24 hours a day, 7 days a week and 365 days a year, to transmit terrorism and threat information. Although travel and budget restraints have limited their ability to conduct training, they have coordinated with other agencies to make training opportunities available.
- North Dakota utilizes video-teleconferencing to conduct ATAC meetings with members from all areas of the state and uses the state Bureau of Criminal Investigation to communicate terrorism and threat information through their regional network. Their IRS is working to establish a link between all of their law enforcement agencies and the RISS network in the region.
- Kansas uses an email network to communicate information to ATAC members in rural areas in the western regions of the state. They have conducted special training in multiple remote locations around the state to accommodate ATAC members who would otherwise have to drive 5-7 hours to Kansas City where most meetings are held.
- Nebraska has installed video-teleconferencing equipment in each of the troop areas of the State Patrol. ATAC participants are invited to attend meetings by traveling to the nearest troop headquarters where the meeting is broadcast, which encourages participation from agencies as far as 500 miles away from the physical location of the meeting.

However, as illustrated by the fact that the IG Staff located some law enforcement agencies in remote areas who were not satisfied with information sharing in their area, we agree that there can be additional improvement in this area. CTS will work with the FBI and the USAOs, through their ATACs, to explore this issue and address identified short-comings in this respect.

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Recommendation 9: CTS and EOUSA should develop outcome-oriented performance measures for the ATAC program. The measures for the ATAC program could include the following:

- Quality and timeliness of information shared with member and outside agencies that resulted in improved understanding of terrorism issues and improved prevention activities;
- Quality and timeliness of training for members that resulted in improved understanding of terrorism issues and improved prevention activities;
- Outreach efforts that resulted in increasing targeted membership; and
- Quality and currency of threat assessments that result in improved prevention activities.

We concur with the recommendation that performance measures should be developed for the ATAC program. We would add that this effort, in part, has already begun, as CTS has developed a performance measure for CTS staff that directly addresses the ATAC program. As recommended by the Report, CTS will also assist EOUSA in establishing performance measures for ATAC members, drawing as appropriate on the performance measure already established by CTS for the National and Regional Coordinators within CTS. Given the vast differences among ATACs, it would be difficult to use one standard measure issued by EOUSA to evaluate the success of ATAC programs in all districts. Therefore, we recommend the ATAC performance measures be developed based on a survey of ATAC council members in each district and tailored to the particular needs and interests of the district.

Recommendation 11: CTS and EOUSA should jointly issue written guidance defining their roles and responsibilities in the ATAC program, as well as the roles and responsibilities of the Regional ATAC Coordinators, the National ATAC Coordinator, and the EOUSA point of contact for ATACs. This written guidance should be communicated to the ATAC Coordinators.

We agree with the recommendation and understand the importance of defining the roles and responsibilities of the various entities involved in the ATAC program. This effort, in part, has already begun, as CTS has issued written guidance to this effect as it relates to CTS staff. CTS issued guidance on the roles and responsibilities of the Regional ATAC Coordinators and the National ATAC Coordinator in February 2004 and circulated that guidance to the ATAC Coordinators at that time. As recommended, CTS will assist EOUSA in drafting and issuing similar guidance as to the roles and responsibilities of the EOUSA point of contact for ATACs. CTS' understanding of the respective roles of EOUSA and CTS for the ATAC program is the same as that of the IG Staff as indicated in the Report: EOUSA is responsible for general oversight, monitoring ATAC operations, evaluating success of the ATAC program, and enforcing compliance; CTS is responsible for guidance, consultation and approval of terrorism cases and investigations and related information sharing, as outlined in the DAG's Interim Guidance Concerning Terrorism Matters. If the DAG determines that further clarification of the respective roles and responsibilities of CTS and EOUSA in the ATAC program is needed, CTS will work with EOUSA to jointly draft and issue such guidance.

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Recommendation 12: CTS or EOUSA should issue written guidance for ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC.

We agree that written guidance should be issued to ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC, and we believe that such guidance should come from EOUSA consistent with its responsibility for general oversight, monitoring ATAC operations, evaluating success of the ATAC program, and enforcing compliance. To the extent that CTS, through the National and Regional ATAC Coordinators, has acquired insight into some of these matters, CTS will assist EOUSA and USAOs to develop such written guidance. The Training Committee described above in connection with Recommendation 3 should contribute to the drafting of this guidance; they can draw on their experiences in running these programs since their inception. There is no body of law or research on the subject of how to run an ATAC council, and any instruction from those who have not done so is likely to be disregarded.

### III. Minor Factual Modifications

With respect to examples of prominent JTTF cases, the following factual information should be updated (Report at 12-13).

- 2001- Investigation and conviction of a Hizbollah cell through the arrests and conviction of 20 individuals in North Carolina. A related investigation by the Detroit JTTF has yielded 14 convictions.
- 2004- On April 22, 2005, a Virginia jury convicted Mohammed Ali Al-Timimi on all ten counts of the indictment. Al-Timimi, the spiritual leader of the Virginia Jihad training group disrupted last year, was indicted for his involvement in the recruitment of US citizens for extremist training and jihad preparation.
- In Detroit, Mahmoud Youssef Kourani was convicted in the Eastern District of Michigan of conspiracy charges, relating to his assisting others to raise monies for Hizballah.
- TTIC is now the National Counterterrorism Center. (Report at 56).

### IV. Conclusion

As the IG Report states, the ATAC program is a novel program that has been overwhelmingly successful in improving counterterrorism efforts in the post-9/11 world. CTS worked very hard to identify its responsibilities under the ATAC program, meet its responsibilities, and implement additional enhancements. The success of the ATAC program, however, has been accomplished through the combined efforts of the USAOs, CTS, and

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EOUSA. We appreciate the recognition in the Report of those joint efforts and the results achieved by the ATAC program. We are encouraged by the findings in the Report based on the IG's survey of the ATAC Council members (Report at 38, 40, 239). The implementation of the recommendations contained in the Report relating to the ATAC program will help make the program even more successful. CTS will continue to work closely with EOUSA and the USAOs to further the goals of the ATAC program and implement the recommendations of the IG.

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## **APPENDIX XI: OIG ANALYSIS OF THE CRIMINAL DIVISION'S RESPONSE**

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The OIG sent the draft report to the Criminal Division (CRM) with a request for written comments on Recommendations 3, 7, 9, 11, and 12. The CRM responded to the OIG in a memorandum dated May 18, 2005. The CRM concurred with all of the recommendations and agreed, through the Counterterrorism Section (CTS), to continue to work with EOUSA and the USAOs to develop a national training plan for the ATACs, a strategy for reaching remote areas, performance measures for the ATAC program, and guidance to ATAC Coordinators on roles, responsibilities, and management of an ATAC. Our analysis of the CRM's response follows.

### **RECOMMENDATIONS**

**Recommendation 3: Resolved – Open.** EOUSA's Office of Legal Education, along with CTS, should develop a national training plan for ATACs that includes:

- Initial needs assessment of ATAC Coordinators,
- How to manage and structure an ATAC (membership, frequency of meetings, methods and sources of communication, how to conduct an ATAC members' needs assessment, identify trainers, and develop a local training plan),
- Frequency of future needs assessments for ATAC Coordinators and ATACs,
- Development of minimum mandatory training standards and time frames for completion of training for ATAC Coordinators,
- Required minimum annual training hours for ATAC Coordinators, and
- Responsibility for training notification to the ATAC Coordinators.

Summary of the CRM's Response. The CRM concurred with the recommendation. The CRM stated that although significant training for terrorism prosecutors already has occurred, CTS will work with EOUSA's Office of Legal Education to develop a national training plan and provide subject matter experts where appropriate. CTS, EOUSA, and the USAOs have formed an ATAC Training Committee (referred to as the National ATAC Training Working Group in EOUSA's response) comprising the CTS Deputy Chief, two CTS attorneys (who formerly were ATAC Coordinators), the CTS National ATAC Coordinator, the Deputy Counsel to EOUSA's Director, the Assistant Director of

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EOUSA's Office of Legal Education, and 10 current ATAC Coordinators from different regions of the country. The Committee held an initial strategy meeting in May 2005, to address the recommendations in the OIG report and agreed to formulate a survey to assess the training needs of ATAC Coordinators and ATAC members. Additionally, the Committee agreed that ATAC Coordinators need assistance in determining the type of training to provide to their ATAC members. The Committee will continue meeting to develop a national training plan that addresses the identified needs of ATAC Coordinators and ATAC members. The Committee plans to consider an accelerated course of training for newly appointed ATAC Coordinators who may not be experienced in the subject matter of terrorism. However, CTS stated that setting minimum and mandatory annual training hours for ATAC Coordinators would not assist the ATAC program and would require additional funding. CTS also stated that, once the ATAC national training plan is established, EOUSA can monitor compliance with the plan, assess frequency and suitability of training, and determine whether additional measures are needed to achieve the goals of the ATAC program.

The OIG's Analysis. The CRM's plan for CTS to develop a national ATAC training plan with EOUSA is responsive to the recommendation. The OIG believes that the ATAC Training Committee can aid the development of the training plan with input from all parties involved in the ATAC program. Although the majority of ATAC Coordinators we interviewed and surveyed were satisfied with prosecutive and investigative training, they indicated a need for more training on the operation of ATACs. The CRM stated that the ATAC national training plan will include an initial needs assessment of ATAC Coordinators, guidance on how to manage and structure an ATAC, and standards and time frames for completing ATAC Coordinator training. The OIG believes that this action will ensure that ATAC Coordinators receive training on ATAC operational issues. We have requested that EOUSA provide us a copy of the ATAC national training plan by October 31, 2005.

**Recommendation 7: Resolved – Open.** The FBI, CTS, EOUSA, and the USAOs should work jointly to develop a coordinated strategy to consistently reach out to remote areas.

Summary of the CRM's Response. The CRM agreed that all agencies should work together to draft a coordinated strategy to consistently reach remote areas. The CRM stated that many ATAC Coordinators and Intelligence Research Specialists already are making progress toward communicating with rural areas of their districts. ATACs exist in every judicial district and 24 states have two or more ATACs to further communication. Further, most ATACs spent part of their terrorism funds on communication equipment to improve information sharing. The CRM provided six additional examples of

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ATACs that effectively use such equipment. The CRM also stated that CTS will work with the FBI and the USAOs to address the gaps in communication coverage with remote areas as identified in the OIG report.

The OIG's Analysis. The CRM's plan for CTS to develop an outreach strategy with the FBI and the USAOs is responsive to the recommendation. We request that when CTS, EOUSA, the FBI, and the USAOs develop a coordinated strategy to reach remote areas, they designate one agency to provide us a copy of the coordinated strategy by October 31, 2005. We believe this strategy should define the roles and responsibilities of each entity in implementing the strategy.

**Recommendation 9: Resolved – Open.** CTS and EOUSA should develop outcome-oriented performance measures for the ATAC program. The measures for the ATAC program could include the following:

- Quality and timeliness of information shared with member and outside agencies that resulted in improved understanding of terrorism issues and improved prevention activities,
- Quality and timeliness of training for members that resulted in improved understanding of terrorism issues and improved prevention activities,
- Outreach efforts that resulted in increasing targeted membership, and
- Quality and currency of threat assessments that result in improved prevention activities.

Summary of the CRM's Response. The CRM concurred with the recommendation that performance measures should be developed for the ATAC program. CTS will assist EOUSA in establishing performance measures for ATAC members, drawing as appropriate on the existing performance measures for the National and Regional ATAC Coordinators within CTS. CTS stated that it would be difficult to have one standard to measure the success of the ATAC program given the great number of differences in judicial districts. CTS recommended that ATAC performance measures be developed to fit the needs in each district as determined by a survey of ATAC members.

The OIG's Analysis. The CRM's plan for CTS to assist EOUSA in establishing performance measures for the ATAC program is responsive to the recommendation. However, the OIG believes that EOUSA and CTS should develop standard performance elements across ATACs to measure the effectiveness of the ATAC program nationwide. We believe certain elements of the ATAC program should be consistent across USAOs, while the particular criteria used to measure each USAO's success on these elements could be different based on the various ATAC activities and how the program is operated

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in each judicial district. The OIG requests that EOUSA provide us the jointly developed standard performance elements and measures for the ATAC program by October 31, 2005.

**Recommendation 11: Resolved – Open.** CTS and EOUSA should jointly issue written guidance defining their roles and responsibilities in the ATAC program, as well as the roles and responsibilities of the Regional ATAC Coordinators, the National ATAC Coordinator, and the EOUSA point-of-contact for ATACs. This written guidance should be communicated to the ATAC Coordinators.

Summary of the CRM’s Response. The CRM concurred with the recommendation. CTS has issued written guidance on the roles and responsibilities of CTS staff working in the ATAC program, the National ATAC Coordinator, and the Regional ATAC Coordinators. CTS will assist EOUSA in drafting and issuing similar guidance. If the Deputy Attorney General determines that additional clarification of roles and responsibilities of CTS and EOUSA in the ATAC program is needed, CTS has agreed to work with EOUSA on this guidance.

The OIG’s Analysis. The CRM’s plan for CTS to work with EOUSA on developing guidance about their roles and responsibilities for the ATAC program is responsive to the recommendation. We also note that the Deputy Attorney General has formed a working group to develop guidance that clarifies the roles and responsibilities of CTS, EOUSA, and the USAOs in the ATAC program with regard to oversight, monitoring, evaluating success, and enforcing compliance (see the ODAG’s response to Recommendation 10, which it labeled “2”). The OIG requests that EOUSA provide us a copy of the joint EOUSA-CTS written guidance to the ATAC Coordinators by October 31, 2005.

**Recommendation 12: Resolved – Open.** CTS or EOUSA should issue written guidance for ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC.

Summary of the CRM’s Response. The CRM concurred with the recommendation but stated that guidance to ATAC Coordinators on the definition of roles, how to determine membership, and how to structure and manage an ATAC should come from EOUSA consistent with its responsibility for oversight and monitoring of the ATAC program. CTS has agreed to assist EOUSA and the USAOs in developing this written guidance.

The OIG’s Analysis. The CRM’s plan for CTS to assist EOUSA and the USAOs in developing guidance for the ATACs is responsive to the recommendation. The OIG requests that EOUSA provide us a copy of the

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written guidance to the ATAC Coordinators on roles and ATAC membership, structure, and management by October 31, 2005.

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## APPENDIX XII: EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS' RESPONSE

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U.S. Department of Justice

Executive Office for United States Attorneys  
Office of the Director

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RFK Main Justice Building, Room 2261  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

(202) 514-2121

MAY 17 2005

### MEMORANDUM

TO: Paul A. Price  
Assistant Inspector General  
for Evaluation and Inspections

FROM:   
Mary Beth Buchanan  
Director  
Executive Office for United States Attorneys

SUBJECT: EOUSA's Response to the Draft Report on the Department of Justice's Terrorism Task Forces

#### I. General Comments

We have reviewed the draft report entitled "The Department of Justice's Terrorism Task Forces," and respectfully submit the following comments on behalf of the Executive Office for United States Attorneys (EOUSA). We agree with many of the conclusions reached in the report, and concur with many of the recommendations as specifically noted in this response. In fact, we have already taken steps to comply with many of those recommendations. We appreciate that the report acknowledges the important contributions of the Anti-Terrorism Advisory Councils (ATACs) toward achieving the Department's goal of preventing terrorism and promoting national security, and credits the ATACs with helping to strengthen the Department's infrastructure devoted to counterterrorism, and assisting in the development of a national network of representatives from federal, state, and local agencies, and private industry. We are pleased with the initial success of the ATAC program, and look forward to implementing many of the recommendations in this report to assist the United States Attorneys' Offices (USAOs) in making the program even better.

Notwithstanding the fact that we agree that many of the recommendations in the report will serve to enhance and improve the ATAC program, we do not believe the draft report adequately reflects the difficult challenges faced by the USAOs, EOUSA, and the

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Counterterrorism Section (CTS) to change the priorities and philosophy of all of these offices since September 11, 2001. We do not believe that the report fully credits these offices with the tireless efforts of its many employees to implement and develop the ATAC program over the past three and a half years into what the report agrees is a solid and beneficial program. In addition, the report does not adequately acknowledge the uncertain and rapidly changing environment that the Department was reacting to in the time period after 9/11, and the incredibly demanding and complex task of continuously determining the best approach for the Department, and developing and providing guidance to the 93 United States Attorneys.

In addition, we do not believe that the draft report adequately reflects that the USAOs, CTS, and EOUSA have shared responsibilities for the oversight, monitoring, and evaluation of the ATAC program, and it is that combination of duties and responsibilities that not only provides support to the ATAC program, but keeps it sufficiently flexible enough to be effective in each district. As directed by former Attorney General John Ashcroft, the United States Attorneys (USAs) have primary responsibility for the implementation and coordination of the ATAC program. These responsibilities include implementing the Department's counterterrorism strategies, appointing an experienced Assistant United States Attorney (AUSA) in each district, to serve as the ATAC Coordinator, establishing an ATAC within each district, providing regular reports to the Department on anti-terrorism activities, and monitoring the ATAC program to ensure compliance with the Department's policies and procedures.

CTS assists in coordinating the ATAC program on a national level, and has primary coordination responsibilities with respect to terrorism cases and threats that are investigated and prosecuted by the USAOs. The delineation of the roles of CTS and the USAOs was recently re-defined in guidance issued by Deputy Attorney General James Comey on January 13, 2005. This guidance specifies when notification, consultation, and approval from CTS is required for all international and domestic terrorism cases. This coordination role is carried out by CTS through its Regional CTS Coordinators, who are each assigned a region of the country and specific USAOs who, in turn, report to their assigned coordinator regarding cases and threats. In addition, CTS also provides legal expertise and assistance to USAOs as requested and as needed.

EOUSA provides support for the USAOs, and serves as a liaison between the USAOs and the Department. EOUSA has primary responsibility for training the Department's employees, including ATAC Coordinators, through its Office of Legal Education. The training provided for ATAC Coordinators and ATAC membership is jointly developed by EOUSA, CTS, and USAOs, through working groups with representatives from all of these entities. In response to 9/11 and the ensuing immediate need to provide training to and develop better working relationships with federal, state, and local law enforcement, EOUSA was asked to expand its training to include training for members of the ATACs in addition to training for the ATAC Coordinators. EOUSA was also asked to provide joint training for ATAC Coordinators and FBI Joint Terrorism Task Force supervisors. We submit that the draft report does not provide complete information about and adequately credit the Department for developing, sponsoring, and coordinating the numerous training sessions and conferences which were made available to ATAC Members and ATAC

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Coordinators. These trainings included a Conference for ATAC (then ATTF) Coordinators in November 2001; a Justice Television Network (JTN) two-day video-teleconference in January of 2002, which was conducted for ATAC Coordinators and members; six regional training sessions for ATAC Coordinators and ATAC members from April 2003 - August 2003; and eight regional National Security Conferences conducted for ATAC Coordinators and JTTF Supervisors from May 2003 - September 2003. In addition, there have been four national ATAC Coordinator Conferences; a Bioterrorism "Train the Trainers" course held for ATAC Coordinators in April 2003; and a Terrorism Conference for United States Attorneys in January 2003. We recognize that, due to the success of the ATAC program, new members are joining ATACs every day and it is a continuous process to train those new members. Nevertheless, we do not believe that the draft report adequately reflects the frequent number and quality of counterterrorism training that EOUSA has sponsored, following 9/11, and conducted throughout the past three and a half years.

EOUSA also has primary responsibility for evaluating the USAOs, including the ATAC Coordinators and ATAC programs throughout the nation. EOUSA's Evaluation and Review Staff (EARS) evaluates all of the USAOs every three or four years. As a result of the implementation of the ATAC program in the USAOs, EARS developed specific interview guides and program guides for the ATAC Coordinator and the ATAC program, which are designed to specifically evaluate the effectiveness of the ATAC Coordinator and the effectiveness of the ATAC program. We believe that the EARS evaluation process, which relies on experienced supervisors, AUSAs, and ATAC Coordinators in the field, to conduct a specific review of the ATAC Coordinator and ATAC program, is an effective means of determining whether a USAO is in compliance with the Attorney General's policies and is properly implementing the ATAC program.

The fact that the ATAC program is managed primarily by the USAOs, and not by EOUSA or CTS, allows each USAO the flexibility to implement the Department's counterterrorism programs and policies as it deems appropriate, consistent with the unique characteristics of its own jurisdiction. The draft report does not appear to recognize the flexibility inherent in this approach. For example, the draft report provides an example of an ATAC that has merged its activities and membership with a state homeland security task force, and implies that, because the state task force allegedly has the primary role of distributing information, determining membership, and developing meeting agendas, that this ATAC is not in compliance with the Attorney General's memoranda establishing the ATACs. We submit that each United States Attorney must be allowed to determine how the ATAC program is best implemented in the district. In many instances, as in the example cited in the report, the ATAC may be just as or more effective when it combines and coordinates forces with an established statewide task force.

The report also concludes that EOUSA has not adequately assessed the need for ATAC funding, and does not strategically analyze the ATACs budget to evaluate the need for additional funding for the ATACs. We admit that budget reductions over the past two years have necessitated individual USAO's budgets being reduced, and that these budget reductions have

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impacted every USAO program, including the ATAC program. However, we do not agree that EOUSA has not recognized, analyzed, or attempted to address the need for funding for the ATAC program.

In fiscal year (FY) 2002, the Department received supplemental funding, as contained in the Department of Defense Appropriations bill, of \$56,370,000 for increased personnel resources to the United States Attorneys to address the Department's anti-terrorism investigative, preventive and prosecutorial needs. That amount provided for 468 attorney and support positions for the USAOs. One AUSA position for each district was for a designated Anti-Terrorism Coordinator, pursuant to the Attorney General's directive. One Intelligence Research Specialist (IRS) was also provided for each district. Both the ATAC Coordinators and the IRSs have provided great support to the ATAC program, and continue to work daily to share information and plan training for ATAC members. In addition, recurring funds for travel and supplies were also provided. The funding provided in FY 2003 is now part of the districts' base allocations.

In November of 2001, the Attorney General directed "that \$9.3 million be made available to support state and local participation in the Anti-Terrorism Task Forces. This approximately \$100,000 per Task Force should be used as seed money to help our state and local partners meet emerging communication and information sharing demands placed upon them." To accomplish this objective, the Department sent a reprogramming to Congress to use \$9.4 million (later revised to \$9.3 million because one United States Attorney serves both the districts of Guam and the Northern Marianas) in Office of Justice Programs funding intended for state and local assistance. The Senate appropriations subcommittee staff voiced objection with the reprogramming source which was to be the Local Law Enforcement Block Grant funds because those funds had suffered a cut for FY 2002. Subcommittee staff further indicated their belief that United States Attorneys had been provided enough funding to pay for this one time assistance from the salaries and expenses money in the supplemental. This view was based on the fact that the bill passed later than anticipated and contained more salary funds than would be needed in the first year given the time it would take to fill the new positions.

As noted in the report, and consistent with the direction from the Department which addressed the Senate appropriations subcommittee staff's objection, each district was allocated \$100,000 from the funds originally provided to the United States Attorneys to increase the USAOs capacity to fight the terrorist threat and redirected to facilitate state and local participation in the Anti-terrorism Task Forces (now ATACs). Guidance provided to the United States Attorneys indicated that the funds could be used for communications and intelligence coordination to include such items as secure facsimile machines, secure telephones, telecommunications equipment, computers and related software, training and technical assistance, overtime for ATAC meetings or for a specific ATAC project, and support services such as costs that the state and local ATAC participants might incur to subscribe to an internet-based national network for sharing of criminal intelligence among federal, state, and local law enforcement agencies or the costs for background checks. As noted above, the funding provided to our state and local partners from the USAOs supplemental appropriation was viewed as one-time, seed money to help meet emerging communication and information-sharing demands

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placed upon the participating state and local agencies. Once the USAOs were fully staffed, the funds that had been provided on a one-time basis to state and local partners became necessary in subsequent fiscal years for the salaries and expenses of those hired in the USAOs to maintain the increased capacity to defend against the terrorist threat as originally intended.

The funding received over the past three years for the ATAC program for designated positions as well as information-sharing and training has been effectively used to carry out the goals of the ATAC program. EOUSA recognizes the need to continue to request and provide funding to the USAOs for ATAC training. The FY 2005 appropriation included an enhancement for terrorism prevention, and EOUSA is exploring options for using that money to supplement the resources available for the ATAC Program. EOUSA will continue to request funds in fiscal years 2006 and 2007 to support the ATAC program, as appropriate.

## II. Specific Recommendations

The report's recommendations 3, 4, 7, 9, 11, 12, 13, 14, 15, and 28 are specifically addressed to EOUSA, and we respond to these recommendations as follows:

Recommendation 3: That EOUSA's Office of Legal Education, along with CTS, should develop a national training plan for ATAC's that includes:

- Initial needs assessment of ATAC Coordinators;
- How to manage and structure an ATAC (membership, frequency of meetings, methods and sources of communication, how to conduct an ATAC members' needs assessment, identify trainers, and develop a local training plan);
- Frequency of future needs assessments for ATAC Coordinators and ATACs;
- Development of minimum mandatory training standards and time frames for completion of training for ATAC Coordinators;
- Required minimum annual training hours for ATAC Coordinators; and
- Responsibility for training notification to the ATAC Coordinators.

EOUSA agrees with Recommendation 3 regarding development of a national training plan for ATACs, and that EOUSA's Office of Legal Education (OLE) should have primary responsibility for developing a national training plan for ATACs. EOUSA, working with CTS, has already developed a National ATAC Training Working Group, which includes representatives from EOUSA, CTS, and ATAC Coordinators and IRSs from several USAOs. This Working Group has already held one meeting to begin discussions on what a national training plan should include, and will continue to work to develop a national training plan that includes many of the recommendations in this report.

We anticipate that this national training plan will include an initial needs assessment of ATAC Coordinators, guidance on how to manage and structure an ATAC Council, suggested standards and time frames for completing ATAC Coordinator training, and guidance on

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appropriate training hours. If this recommendation suggests that the training plan should set forth minimum mandatory training standards and time frames for completion of training for ATAC membership, we do not agree, and believe that the better approach is for each ATAC Coordinator, with assistance from EOUSA and CTS, to determine an appropriate training structure for its ATAC based on that district's unique specifications. If this recommendation suggests that ATAC Coordinators should receive minimum mandatory training and time frames for completion of that training, we agree that some form of orientation for new ATAC Coordinators, by either attending a training course in person, viewing a JTN program for ATAC Coordinators, or some form of self-study with materials provided by EOUSA is appropriate and would be beneficial. We will also continue to conduct a National Conference for ATAC Coordinators and strongly encourage each ATAC Coordinator to attend. While the national training plan will make clear that ATAC meetings and membership training is a core requirement of the ATAC program, will provide guidance on each of the factors recommended by the OIG, and will determine an appropriate manner to ensure that those requirements are being met, we strongly suggest that each district be given the flexibility to design their own local district ATAC plan according to that district's own needs and requirements.

Recommendation 4: The ATAC Coordinators should conduct training needs assessments and develop a training plan for ATAC members.

EOUSA agrees with this recommendation and, working through the National ATAC Training Working Group (see answer to recommendation 3), plans to conduct a training needs assessment for ATAC Coordinators, assist the ATAC Coordinators in conducting a needs assessment for their individual ATACs, and assist the ATAC Coordinator in developing a training plan for their ATAC members.

Recommendation 7: The FBI, CTS, EOUSA, and USAOs should work jointly to develop a coordinated strategy to consistently reach remote areas.

We agree that all agencies should work jointly to develop a coordinated strategy to consistently reach remote areas, and that such efforts should be increased. Unfortunately, we believe that the draft report underestimates the current efforts USAOs have made in this regard. ATAC Coordinators and their IRSs are doing an extraordinary job of communicating terrorism and threat information to law enforcement and other agencies in the rural areas of their districts. In fact, many USAOs used part of their allocated terrorism money to install computers and video-conferencing equipment to communicate with remote areas and establish a network for information-sharing.

The report cites some districts in which law enforcement in remote areas reported that they had not received information from USAOs in their district. When we contacted those districts to determine what attempts they were making to reach law enforcement in remote areas, we learned that they had worked very effectively to share information and train law enforcement throughout the district and in the areas specifically cited. For example, in the Western District of

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Oklahoma, which includes Enid, Oklahoma and Woodward, Oklahoma, both cited in the report as areas that reported not receiving terrorism information or training, the USAO has gone to great lengths to ensure that these areas are provided with counterterrorism information and training. The USAO maintains four distinct distribution lists for various levels of information distribution that provides information to law enforcement officers; law enforcement management and investigators; emergency/first responders; and corporate or private security forces. Information provided by the USAO in this district is forwarded on throughout the state to the various Oklahoma Highway Patrol and Troop headquarters - to include Troop J in Enid. Other state-wide information sharing is conducted with the Oklahoma State Bureau of Investigation (OSBI) and the FBI, which maintains Resident Agents in both Enid and Woodward.

There are two Enid Police Department officers on the district's information distribution list. The primary point of contact is a Captain with the Enid Police Department (PD). The USAO has almost daily contact with this individual, who is also responsible for intelligence liaison with Vance Air Force Base (AFB), located outside Enid. Information and intelligence is also shared with the Air Force Office of Special Investigations and Security Forces stationed at Vance AFB. The Captain of the Enid Police Department told the USAO that when he receives terrorism briefing information, he distributes it to approximately 60 officers during shift change/roll call briefings. He also distributes relevant reports via e-mail to officers and executives within his department. The Captain generally removes e-mail headers before forwarding this information, so there is a possibility that recipients do not realize that information and reports originate from the USAO.

In addition, the following specific training was actually conducted in the city of Enid and made available to state and local officials in the Enid area: January 6-8, 2003 Enid PD SWAT Team; Commander attended ATTF-sponsored Anti-Terrorism training for local tactical team commanders; June 18, 2003 *Terrorism 101* - 33 total participants, including 22 from Enid PD and one from Garfield County; April 15, 2005 *Counterterrorism II* - 23 total participants, including 10 from Enid PD, 4 from Garfield County, and one from Southwest Oklahoma State University Public Safety.

The following specific training was actually conducted in the city of Woodward and made available to state and local officials in the Woodward area: January 10, 2003 Overview of the role and mission of the USAO ATTF presented as a portion of FBI Law Enforcement Coordination Council presented to state and local law enforcement officers in Woodward; June 16, 2003 *Terrorism 101* - 32 participants; August 14, 2003 *Terrorism: The Law Enforcement Response* (ORCPI training) 39 participants; November 19, 2003 Presentation at Southwest Oklahoma State University (located in Woodward) to Oklahoma Campus Law Enforcement Association regarding the role of campus law enforcement in combating terrorism; January 15, 2005 Presentation to Western Oklahoma Emergency Management Conference in Woodward regarding Terrorism Indicators and suspicious incident reporting. Emergency Management and First Responders from both Garfield (Enid) and Woodward counties were in attendance.

Other training offered in this district was also attended by law enforcement from Enid and Woodward: February 18, 2004 Domestic Terrorism Seminar in Oklahoma City; February 26,

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2004 Terrorism presentation to National Park Law Enforcement Association annual conference in Ardmore , Oklahoma, which was attended by Oklahoma State Parks law enforcement officers, including those assigned to the Boiling Springs State Park in Woodward; March 31, 2004 ORCPI *Counterterrorism II* training in Del City.

The USAO also made the following presentations where contact information was provided, as well as information regarding joining the USAO information distribution lists: September 15, 2004 Keynote presentation at the Oklahoma Response to Terrorism Conference on the topic of Domestic Terrorism; February 9, 2005 Address to the Oklahoma County Officers and Deputies Association (CODA) Board Meeting; and February 16, 2005 Address to the quarterly meeting of the Oklahoma Sheriff's Association. In November 2003, the USAO addressed the Oklahoma Campus Law Enforcement Association at Southwestern Oklahoma State University (SWOSU) in Woodward - and campus security members have been on the USAOs distribution list since. The SWOSU DPS Chief is on the USAO distribution list. The USAO maintains communication and shares information routinely (3-4 times per week minimum) with all of the full-time/active military installations in the district (Tinker AFB, Vance AFB [outside Enid], Altus AFB, Ft. Sill, Will Rogers Air National Guard Base, and the Tulsa Air National Guard Base). Air Force-related intelligence reports are usually sent directly to the parent unit for all other Air Force units in the state and serves as a single point of contact. Rather than attempt to establish direct communications with every National Guard armory in the state, the USAO communicates directly with the Oklahoma Military Department.

Even in those states with one ATAC for a large geographic area such as Alaska, ATAC Coordinators and IRSs are consistently establishing lines of communication and information-sharing. The District of Alaska's ATAC reaches remote areas of the state using regional ATAC committees located in Fairbanks (North), Juneau (Southeast), and Anchorage (South-central) and a virtual information-sharing system managed by the ATAC's Intelligence Advisory Group (IAG). Private industry security in remote areas—especially those associated with the 800-mile Trans-Alaska Pipeline System—are connected to the IAG virtually using Law Enforcement Online (LEO). The district's IRS manages the IAG and the information-sharing process to include an email distribution list to police chiefs statewide.

In addition, Alaska's ATAC training program includes a major anti-terrorism training event each year where ATAC members statewide are encouraged to attend. In 2003, the district supplemented local law enforcement travel to Anchorage to attend specialized training from SLATT (State and Local Anti-Terrorism Training). Smaller training events are conducted quarterly at each regional ATAC committee. In June 2005, an ATAC sponsored U.S. Secret Service team will be traveling to Anchorage, Juneau, and the North Slope oil fields (Arctic region) to conduct training on trends and tactics of terrorism.

As the information above reflects, we believe that the USAOs are making great efforts to reach remote areas in their district. Nevertheless, we agree with the spirit of the recommendation and will work to provide additional guidance and best practices to better reach remote areas though the national training plan for USAOs.

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Recommendation 9: CTS and EOUSA should develop outcome-oriented performance measures for the ATAC program. The measures for the ATAC program could include the following:

- Quality and timeliness of information shared with member and outside agencies that resulted in improved understanding of terrorism issues and improved prevention activities;
- Quality and timeliness of training for members that resulted in improved understanding of terrorism issues and improved prevention activities;
- Outreach efforts that resulted in increasing targeted membership; and
- Quality and currency of threat assessments that result in improved prevention activities.

While we agree in part that performance measures for the ATAC program would be helpful in assisting the ATAC Coordinator to ensure that the quality of information-sharing and training provided through the program is consistent and effective, we submit that these performance measures must be developed by and tailored to the particular needs of each district. Because we believe it would be ineffective to use one standard measure to evaluate the success of the ATAC program in all districts, we recommend that ATAC performance measures be developed in each district as part of the district's local training plan. As part of the National training plan, the National ATAC Working Group will provide guidance with suggested survey questions, including the factors recommended by the OIG, to assist the ATAC Coordinator in developing an individual survey for its ATAC membership which will assist the USAO to determine the effectiveness of its ATAC program.

Recommendation 11: CTS and EOUSA should jointly issue written guidance defining their roles and responsibilities in the ATAC program, as well as the roles and responsibilities of the Regional ATAC Coordinators, the National ATAC Coordinator, and the EOUSA point of contact for ATACs. This written guidance should be communicated to the ATAC Coordinators.

We agree that joint written guidance defining the roles and responsibilities of CTS and EOUSA in the ATAC program would be appropriate, and we plan to provide that guidance to all ATAC Coordinators. Based on this recommendation, CTS and EOUSA will work together to develop joint written guidance on the roles and responsibilities of CTS, EOUSA, and the EOUSA Point of Contact for ATACs.

Recommendation 12: CTS or EOUSA should issue written guidance for ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC.

We agree that written guidance should be issued to ATAC Coordinators that assists the USAOs in defining the role of the ATAC Coordinators, how to determine membership base in the ATAC, and how to structure and manage an ATAC. As noted in the report, EOUSA

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developed a set of performance standards for ATAC Coordinators which provides guidance to the USAOs on the roles and responsibilities of the ATAC Coordinator. These performance standards will be reviewed and revised, if necessary, by the National ATAC Training Working Group, and a copy of those performance standards will be sent to United States Attorneys and ATAC Coordinators. Again, each USAO must have the flexibility to define the role of its ATAC Coordinator based on the needs of the district, and each ATAC should have the flexibility to determine how to structure and manage its ATAC program, but we agree that providing additional guidance to the USAOs in these areas would be appropriate.

Recommendation 13: EOUSA should strategically analyze the ATAC budget to assess the need for future funding.

EOUSA agrees with this recommendation, and will continue to strategically analyze the ATAC budget to assess the need for future funding as noted in the general comments above.

Recommendation 14: ATAC Coordinators should regularly update and maintain accurate electronic rosters of the ATAC membership.

We agree with this recommendation and will request that each district include in their local training plans an updated electronic roster of the ATAC membership, and that they continue to maintain the roster.

Recommendation 15: ATACs should meet at least quarterly, and the ATAC Coordinators should periodically review and communicate the ATAC mission to members.

We agree that the USAO should conduct ATAC meetings, and that they should periodically review and communicate the ATAC mission to members. We believe that the overwhelming majority of USAOs are already conducting regular meetings, and communicating regularly with their ATAC members. We do not agree that the ATAC should meet at least quarterly, and would recommend that each USAO determine in its local training plan an appropriate number of meetings for the ATAC, and the most effective way to conduct those meetings.

Recommendation 28: The ATAC Coordinators should work jointly with the state offices of homeland security and the state homeland security task forces to coordinate activities and to minimize duplication and gaps in terrorism-related information sharing and training.

We agree that the ATAC Coordinators should work jointly with the Department of Homeland Security (DHS) to coordinate activities and to minimize duplication in information-sharing and training, and we believe that the majority of ATAC Coordinators and IRSs have made these efforts or are currently making efforts to reach out to the DHS.

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### III. Conclusion

As the draft report states, the ATAC program is a novel program that has been overwhelmingly successful in improving counterterrorism efforts in the post-9/11 world. EOUSA will continue to work with the USAOs and CTS to further develop and improve the ATAC program consistent with Department strategies and recommendations of the Office of Inspector General.

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## **APPENDIX XIII: OIG ANALYSIS OF THE EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS' RESPONSE**

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The OIG sent copies of the draft report to EOUSA with a request for written comments on Recommendations 3, 4, 7, 9, 11, 12, 13, 14, 15, and 28. EOUSA responded to the OIG in a memorandum dated May 17, 2005. Although EOUSA believed that the draft report did not adequately present the challenges faced by EOUSA, USAOs, and CTS since September 11, 2001, and credit their achievements, EOUSA concurred with all of the recommendations. EOUSA agreed to develop a national training plan for the ATAC Coordinators, assist the ATAC Coordinators in developing a training plan for ATAC members, develop a coordinated strategy with the FBI for reaching remote areas, develop performance measures for the ATAC program, and provide guidance to ATAC Coordinators on roles, responsibilities, and management of an ATAC. EOUSA presented general comments on four issues and then addressed each recommendation. Our analysis of EOUSA's response follows.

### **GENERAL COMMENTS**

**Shared Responsibilities.** EOUSA stated that the report did not adequately reflect the shared responsibilities between EOUSA, CTS, and the USAOs for the oversight, monitoring, and evaluation of the ATAC program. EOUSA stated that the U.S. Attorneys have primary responsibility for implementing and coordinating the ATACs in their judicial districts. CTS assists in coordinating the ATAC program and has primary responsibility for coordinating terrorism cases and investigations across the USAOs. EOUSA provides support for the USAOs, has responsibility for training Department employees (which includes ATAC Coordinators), and serves as a liaison between the USAOs and the Department. EOUSA cited a January 13, 2005, memorandum from the Deputy Attorney General to the U.S. Attorneys and the ATAC Coordinators as the most recent guidance on the roles of CTS and the USAOs regarding international and domestic terrorism cases.

The OIG's Analysis. The OIG believes the report adequately outlined the shared responsibilities for the ATAC program. However, we encountered a lack of understanding on the part of ATAC Coordinators regarding these shared responsibilities. The ATAC Coordinators we interviewed and surveyed were unsure to which entity to report activities, ask questions, or get direction about ATAC operations (including information sharing, meetings, and training, but not prosecutions). The Deputy Attorney General's January 13, 2005, memorandum cited by EOUSA only defines roles of CTS and the USAOs in relation to terrorism prosecutions and investigations, not ATAC operations.

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When we interviewed the former and current EOUSA points of contact for the ATACs, they both stated that EOUSA provided training and budgetary administrative support to the ATACs, the same administrative support it traditionally provides to the USAOs in all programs. EOUSA at that time did not view its' role as one of oversight to the ATAC program. Both EOUSA and CTS now seem clear on their roles and responsibilities in the ATAC program, but these roles and responsibilities have not been adequately communicated to the USAOs or the ATAC Coordinators. For example, most ATAC Coordinators expected the CTS Regional ATAC Coordinators to provide guidance, not only on terrorism prosecutive and investigative strategies but also on ATAC operations, which is an EOUSA responsibility.

**Training.** EOUSA stated that the report did not adequately recognize the number and quality of counterterrorism training provided by EOUSA to ATAC members and ATAC Coordinators since the inception of the ATAC program. EOUSA outlined a variety of training sessions that have been provided to ATAC Coordinators and members.

The OIG's Analysis. The OIG recognizes that EOUSA, with assistance from CTS, has developed and provided a significant number of training sessions for the ATAC Coordinators. In fact, we did not receive complaints about training on prosecutive and investigative issues. However, we found in our interviews and survey that ATAC Coordinators wanted additional, more extensive training on day-to-day operations of the ATAC, a topic that the Coordinators said received minimal coverage during any training sessions they attended.

The OIG reviewed the syllabi of the conferences and training listed by EOUSA in its response, and we attended the 2004 ATAC Coordinator National Conference. We found that the majority of these training sessions had only 30 minutes devoted to management or operations of the ATAC, and only a few of the conferences had more than 30 minutes devoted to these issues. When asked for suggested topics for the annual ATAC Coordinator conference, some ATAC Coordinators specifically requested sessions devoted to the management of an ATAC and ATAC best practices. However, the ATAC Coordinators believed that the amount of time ultimately allocated to these matters was inadequate.

**Compliance.** EOUSA stated that its Evaluation and Review Staff (EARS) can effectively determine whether a USAO complies with the Attorney General's policies for ATACs. Additionally, EOUSA stated that the ATAC program has the flexibility to fit the needs of individual judicial districts because the USAOs, not EOUSA or CTS, manage ATACs. EOUSA stated that our report did not recognize the flexibility in this approach because the report implied that

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merging an ATAC with the state homeland security task force did not comply with the Attorney General's memorandum establishing the ATAC program.

The OIG's Analysis. We agree that the EARS can be used as a mechanism to assess ATACs' compliance with the Attorney General's guidelines. However, without a determination from the Department on what constitutes "compliance" or ATAC program standards, the EARS cannot sufficiently assess if an ATAC is adequate or is meeting the intent of the program. The Deputy Attorney General has assembled a working group to develop materials and guidance on who has responsibility for oversight, monitoring, evaluation, and enforcing compliance for the ATAC program. The working group expects to develop its guidance by the end of 2005. EOUSA and CTS also agreed in their responses to Recommendation 9 to develop performance measures for the ATAC program.

**Funding Analysis.** EOUSA disagreed with the report's finding that EOUSA has not recognized, analyzed, or attempted to address funding needs for the ATAC program. EOUSA stated that in fiscal year (FY) 2002, the Department received supplemental funding in the Department of Defense Appropriations Bill of \$56,370,000 for increased personnel in the USAOs to address anti-terrorism investigative and prosecutorial needs. This funding provided for 468 attorney and support positions in the USAOs as well as recurring funds for travel and supplies. EOUSA stated that one AUSA position in each USAO was designated an ATAC Coordinator and each district received an Intelligence Research Specialist position. EOUSA further stated that in FY 2002, the Department allocated \$100,000 on a one-time basis to each ATAC from funds originally provided to the U.S. Attorneys for increasing the USAOs' capacity to fight terrorism. The Department directed the USAOs to use the \$100,000 for communication and intelligence coordination, communication equipment, overtime for ATAC meetings, support services, and counterterrorism training or technical assistance for state and local entities.

EOUSA stated that since FY 2002, the USAOs became fully staffed and the one-time funds provided to state and local entities were required in subsequent years for salaries and expenses of those hired in the USAOs to increase counterterrorism capacity. EOUSA stated that the FY 2005 appropriation included an enhancement for terrorism prevention and EOUSA is exploring options to use that funding to supplement the ATAC program. EOUSA further stated that it will continue to request funds in FYs 2006 and 2007 to support the ATAC program.

The OIG's Analysis. The OIG believes that EOUSA has not strategically or sufficiently analyzed the ATAC budget to assess future funding needs. Our recommendation that EOUSA should conduct more strategic analysis of the

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ATAC budget to assess the need for future funding specifically was directed at funding used for ATAC operations, including information sharing, communication items, and training for state and local entities, not funding for USAOs to increase their prosecutive capacity. We considered the salaries and expenses for additional personnel devoted to terrorism prosecutions and investigations separate from the one-time allocation of \$100,000 to each USAO for improving the communication between the Department and state and local law enforcement entities. For example, during FY 2005, ATAC Coordinators have been unable to attend terrorism-related training and meetings in some locations within their judicial districts due to insufficient travel funds.

To plan adequately for the ATACs' future funding needs or to direct the ATAC program, we believe that EOUSA should analyze the expenditures of each USAO's \$100,000 and determine if the expenditures achieved their purpose to improve federal communication with state and local law enforcement. Additionally, EOUSA should solicit information from the ATACs on their funding requirements for improving information sharing, procuring communication equipment, conducting training, and attending terrorism-related meetings. Because the USAOs have competing priorities, strategic analysis of the ATAC program and its budget is critical.

## **RECOMMENDATIONS**

**Recommendation 3: Resolved – Open.** EOUSA's Office of Legal Education, along with CTS, should develop a national training plan for ATACs that includes:

- Initial needs assessment of ATAC Coordinators,
- How to manage and structure an ATAC (membership, frequency of meetings, methods and sources of communication, how to conduct an ATAC members' needs assessment, identify trainers, and develop a local training plan),
- Frequency of future needs assessments for ATAC Coordinators and ATACs,
- Development of minimum mandatory training standards and time frames for completion of training for ATAC Coordinators,
- Required minimum annual training hours for ATAC Coordinators, and
- Responsibility for training notification to the ATAC Coordinators.

Summary of EOUSA's Response: EOUSA concurred with the recommendation to develop a national training plan for the ATACs and that EOUSA's Office of Legal Education should have primary responsibility for this

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development. EOUSA, with CTS, has convened a National ATAC Training Working Group (referred to as the ATAC Training Committee in the CRM response) consisting of representatives from EOUSA and CTS, as well as ATAC Coordinators and Intelligence Research Specialists from several USAOs. The Working Group has held one meeting and will continue to meet and work on a national training plan that may include an initial needs assessment of ATAC Coordinators, guidance on how to manage and structure an ATAC, suggested standards and time frames for completing ATAC Coordinator training, and guidance on appropriate training hours. EOUSA does not believe that minimum mandatory training standards and time frames for completion of training should be established for the ATAC members. EOUSA believes that it is appropriate for each new ATAC Coordinator to receive some type of orientation – in-person training, a Justice Television Network program, or a review of self-study materials from EOUSA. EOUSA suggested that each judicial district be given the flexibility to design its own ATAC training plan to fit the local needs.

The OIG's Analysis: EOUSA's training working group and plan to issue a national ATAC training plan are responsive to the recommendation. The OIG believes that the National ATAC Training Working Group can aid development of a national training plan and will help EOUSA and the USAOs provide the most appropriate training to ATAC Coordinators and ATAC members. The OIG also believes the accelerated orientation for newly appointed ATAC Coordinators can assist implementation of the ATAC program.

The OIG did not recommend that EOUSA establish minimum training standards for ATAC members, but rather for ATAC Coordinators. The training for ATAC members should be determined by individual USAOs through the ATAC training needs assessments and balanced by available resources. The majority of ATAC Coordinators that we interviewed and surveyed indicated satisfaction with prosecutive and investigative training but indicated a need for more training on the operations of an ATAC. The OIG recommended the development of minimum training hours for ATAC Coordinators to ensure these operational issues were covered in training. However, a national training plan that includes an appropriate amount of training on operational issues for ATAC Coordinators, as determined by the ATAC Coordinators themselves, would be responsive to the recommendation. Please provide us a copy of the national ATAC training plan by October 31, 2005.

**Recommendation 4: Resolved – Open.** The ATAC Coordinators should conduct training needs assessments and develop a training plan for ATAC members.

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Summary of EOUSA's Response: EOUSA concurred with the recommendation and through the National ATAC Training Working Group plans to conduct a training needs assessment for ATAC Coordinators. In addition, the working group plans to assist the ATAC Coordinators in conducting needs assessments for the members of their individual ATACs, and assist the ATAC Coordinators in developing training plans for members.

The OIG's Analysis: EOUSA's planned actions to conduct a training needs assessment for ATAC Coordinators and assist ATAC Coordinators with assessing and meeting the training needs of members are responsive to the recommendation. Please provide us a copy of the results of the training needs assessment for ATAC Coordinators by October 31, 2005. Additionally, please provide us a copy of EOUSA's plan for assisting the ATAC Coordinators in developing training needs assessments and training plans for the ATAC members by October 31, 2005.

**Recommendation 7: Resolved – Open.** The FBI, CTS, EOUSA, and the USAOs should work jointly to develop a coordinated strategy to consistently reach out to remote areas.

Summary of EOUSA's Response: EOUSA concurred with the recommendation and agreed to “work to provide additional guidance and best practices to better reach remote areas through the national training plan for USAOs.” However, EOUSA stated that the OIG report underestimates the USAOs' efforts in communicating terrorism and threat information to law enforcement and other agencies in rural areas of their districts. EOUSA outlined the extensive efforts that ATACs in Oklahoma and Alaska have made to share information and provide training to local law enforcement agencies in their districts.

The OIG's Analysis: EOUSA's proposal to improve ATACs' communication with remote areas through the national ATAC training plan is partially responsive to the recommendation. Our recommendation intended that a coordinated outreach strategy among the FBI, CTS, EOUSA, and the USAOs be developed to ensure communication with state and local law enforcement personnel who are not members of an ATAC or another Department terrorism task force. It is unclear how the ATAC national training plan will fulfill the recommendation's intent.

Also, in the report the OIG recognized the efforts of many ATACs to reach out and communicate with remote areas within the judicial districts, and we summarized the innovative efforts of some USAOs. The OIG found that the majority of ATAC members were satisfied with the information sharing and training received, but we found the opposite when we interviewed state and

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local law enforcement personnel who were not members of the ATAC or another Department counterterrorism task force. These non-members were overwhelmingly dissatisfied with information sharing or training provided by the Department and often had no knowledge of the ATAC or ATAC communication and training efforts in their area. Additionally, the counterterrorism communication and outreach efforts to remote areas often were not coordinated between the USAO and the FBI's JTTF or resident agency office.

While the ATAC in Oklahoma is conducting information sharing and various training sessions, the OIG found gaps in these efforts, especially with respect to remotely located state and local entities that were not members of the ATAC. We have corrected the report on page 91 to reflect that it was the sheriffs, not the police chiefs, who specifically told us they did not have contact with the ATAC in Oklahoma City, did not receive terrorism-related information from the ATAC, and stated they wanted more specific information on potential threats related to Oklahoma, and especially Enid and Woodward, Oklahoma.

The OIG agrees that the ATAC in Alaska was coordinating efforts with the FBI, and had successfully merged with the state homeland security task force to minimize gaps and duplication. The example of Alaska demonstrates the extensive geographic barriers which the ATAC and the FBI must overcome to reach remote areas, an effort that requires coordination of resources.

We request that when CTS, EOUSA, the FBI, and the USAOs develop a coordinated strategy to reach remote areas, they designate one agency to provide us a copy of the coordinated strategy by October 31, 2005. We believe this strategy should define the roles and responsibilities of each entity in implementing the strategy.

**Recommendation 9: Resolved – Open.** CTS and EOUSA should develop outcome-oriented performance measures for the ATAC program. The measures for the ATAC program could include the following:

- Quality and timeliness of information shared with member and outside agencies that resulted in improved understanding of terrorism issues and improved prevention activities,
- Quality and timeliness of training for members that resulted in improved understanding of terrorism issues and improved prevention activities,
- Outreach efforts that resulted in increasing targeted membership, and
- Quality and currency of threat assessments that resulted in improved prevention activities.

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Summary of EOUSA's Response: EOUSA concurred that performance measures for the ATAC program would help the ATAC Coordinators ensure consistency and effectiveness in the quality of information sharing and training provided. However, EOUSA stated that performance measures should be developed by and tailored to the needs of each judicial district because it would be ineffective to use one standard measure for all ATACs to evaluate the success of the ATAC program. EOUSA recommended that ATAC performance measures be developed in each district as a part of the individual district's training plan. The National ATAC Training Working Group will provide guidance to the ATAC Coordinators on suggested survey questions, including the factors recommended by the OIG, for use in evaluating the effectiveness of the ATAC program.

The OIG's Analysis: EOUSA's plans for each USAO to develop its individual performance measures and for the National ATAC Training Working Group to develop evaluation questions are partially responsive to the recommendation. The OIG believes that EOUSA and CTS should develop standard performance elements across ATACs to measure the effectiveness of the ATAC program nationwide. While certain elements of the ATAC program should be consistent across USAOs, the particular criteria used to measure each USAO's success on these elements could be different based on the various ATAC activities and how the program is operated in each judicial district. Please provide us the standard ATAC performance elements or measures by October 31, 2005.

**Recommendation 11: Resolved – Open.** CTS and EOUSA should jointly issue written guidance defining their roles and responsibilities in the ATAC program, as well as the roles and responsibilities of the Regional ATAC Coordinators, the National ATAC Coordinator, and the EOUSA point of contact for ATACs. This written guidance should be communicated to the ATAC Coordinators.

Summary of EOUSA's Response: EOUSA concurred with the recommendation. EOUSA and CTS will work together to develop guidance on the roles and responsibilities of CTS, EOUSA, and the EOUSA point of contact for ATACs. EOUSA plans to provide this guidance to all ATAC Coordinators.

The OIG's Analysis: EOUSA's plan to work with CTS and develop guidance on roles and responsibilities is responsive to the recommendation. The Deputy Attorney General has formed a working group to develop guidance to clarify the roles and responsibilities of CTS, EOUSA, and the USAOs in the ATAC program with regard to oversight, monitoring, evaluating success, and enforcing compliance (see the ODAG's response to Recommendation 10, which

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the ODAG labeled “2”). Please provide us a copy of the joint EOUSA-CTS written guidance to the ATAC Coordinators by October 31, 2005.

**Recommendation 12: Resolved – Open.** CTS or EOUSA should issue written guidance for ATAC Coordinators that includes a definition of roles, how to determine membership base, and how to structure and manage an ATAC.

Summary of EOUSA’s Response: EOUSA concurred with the recommendation. EOUSA stated that each USAO should have flexibility in defining the role of the ATAC Coordinator and structuring and managing the ATAC to fit the needs of each district. EOUSA developed performance measures for the position of ATAC Coordinator and a copy of these measures will be sent to the U.S. Attorneys and ATAC Coordinators.

The OIG’s Analysis: EOUSA’s plan for reviewing, revising, and issuing ATAC Coordinator performance standards to the USAOs and ATAC Coordinators is partially responsive to the recommendation. The updated performance standards should tie directly into the standard elements used to measure the overall ATAC program. Further, ATAC Coordinators need additional guidance on determining ATAC membership and structuring and managing an ATAC. EOUSA’s response did not address developing this guidance. Please provide us a copy of any revised ATAC Coordinator performance standards by October 31, 2005. Additionally, please provide us a copy of the written guidance to the ATAC Coordinators on membership, structure, and management for ATACs by October 31, 2005.

**Recommendation 13: Resolved – Open.** EOUSA should strategically analyze the ATAC budget to assess the need for future funding.

Summary of EOUSA’s Response: EOUSA concurred with the recommendation and stated that it will continue to strategically analyze the ATAC budget to assess the need for future funding as noted in EOUSA’s general comments on the report. In those comments, EOUSA stated that the FY 2005 appropriation included an enhancement for terrorism prevention and EOUSA is exploring options to use that funding to supplement the ATAC program. EOUSA further stated that it will continue to request funds in FYs 2006 and 2007 to support the ATAC program.

The OIG’s Analysis: EOUSA’s planned actions to potentially use FY 2005 counterterrorism funds to supplement the ATAC program and to request ATAC funding in FYs 2006 and 2007 are partially responsive to the recommendation. To plan adequately for the ATACs’ future funding needs or to direct the ATAC program, the OIG believes that EOUSA should analyze the expenditures of each

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USAO's one-time allocation of \$100,000 and whether the expenditures achieved their purposes, and solicit information from the ATACs on their funding requirements for improving information sharing, procuring communication items, conducting training, and attending terrorism-related meetings. Please provide us EOUSA's plan for analyzing future ATAC funding needs by October 31, 2005.

**Recommendation 14: Resolved – Open.** ATAC Coordinators should regularly update and maintain accurate electronic rosters of the ATAC membership.

Summary of EOUSA's Response: EOUSA concurred with the recommendation and will request an electronic roster of ATAC members from each judicial district. EOUSA also will request that each USAO continue to maintain the roster.

The OIG's Analysis: EOUSA's plan to request updated electronic rosters of ATACs' members and continual maintenance of the rosters is responsive to the recommendation. Please provide us confirmation of EOUSA's receipt of updated electronic rosters from each ATAC by October 31, 2005. Also, please provide us a copy of EOUSA's plan for ensuring that the USAOs maintain updated electronic rosters of ATAC members by October 31, 2005.

**Recommendation 15: Resolved – Open.** ATACs should meet at least quarterly, and ATAC Coordinators should periodically review and communicate the ATAC mission to members.

Summary of EOUSA's Response: EOUSA concurred that the USAOs should conduct ATAC meetings and periodically review and communicate the ATAC mission to members, but EOUSA did not agree that ATACs should meet at least quarterly. EOUSA stated that each USAO should determine, in its local ATAC training plan, the appropriate number of ATAC meetings as well as the most effective way to conduct the ATAC meetings.

The OIG's Analysis: EOUSA's plan for individual USAOs to determine the frequency of and method for conducting ATAC meetings in their district training plans is responsive to the recommendation. The ATAC Coordinators' individual training needs assessments of members could be used to determine the type and frequency of meetings and training. The intent of the recommendation to meet at least quarterly was to ensure that the USAOs were responsive to the communication requirements of ATAC members, but the suggested frequency was not a firm requirement. Please provide us copies of

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the portion of each USAO's ATAC training plan that addresses frequency of ATAC meetings by October 31, 2005.

**Recommendation 28: Resolved – Open.** The ATAC Coordinators should work jointly with the state offices of homeland security and the state homeland security task forces to coordinate activities and to minimize duplication and gaps in terrorism-related information sharing and training.

Summary of EOUSA's Response: EOUSA concurred that the ATAC Coordinators should work jointly with the DHS to coordinate activities and to minimize duplication in information sharing and training. EOUSA stated that ATACs and Intelligence Research Specialists are making efforts to coordinate with the DHS.

The OIG's Analysis: EOUSA's statement that outreach efforts are ongoing with the DHS is partially responsive to the recommendation. The recommendation is directed toward coordination of activities with the states. Please provide us a description of each ATAC's efforts to coordinate activities with the state offices of homeland security by October 31, 2005.

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## APPENDIX XIV: THE FEDERAL BUREAU OF INVESTIGATION'S RESPONSE

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U.S. Department of Justice

Federal Bureau of Investigation

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Washington, D. C. 20535-0001

May 17, 2005

The Honorable Paul A. Price  
Assistant Inspector General  
Office of the Inspector General  
Evaluation and Inspection Division  
Department of Justice  
Suite 6100  
1425 New York Avenue, N.W.  
Washington, D.C. 20530

Dear Mr. Price:

The Joint Terrorism Task Forces (JTTFs) have become the "action arm" of the U.S. Government's domestic counterterrorism efforts. Your review of the JTTFs came during a period of rapid expansion. With the support of the administration and the U.S. Congress, the number of JTTFs has been expanded from 66 JTTFs in June 2003 to 103 currently; an increase of 37 over a 2 year period. Subsequent to your review in January 2005, offices were opened in Delaware, Idaho, and New Hampshire. The FBI values the Office of the Inspector General's (OIG) review and will incorporate your audit team's recommendations as we continue to build on the success of the National Joint Terrorism Task Force (NJTTF), JTTFs, and the Foreign Terrorism Tracking Task Force (FTTTF).

I would like to outline the FBI's plan with regard to the pertinent recommendations:

The FBI concurs with your recommendation that a national training plan should be developed for each Task Force. The FBI does not currently have a standardized training curriculum for the JTTF members, however, basic core function training is provided to Task Force participants. Over the past

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The Honorable Paul A. Price

few years the FBI has worked toward establishing an all encompassing training curriculum. From 2002 to 2005, the FBI's Counterterrorism Division (CTD), through various components including the NJTTF and the International and Domestic Terrorism Operations Sections, have worked in conjunction with the FBI's Training and Development Division (TDD) to sponsor training on various topics and through various formats. Training provided to date includes familiarization with basic security issues, including the proper classification of intelligence communications, familiarization with the roles, missions, program specific operations of the U.S. Intelligence Community (IC), the FBI's Automated Case Support (ACS) system, the Investigative Data Warehouse (IDW), and the Threat Reporting System (TRS). Further, the FBI has hosted and co-sponsored numerous JTTF national and regional working conferences. In the past 2 1/2 years approximately 3,000 JTTF personnel have received FBI sponsored training.

Recently, the FBI formed a unit within the CTD to identify and assess the training and professional development needs of the CTD. Specifically as it relates to the JTTF program, this unit will provide legal training to NJTTF personnel and JTTF members regarding the Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection, and coordinate E-learning and computer based training opportunities on the tools, techniques and skills needed to successfully investigate terrorism. These skills will be derived from a competency profile developed for Agents assigned to counterterrorism matters. This unit, working in conjunction with the other CTD components and through the FBI's TDD will develop, execute and monitor a national training plan for the JTTFs and NJTTF. The draft framework for a national training plan for the JTTFs and NJTTF is anticipated to be completed by September 2005.

The FBI concurs with your recommendation to develop a formal, standardized orientation program for all new Task Force members and provide it within 30 days of the new member's start date. As noted in your report, orientation and training has not been applied uniformly for all JTTF members. The FBI CTD has developed a short-term/immediate and mid-range plan for addressing orientation and training for newly-appointed JTTF members. On April 20, 2005, pending implementation of a formal national standardized orientation and training program, the CTD directed all JTTFs to immediately provide orientation and training to newly-appointed members within their first year of service. The directive mandated that the following areas be included, at a minimum, in the orientation and training:

The Honorable Paul A. Price

- Administrative
- Security
- Automation/Computer Investigative Resources
- Introduction to Foreign Intelligence/Terrorism
- International/Domestic Terrorism Base Courses (CD-ROM based training)
- Foreign Counterintelligence Basic Course (CD-ROM based training)
- Surveillance Techniques
- Evidence Procedures
- Technical Writing
- Legal Training
- Asset/Source Recruiting and Management

In conjunction with the above, the FBI's CTD has undertaken a project to establish a structured, orientation and training program for JTTF participants, to be implemented in early Fiscal Year (FY) 2006.

The FBI concurs with your recommendation that the FBI should finalize memorandums of understanding (MOUs) with all agencies participating on the Department of Justice's (DOJ) terrorism task forces. It should be noted that since 1980, the FBI has maintained MOUs with all state and local agencies who participate on the JTTFs. Currently, the FBI maintains 311 MOUs with agencies that participate in JTTFs. With regard to MOUs with other Federal agencies, prior to September 2001, the FBI had established MOUs with 13 Federal agencies serving on the JTTFs.

The FBI's CTD is currently updating all NJTTF and JTTFs MOUs, incorporating post-September 2001 issues, to include: polygraph requirements; information sharing policy; and, agreements on the length of commitment by individuals to the NJTTF and JTTFs. The FBI's CTD is currently engaged in and nearing completion of negotiations with the Department of Defense (DoD) and Department of Homeland Security (DHS), regarding standardized MOUs. It is anticipated that this process will be completed within the coming weeks.

The FBI concurs with your recommendation that the FBI, the DOJ's Counterterrorism Section, the Executive Office of United States Attorneys (EOUSA), and the many United States Attorneys Offices (USAOs) should work jointly to develop and enhance the coordinated strategy to consistently reach remote areas. While the FBI has implemented several mechanisms as part of an overall strategy to ensure effective information sharing with all state and local law enforcement agencies, and has additional significant initiatives in final development,

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The Honorable Paul A. Price

information sharing across the broad law enforcement spectrum is one of our highest priorities. The FBI works with state and local law enforcement to provide information regarding terrorism threats which specifically impacts their jurisdiction. The FBI field offices have effective liaison between FBI Resident Agencies and other law enforcement and government agencies, in their jurisdiction. The FBI continuously seeks additional opportunities to provide relevant information to our law enforcement partners.

As part of our current strategy for addressing the law enforcement community in remote areas, the FBI provides weekly Intelligence Bulletins, distributed over the National Law Enforcement Telecommunications (NLET) system to 18,000 law enforcement agencies nationwide. This process began in February 2002 and has grown each year. Since such time, the FBI has released over 170 Intelligence Bulletins. During past periods of heightened threats, the FBI released an average of two Intelligence Bulletins per week. Over time, this process has evolved, to include the joint publication of the Intelligence Bulletins with the DHS.

As a second part of our strategy, is the availability of a Law Enforcement Online (LEO) account without cost to any law enforcement agency in the United States. In the Counterterrorism Section of LEO each of these Intelligence Bulletins is stored for retrieval, along with intelligence products with a security classification of Law Enforcement Sensitive or less. In September 2003, the FBI established the National Electronic Alert System (NAS) which presently has 4,100 participants, and allows FBI Headquarters components and field office Special Agents-in-Charge (SACs) to simultaneously contact local law enforcement officials, using cell-phones, pagers, and e-mails.

The CTD is coordinating with the Directorate of Intelligence (DI) to produce a FBI National Report on a weekly basis, which will be the primary terrorism threat outreach bulletin for the nationwide national law enforcement community at the "for official use only/law enforcement sensitive (FOUO/LES)" classification level.

Using the tools developed to deliver intelligence at varying classification levels, we propose using a similar method to deliver outreach and training. A great amount of online training is already deliverable, and more can be developed, tailored and delivered to a larger audience by the FBI and the ATACs through LEO, Regional Information Sharing System (RISS), the Homeland Security Information Network (HSIN), and other

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The Honorable Paul A. Price

FOUO/LES systems. All of this training is deliverable through mechanisms developed to deliver tiered intelligence to the nation's law enforcement community.

We are encouraged that the OIG has identified the fact that Law Enforcement Coordination Council (LECC) allocations to each USAO, as well as Federal and state DHS monies, have funded ATAC training in past efforts, and suggest this vehicle for implementation of a coordinated outreach to remote law enforcement entities across the United States. Moreover, the bottom-up flow of law enforcement information from the front line officer in response to this outreach will be a "force multiplier."

The FBI agrees with your assessment that we should strengthen our performance measures to provide an effective means for determining the qualitative and quantitative accomplishments of our task forces and their members in fulfilling the DOJ's counterterrorism strategy. The NJTTF has taken additional steps to develop and promote "best practices" for the JTTFs. During the JTTF National Training Conferences in September 2003 and April 2005, the NJTTF presented a list of "best practices" for the JTTFs. Such "best practice" topics have included: establishing JTTF Executive Boards; adopting a "treat everyone the same" approach to Special Agents (SAs) and Task Force Officers (TFOs); assigning TFOs as co-case Agents for investigations/leads; assigning TFOs as co-case agents on sources; documenting a training program for newly appointed JTTF members; developing new source development and vetting initiatives; mandatory LEO/NAS membership for all JTTF members, to include establishing special interest groups (SIGs) on LEO; ensuring all JTTF TFOs are capturing (TURK) their time spent on JTTF investigations; and coordinating the integration of Field Intelligence Groups (FIGs). Some of these "best practices" have already been documented in FBI policy communications (e.g., executive boards, TURK requirements, and mandatory LEO membership/SIGs).

To improve strategic planning and tracking of performance measures, the FBI is currently developing a strategic management tool called the "Comprehensive Operational Management Plan Advancing Specific Strategies (COMPASS)." This tool will be a web-based application that provides information on specific goals, objectives, and performance outcomes for each FBI division, both at Headquarters and in the field. The COMPASS will track and collect the specific progress on all objectives. At any given time, the system will provide senior management the ability to access such information online. As the COMPASS is

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The Honorable Paul A. Price

developed, it will become useful to all FBI programs to aid in the measurement of specific strategic outcomes.

The FBI agrees that the FTTTF should develop a plan to acquire and regularly update the required databases from other agencies. While the FBI presently has a plan for the identification and acquisition of data sets from other agencies, the necessity of establishing MOUs and each agencies limited resources impact on the timing of such updates. For example, the Homeland Security Council mandated that FBI be provided "full-access" to US-VISIT and SEVIS data in July 2004. Negotiation of the MOU concluded with its signing on February 10, 2005 and a 30-day pilot transfer of data occurred on January 18, 2005. We will continue to work towards full access to other agencies databases.

The FBI agrees that we should identify and address the obstacles the FTTTF encounters in securing and regularly updating required databases from other agencies. Where obstacles exist, they have been identified and are being addressed.

The FBI agrees with your assessment that we should identify and address the FTTTF's unmet resource requirements for staff (FBI and other government agencies), space, and equipment. The FBI acknowledges the unmet resource requirements for staff (FBI and other government agencies), however, space and equipment requirements have been met. The FTTTF moved to its permanent location during 2004-2005 and all personnel are collocated. Equipment requirements have also been met and enhancements are pending in the budget process. The current facility provides access to other agency participants' home data networks, access to the FBINET for all cleared personnel with a need for access, and a modern data center to service the network and application requirements of FTTTF. Additionally, technical capabilities developed at FTTTF are being extended to become a Bureau-wide resource. Specifically, the Data Extraction and Extension Project (DEEP) was recently implement on the FBI Intranet to provide a valuable application for investigative and program management of CT matters. A proposal for the implementation of a Network and Tools Extension (NEXT) Project, providing secure access to the FTTTF Data Mart and analytical tools from any FBINET workstation, has been reviewed and approved by the FBI Enterprise Architecture Board (EAB).

The FBI is focused on ensuring long-term, stable leadership, organizational structure, and housing for the FTTTF. In addition, the FBI's FTTTF has addressed the problems of unstable, leadership, organizational structure and housing, which occurred during the initial two years of existence. The FTTTF

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The Honorable Paul A. Price

moved into its current facility during 2004-2005, and has no current plans to relocate.

The FBI acknowledges your recommendation that the FTTTF should develop and implement a marketing plan to improve awareness and understanding of its services. The FTTTF has taken steps to implement such a plan. Specifically, in regards to leadership, the FTTTF provides:

- weekly briefings to visiting SACs and ASACs,
- participates in the Counterterrorism Division's orientation for new assignees,
- has presented to the National Joint Terrorism Task Force Conference,
- provides briefings to new SACs and Legats,
- has briefed outside organizations; International Association of Chief of Police (IACP), National Sheriffs' Association, Major City Chiefs, Interagency Intelligence Committee on Terrorism (IICT), and is schedule to brief the Homeland Security and Information Sharing Conference at New Orleans in June 2005.

Additionally, the FTTTF has established a web site on the FBI Intranet, which will be replicated in-part on SIPRNET. An Executive Guide has been published to provide a concise synopsis of FTTTF capabilities and how to request support.

The FBI has actually engaged in the determination and allocation of sufficient staff to effectively support the terrorism task forces. Currently, the JTTF program is staffed by 3,714 full-time law enforcement officers. All 103 JTTFs are staffed full-time by 2,196 FBI Agents, 683 officers from other Federal government agencies, and 835 state and local law enforcement officers. In addition, this staff is augmented by 1,355 part-time law enforcement officers, which consists of 121 FBI Agents, 708 officers from other government agencies, and 526 state and local law enforcement officers. For command and control purposes, the Assistant Director in Charge (ADIC) or SAC of each FBI field office are directly responsible for managing and allocating JTTF officers to effectively support the FBI's counterterrorism mission. On an annual basis, each ADIC or SAC reports their staffing and operational requirements to FBI Headquarters. In FY 2005, additional Special Agent resources were allocated to field offices and FBI Headquarters.

With respect to analytic support, all FBI field offices currently manage and operate a Field Intelligence Group (FIG).

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The Honorable Paul A. Price

The FIG serves as the central intelligence component of every FBI Field Office and performs and oversees the performance of core intelligence functions within the field office. The primary mission of these FIGs, predominantly staffed with FBI Intelligence Analysts, is to provide direct operational and strategic analytical support to JTTF officers. On March 25, 2004, FBI Headquarters established mandatory coordination requirements between all FIGs and the JTTFs. Specifically, all FIGs have established within each JTTF an intelligence reporting capability to ensure that intelligence collected by the JTTF, which should be disseminated, is in fact disseminated to relevant FBI intelligence customers on a timely basis. Again, for command and control purposes, each ADIC or SAC of their respective FBI field office are directly responsible for managing and allocating FIG resources to effectively support the FBI's counterterrorism mission.

The FBI concurs that we should seek stability in JTTF leadership. The OIG report focuses on several levels of management to include the SSA, Assistant Special Agent in Charge (ASAC) and SAC, not specifically the key JTTF management staff consisting of first line supervisors; the JTTF SSAs who typically serve as international terrorism (IT) and domestic terrorism (DT) program coordinators, and the JTTF ASACs, who typically serve as the IT and DT program managers.

Your report noted "some of JTTF members interviewed" made comments regarding lack of continuity in the JTTF's management created inconsistencies. In addition, "some of JTTF members" commented that frequency of transfer of FBI JTTF agents, sooner than the standard rotation, "also can have an impact on investigation." All FBI personnel, no matter what program, view the importance of following through on investigations as a priority.

In regards to your recommendation that the FBI should develop a plan and issue written guidance for the JTTFs on how to activate new JTTFs and move existing JTTFs to offsite locations, the FBI previously issued written guidance, respectively, on January 30, 2001 and May 27, 2003, to all FBI field offices regarding guidelines for submitting proposals for the formation of JTTFs. The latter guidance established an 11-point criterion for the activation of new JTTFs.

The report's conclusion that the FBI has not provided adequate space for some JTTFs should be put in context. The OIG's survey revealed that 72 percent of JTTF members rated the space as average or better. From our review of your report, it

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The Honorable Paul A. Price

is not clear how many field offices are represented by the remaining 28 percent of JTTF members who rated their space as "poor" or "very poor." Each office annually outlines the needs of their JTTFs to FBI's CTD.

In all these cases, the field offices reported that CTD has been immediately responsive to requests for money for the expansion of suitable space for the JTTFs. While we acknowledge delays in the establishment of offsite locations, the cause is principally based on external factors. The effects of recurring continuing resolutions have had a dramatic impact on the FBI's ability to fully fund the creation of new JTTFs offsite locations. This situation is further compounded by the required coordination and processing of space issues with the General Services Administration (GSA). The FBI has addressed every request from the JTTFs for space. At times we disagree on the level of support; nonetheless, every basic request requirement has been fulfilled. Specifically, the FBI has incrementally increased the allocation of funding for the leasing of space and renovations for JTTFs from \$554,705 (FY 2002) to \$6,328,884 (FY 2005).

The FBI also agrees with your recommendation that we should ensure sufficient information technology connectivity is needed to effectively support the terrorism task forces. The FBI CTD supports requests for funding for field office JTTFs covert operating expenses (e.g., internet access, analog phone/computer lines), overt equipment (e.g., DSL, internet access, computers), and supply requirements.

In September 2004, all NJTTF members gained internet access at their workstations. Accompanied with individual internet access was the ability to simultaneously convert between classified and unclassified systems via separate computer systems.

The FBI's internet connectivity issue is presently being addressed under the direction of the Office of IT Program Management (OIPM), and is currently in the process of being redesigned to produce a more stable network that will serve the JTTF's long-term operational and administrative needs.

This report finds that some JTTF members described systems as "outdated" and "unreliable", which negatively affected the operations. The JTTF participants have been provided access and training to the following databases/systems:

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The Honorable Paul A. Price

- Automated Case Support (ACS) - The FBI's centralized case management system.
- FBI Network (FBINET) - The FBI's centralized network management system to access various administrative, financial and investigative systems.
- Guardian - The FBI's web-based threat tracking system.
- Investigative Data Warehouse (IDW) - The FBI's combined data warehouse, allowing a single search to query data from multiple government agencies.
- iMap - A geospatial analytical tool distributed to all JTTFs by the FTTTF.
- SCION - The FBI's Top Secret classified information network.
- SIPRNET - The U.S. military's Secret level classified information network.

Additionally, plans are underway for JTTF member access to new databases/systems, to include:

- Data Extraction and Extension Project (DEEP) - A relational database to extract information from components of the FBI's ACS.
- Intelligence and Terrorist Photograph Identification Database (INTREPID) - The FBI's terrorists tracking and photo identification database for known terrorists and terrorist groups.
- National Counterterrorism Threat Center (NCTC) Online - The NCTC's classified internet.
- SIPRNET - A desktop version will be deployed to all FBI field offices.

Our investment and development of IDW, which provides enhanced access to ACS and many other FBI and open source databases, has been successful. The FBI's investment in IDW, iMap, and Guardian was a large step forward in providing all JTTF members the tools necessary to complete their mission. The IDW was developed and deployed during FY 2004. Our goal has always been to provide JTTFs with the best tools for them to complete their mission.

The FBI is appreciative of the work made by the OIG in conducting this review. While we are proud of the accomplishments and achievements made by the members of the JTTFs, the NJTTF and the FTTTF, we are also aware that there are always areas where further improvements can be made. The FBI

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The Honorable Paul A. Price

looks forward to implementing corrective action where needed and recommended while continuing to carry out its mission in the "War on Terrorism."

Sincerely yours,



Willie T. Hulon  
Assistant Director  
Counterterrorism Division

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## APPENDIX XV: OIG ANALYSIS OF THE FEDERAL BUREAU OF INVESTIGATION'S RESPONSE

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The OIG sent copies of the draft report to the FBI with a request for written comments on Recommendations 2, 5, 6, 7, 8, and 16 through 24. The FBI responded to the OIG in a memorandum dated May 17, 2005. The FBI concurred with all the recommendations and agreed to develop a national task force training plan and orientation program; finalize MOUs defining task force members' roles and responsibilities; develop performance measures for the task forces and members; ensure adequate staffing, stable leadership, and other required resources for the task forces; assist the FTTTF in acquiring databases from other agencies; and develop a coordinated strategy with the USAOs to reach remote areas.

### RECOMMENDATIONS

**Recommendation 2: Resolved – Open.** The FBI should develop a national training plan for each task force that includes:

- Responsibility for developing and managing the training plan and program,
- Initial needs assessment,
- Frequency of future needs assessments,
- Development of minimum mandatory training standards and time frames for completion of training, including completion of the introductory training session within 90 days of joining the task force,
- Required minimum annual training hours,
- Target audience – training equities for FBI and non-FBI task force members, and
- Responsibility for training notification to the field.

Summary of the FBI's Response. The FBI concurred with the recommendation that a national training plan should be developed for each task force. The FBI acknowledged that it does not currently have a training curriculum to ensure a standardized, minimum training program.

The FBI stated that its Counterterrorism Division (CTD) and Training and Development Division offer various types of counterterrorism training and basic core function training, and that they have sponsored numerous JTTF national and regional working conferences. The FBI reported that in the past 2½ years, approximately 3,000 JTTF personnel received FBI-sponsored training. The FBI also reported that it recently formed a unit within the CTD to identify and

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assess the training and professional development needs of the CTD as well as to provide training on the skills and techniques needed to investigate terrorism successfully.<sup>103</sup> The unit will be responsible for developing, executing, and monitoring a national training plan for the JTTFs and the NJTTF. The FBI anticipates that it will complete a draft national training plan for the JTTFs and NJTTF by September 2005.

The OIG's Analysis. The actions planned by the FBI to develop a national training plan with minimum training standards are responsive to the recommendation. Please provide us a copy of the final draft of the national training plan for the JTTFs, NJTTF, and FTTTF by October 31, 2005.

**Recommendation 5: Resolved – Open.** The FBI should develop a formal, standardized orientation program for all new task force members and provide it within 30 days of the new member's start date. Orientation should include:

- FBI policies and procedures;
- Access and use of the ACS system, IDW, and any other case management system;
- Intelligence gathering versus criminal investigations;
- Definition of task force member roles and responsibilities;
- Roles of other Department terrorism task forces and other FBI units;
- Sources of information and contact information for other organizations frequently used by the terrorism task forces (e.g., DHS, Internal Revenue Service, Social Security Administration, U.S. Postal Service); and
- Information sharing protocols.

Summary of the FBI's Response. The FBI concurred with the recommendation to develop a formal, standardized orientation program for all new task force members and to provide it within 30 days of a new member's start date. The FBI reported that it has developed a short-term/immediate and mid-range plan for addressing orientation and training for newly appointed JTTF members. The FBI stated that on April 20, 2005, pending implementation of a formal national standardized orientation and training program, the CTD directed all JTTFs to immediately provide orientation and training to newly appointed task force members within their first year of

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<sup>103</sup> The FBI reported that it modified the mission of the CTD training unit, originally formed in March 2004, and renamed the unit the Continuing Education and Professional Development Unit in April 2005.

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service. Implementation of the structured orientation program is planned for early FY 2006.

The OIG's Analysis. The action planned by the FBI to develop a national standardized orientation program is responsive to the recommendation. Please provide us a copy of the program syllabus by October 31, 2005.

**Recommendation 6: Resolved – Open.** The FBI should finalize MOUs with all agencies participating on the Department's terrorism task forces.

Summary of the FBI's Response. The FBI concurred with the recommendation to finalize MOUs with all agencies participating on the Department's terrorism task forces. The FBI stated that since 1980, it has maintained MOUs with all state and local agencies that participate on the JTTFs and that currently it maintains 311 MOUs with these agencies. The FBI stated that it also established 13 MOUs with other federal agencies prior to September 2001. The CTD is currently updating all NJTTF and JTTF MOUs, which will incorporate post-September 11, 2001, issues such as polygraph requirements, information sharing policies, and length of commitment agreements.

The OIG's Analysis. The action planned by the FBI to update or finalize all MOUs is responsive to the recommendation. Please provide us a copy of the updated MOUs with all federal agencies participating on the JTTFs, NJTTF, and the FTTTF by October 31, 2005. Please provide written verification (in lieu of actual copies) of updated MOUs with all other state, local, and participating agencies on the task forces, by October 31, 2005.

**Recommendation 7: Resolved – Open.** The FBI, CTS, EOUSA, and the USAOs should work jointly to develop a coordinated strategy to consistently reach remote areas.

Summary of the FBI's Response. The FBI concurred with the recommendation that the FBI, EOUSA, and the USAOs should work jointly to develop the coordinated strategy to consistently reach remote areas. The FBI stated that information sharing is one of its highest priorities. The FBI reported that it has already implemented several mechanisms as part of an overall strategy to ensure effective information sharing with all state and local law enforcement agencies and has additional initiatives in final development.

The FBI also stated that the CTD is coordinating with the Directorate of Intelligence to produce a weekly FBI National Report that will be the "primary terrorism threat outreach bulletin" for law enforcement at the "for official use only/Law Enforcement Sensitive" classification level. The FBI also proposed using various law enforcement online services to deliver training and suggested

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the continued use of LECC allocations to the USAOs and federal and state DHS money to fund coordinated outreach to remote law enforcement entities.

The OIG's Analysis. The information sharing with law enforcement in remote and rural areas already undertaken or planned by the FBI is partially responsive to the recommendation. We agree that information and intelligence sharing through online services, as well as liaison among the FBI field offices and resident agency offices and other government and law enforcement agencies within their jurisdictions, can be effective outreach efforts. However, as described in our report, outreach and information sharing efforts are not as effective or consistent in all jurisdictions, leaving some remote and rural areas without terrorism related information and training. The FBI's response did not include methods on how to share information with smaller, rural local law enforcement agencies that have limited or no Internet access.

We request that when CTS, EOUSA, the FBI, and the USAOs develop a coordinated strategy to reach remote areas, they designate one agency to provide us a copy of the coordinated strategy by October 31, 2005. We believe this strategy should define the roles and responsibilities of each entity in implementing the strategy.

**Recommendation 8: Resolved – Open.** The FBI should ensure its performance measures provide an effective means for determining the qualitative and quantitative accomplishments of the task forces and their members in fulfilling the Department's counterterrorism strategy.

Summary of the FBI's Response. The FBI concurred with the recommendation. The FBI stated that the NJTTF already has presented a list of JTTF best practices to the JTTFs and that some of these practices are documented in FBI policy communications, thus making them mandatory. The FBI stated that it also is developing a web-based strategic management tool called the Comprehensive Operational Management Plan Advancing Specific Strategies (COMPASS). This application will provide information on specific goals, objectives, and performance outcomes for each FBI division at headquarters and in the field, and will track and collect progress on all objectives. Senior management will be able to access this information online at any time.

The OIG's Analysis. The actions taken or planned by the FBI – developing a JTTF best practices list and a strategic management tool (COMPASS) that monitors progress on all objectives – is partially responsive to the recommendation. We believe that the FBI needs to take additional steps to translate JTTF best practices into outcome-oriented performance measures that would determine the qualitative and quantitative accomplishments of the

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task forces and their members in fulfilling the Department's counterterrorism strategy. Once developed, the performance measures and the web-based application called COMPASS should enable the FBI to measure and track its progress in fulfilling the Department's counterterrorism strategy. Please provide us a copy of the performance measures for the JTTFs, NJTTF, and FTTTF by October 31, 2005.

**Recommendation 16: Resolved – Open.** The FTTTF should develop a plan to acquire and regularly update the required databases from other agencies.

Summary of the FBI's Response. The FBI concurred with the recommendation, stating that while it presently has a plan to identify and acquire datasets from other agencies, the need to establish MOUs and each agency's limited resources affect the timing for receipt of the datasets and updates. The FBI also stated that it will continue to work toward obtaining full access to other agencies' databases.

The OIG's Analysis. The action planned by the FBI toward obtaining full access to other agencies' databases is partially responsive to the recommendation. The OIG found that the FTTTF has not acquired some needed datasets from outside agencies since 2002 and these acquisitions may require intervention by CTD executive staff. We also found that the FTTTF had difficulty obtaining requested datasets from some units within the FBI. For example, since July 2004, the TSC stopped providing the FTTTF with the Terrorist Watch List. Efforts by the FTTTF to resume receiving this list have been unsuccessful, and therefore the FTTTF requires assistance from CTD executive staff. Please provide us a copy of the plan to identify and acquire the datasets and updates that the FTTTF requires from other agencies and other FBI units by August 30, 2005. This plan should include strategies for overcoming identified obstacles to acquisition of datasets and the responsibilities of CTD (not FTTTF) executive staff for facilitating the acquisitions and updates.

**Recommendation 17: Resolved – Open.** The FBI should identify and address the obstacles the FTTTF encounters in securing and regularly updating required databases from other agencies.

Summary of the FBI's Response. The FBI concurred with the recommendation, stating that where obstacles exist, they have been identified and are being addressed.

The OIG's Analysis. The FBI response that it has identified and addressed obstacles where they exist is partially responsive to the

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recommendation. By August 30, 2005, please identify and list the specific obstacles in acquiring each dataset and the actions taken by CTD executive staff (not FTTTF staff) to overcome these obstacles in obtaining datasets from other agencies and from other FBI units.

**Recommendation 18: Resolved – Open.** The FBI should identify and address the FTTTF’s unmet resource requirements for staff (FBI and other government agencies), space, and equipment.

Summary of the FBI’s Response. The FBI concurred with the recommendation. The FBI acknowledged the unmet staff resource requirements for the FTTTF; however, it stated that previously unmet space and equipment requirements have been met since the FTTTF completed its move to its permanent location in 2005. The FBI stated that the current facility provides access to other agency participants’ home data networks, access to the FBINET for all cleared personnel with a need for access, and a modern data center to service the network and application requirements of the FTTTF.<sup>104</sup> Additionally, the FBI has approved a proposal for a project that will provide secure access to the FTTTF data mart and analytical tools from any FBINET workstation.

The OIG’s Analysis. The stated actions of meeting space and equipment requirements for the FTTTF are generally responsive to the recommendation. The FTTTF Director told the OIG that the FTTTF’s space and equipment requirements have been met with the move to its present location. However, since its inception, the FTTTF has been understaffed in terms of full-time personnel from the FBI and other government agencies. Please provide us the plan for meeting the additional staffing requirements of the FTTTF by August 30, 2005.

**Recommendation 19: Resolved – Open.** The FBI should ensure long-term, stable leadership, organizational structure, and housing for the FTTTF.

Summary of the FBI’s Response. The FBI concurred with the recommendation. The FBI acknowledged instability in these areas during the FTTTF’s first 2 years of existence, but according to the FBI, it has addressed these problems. The FTTTF completed its move into its current facility in 2005 and has no plans to relocate.

The OIG’s Analysis. The action taken by the FBI in ensuring long-term, stable leadership, organizational structure, and housing for the FTTTF is

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<sup>104</sup> FBI Network, known as FBINET, is the FBI’s centralized network management system to access various administrative, financial, and investigative systems.

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partially responsive to the recommendation. Although the current FTTTF Director has served for approximately 2 years, the longest serving of its four Directors, past instability in leadership directly affected the FTTTF's mission. Future leadership stability must be assured due to the unique mission and functions of the FTTTF and its technology complexities. Please provide us a succession plan for ensuring long-term stable leadership of the FTTTF by August 30, 2005.

**Recommendation 20: Resolved – Open.** The FTTTF should develop and implement a plan to improve awareness and understanding of its services.

Summary of the FBI's Response. The FBI concurred with the recommendation and reported that the FTTTF has taken steps to implement such a plan. The FTTTF currently provides briefings to visiting SACs and ASACs, and briefs new SACs, Legats, new assignees, NJTTF conference attendees, and outside law enforcement agencies. It is also scheduled to brief the Homeland Security and Information Sharing Conference in New Orleans in June 2005. The FTTTF has established a website on the FBI Intranet that will be replicated in part on SIPRNET.<sup>105</sup> Also, the FBI has published an Executive Guide to provide a concise synopsis of FTTTF's capabilities and how to request FTTTF's support.

The OIG's Analysis. The actions of providing briefings, establishing a FTTTF website on the FBI Intranet, and publishing an Executive Guide are responsive to the recommendation. Please provide us a copy of the plan that the FTTTF is implementing (to include how often the briefings occur), the FTTTF's website pages on the FBI Intranet, and the Executive Guide (including to whom the Executive Guide is issued) by August 30, 2005.

**Recommendation 21: Resolved – Open.** The FBI should determine and allocate sufficient staff to effectively support the terrorism task forces.

Summary of the FBI's Response. The FBI did not state whether it concurred with the recommendation. The FBI stated that it has "engaged in the determination and allocation of sufficient staff to effectively support the terrorism task forces." The ADICs or SACs of the field offices are directly responsible for managing and allocating JTTF officers to effectively support the FBI's counterterrorism mission. The ADICs or SACs annually report their staffing and operational requirements to FBI headquarters. In FY 2005, additional Special Agent resources were allocated to field offices and FBI headquarters.

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<sup>105</sup> SIPRNET is the DOD's Secret level classified information network.

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Regarding analytical support, the FBI reported that all FBI field offices operate a Field Intelligence Group, primarily staffed with FBI Intelligence Analysts whose mission is to provide direct operational and strategic analytical support to JTTF officers. The FBI stated that on March 25, 2004, FBI headquarters established mandatory coordination requirements among all Field Intelligence Groups and the JTTFs. The ADICs or SACs of the field offices are directly responsible for managing and allocating Field Intelligence Groups to effectively support the FBI's counterterrorism mission.

The OIG's Analysis. The intent of the recommendation is to promote sufficient analytical and administrative support staff to the JTTFs. The action taken by the FBI's allocation of analytical support through the Field Intelligence Groups is responsive to the portion of the recommendation addressing analytical support. However, the FBI's response does not address the lack of administrative support staff, which has resulted in task force officers being diverted from investigative duties to perform administrative tasks. Please provide us a response addressing how the FBI will ensure that JTTFs have adequate administrative support staff by October 31, 2005.

**Recommendation 22: Resolved – Open.** The FBI should seek more stability in JTTF leadership.

Summary of the FBI's Response. The FBI concurred with the recommendation that it should seek stability in JTTF leadership but stated that the OIG report focused on FBI management staff rather than specifically on JTTF management staff. Regarding the report's mention of the frequent rotation of some JTTF agents, the FBI stated that all FBI personnel, no matter what program, view the importance of following through on investigations as a priority.

The OIG's Analysis. The FBI is partially responsive to the recommendation in that it agreed to seek stability in JTTF leadership. However, the FBI did not state what actions it will take or how it plans to seek the stability. Additionally, the FBI erroneously concluded that the OIG report focused on various levels of FBI management but did not focus specifically on JTTF management such as JTTF SSAs and JTTF ASACs.

To the contrary, this section of the report focused solely on the JTTFs' management positions. All supervisory interviews conducted at the FBI field offices consisted of the entire JTTF chain of command: the JTTF SSAs, JTTF ASACs, and SACs.

Some JTTF members told us of problems stemming from the turnover in JTTF leadership, including hampered communication, lack of direction, and

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lack of coordination within the task force. Further, the St. Louis example cited in the report specifically identified JTTF leadership instability with six different JTTF SSAs, two JTTF ASACs, and three SACs in an 18-month period. The report described the negative effect that the frequent turnover in the St. Louis JTTF leadership had on JTTF investigations and operations. Please provide us a plan to ensure more stability in JTTF leadership by October 31, 2005.

**Recommendation 23: Resolved – Open.** The FBI should develop a plan and issue written guidance for the JTTFs on how to activate new JTTFs and move existing JTTFs to off-site locations.

Summary of the FBI's Response. The FBI stated that it issued written guidance on January 30, 2001, and May 27, 2003, to all FBI field offices for submitting proposals for the formation of JTTFs. The FBI stated that the May 27, 2003, guidance established an 11-point criterion for the activation of new JTTFs.

The OIG's Analysis. The FBI did not state whether it concurred with the recommendation. The intent of the recommendation was to address the FBI's need for guidance to plan for and activate off-site locations for new and existing JTTFs. The May 27, 2003, guidance provides FBI field offices with guidelines akin to application guidelines. However, after the FBI approves a JTTF and the JTTF is moved to an off-site location (not in the field office or resident agency office space), there are no instructions or guidelines for activation of the new office space such as security requirements, information technology requirements, or infrastructure requirements. Consequently, significant delays in activating an off-site JTTF location can result. For example, because of the lack of written guidance on the necessary security equipment and other procedural requirements, the Spokane, Washington/Coeur d'Alene, Idaho, JTTF paid 15 months rent for unoccupied office space. Please provide us a copy of the written guidance to plan and activate off-site locations for JTTFs by October 31, 2005.

**Recommendation 24: Resolved – Open.** The FBI should ensure sufficient information technology connectivity needed to effectively support the terrorism task forces.

Summary of the FBI's Response. The FBI concurred with the recommendation and stated that the CTD supports JTTF funding requests for technology requirements such as Internet access, analog phone/computer lines, DSL, computers, and other supplies. The FBI stated that in September 2004, all NJTTF members gained Internet access at their workstations. Additionally, the FBI stated that Internet connectivity is presently being addressed through the Office of Information Technology Program Management

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and is being redesigned to produce a more stable network that will serve the JTTFs' long-term operational needs.

The FBI also listed various technology training sessions that it provided to JTTF members and included plans for providing access to new databases and systems. The FBI further stated that the creation of IDW and investment in iMap and Guardian were large steps forward in providing the JTTFs with the tools needed to complete its mission.<sup>106</sup>

The OIG's Analysis. The actions taken by the FBI are partially responsive to the recommendation. While the FBI has made some technology advancements, including IDW, Guardian, and iMap, significant technology improvements are still needed. Moreover, the intent of this recommendation was to address the lack of information technology connectivity or upgraded information technology infrastructure available in JTTF work space. For example, JTTF members did not have Internet access at their desktops and had to perform investigative searches at the few workstations available with Internet access, thus disrupting their work and affecting productivity. Additionally, many task force members could not access their parent agencies' databases from the task forces' offices, requiring members to return to their parent agencies for database information, again disrupting work and affecting productivity. Please provide us a plan addressing how the FBI will improve information technology connectivity or information technology infrastructure available in JTTF work space by October 31, 2005.

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<sup>106</sup> iMAP is a geospatial analytical tool used by JTTFs.

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## APPENDIX XVI: THE DRUG ENFORCEMENT ADMINISTRATION'S RESPONSE

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U. S. Department of Justice  
Drug Enforcement Administration

[www.dea.gov](http://www.dea.gov)

Washington, D.C. 20537

MAY 12 2005

### MEMORANDUM

TO: Paul A. Price  
Assistant Inspector General for Evaluation and Inspections

FROM: Michele M. Leonhart  
Deputy Administrator

SUBJECT: Draft Audit Report: *The Department of Justice's Terrorism Task Forces*

The Drug Enforcement Administration (DEA) has reviewed the Office of the Inspector General's (OIG) draft audit report entitled *The Department of Justice's Terrorism Task Forces*. DEA provides the following comments as requested in your memorandum dated April 22, 2005.

Of the report's 28 recommendations, 2 require action by DEA. DEA concurs with the recommendations resulting from this audit and will take steps to implement the recommendations related to its contribution to the Joint Terrorism Task Forces (JTTFs). DEA is also committed to its roles on the NJTTF and the Deputy Attorney General's National Security Coordination Council to aid in the Department's counterterrorism efforts.

Notwithstanding DEA's drug law enforcement mission, the September 11, 2001 terrorist attacks focused renewed attention on the links between drug trafficking and terrorism. DEA works with domestic and foreign law enforcement agencies at all levels, to include the Federal Bureau of Investigation (FBI), in an effort to identify and anticipate emerging threats posed by the links between drug trafficking and terrorism, and when called upon by the Attorney General, has joined in the coordinated efforts to prevent terrorist attacks. An example of DEA's participation in this capacity is evidenced in DEA's participatory role in preventing terrorist activity during the 2004 election.

On a continuing basis, DEA's proven expertise in the areas of surveillance, analysis, and development of intelligence is made available to the various JTTFs. Following September 11, 2001 terrorist attacks, DEA offered personnel and did in fact assign personnel to the JTTFs on a full-time basis at various locations across the country. Over time, it was determined the investigative workload did not justify continued full-time participation in the JTTFs. DEA determined that it was possible for the DEA Special Agents assigned to the JTTFs to continue supporting the JTTFs in a

liaison capacity, while at the same time, enabling those same Special Agents to conduct drug and drug-money laundering investigations that could have a terrorism connection. As a result, these Special Agents now handle DEA investigations while serving also as DEA liaison to the JTTFs. DEA Special Agents, Intelligence Analysts, and other personnel are available to the JTTFs to provide resources deemed necessary to support the counterterrorism mission.

DEA has consistently offered or responded to requests by the FBI for personnel to support the JTTFs in response to terrorist threats and elevated threat levels. DEA is committed to continuing this cooperation and contends that it has assigned necessary resources in a timely manner, albeit not always in a permanent capacity, to support the identified needs of the National Joint Terrorism Task Force (NJTTF) and the JTTFs. Indeed, the OIG review did not find instances in which DEA through its points-of-contact failed to support an identified need of the JTTFs. DEA has further met the needs of the counter terrorism investigative community through the designation of a headquarters group, the Special Coordination Unit, which ensures counter terrorism-related information is shared with appropriate organizations outside of DEA.

DEA is fully aware that its investigative capacity is beneficial to counter terrorism efforts; however, resource allocations must be balanced with regard to operational needs of the JTTFs in the areas of operation. The ability to investigate the broad spectrum of criminal activity by terrorist suspects, to include drug trafficking offenses, cannot be overstated. DEA Headquarters' managers, in conjunction with the appropriate field offices, will continue to work with the FBI to determine the needs for optimal placement of full-time DEA personnel at JTTF locations with regard to operational concerns and available resources. In locations where drugs and terrorism are not interconnected or where resource constraints exist, DEA points-of-contact that serve as liaisons to JTTFs will continue to be a viable alternative. Additionally, guidelines will be drafted and disseminated to clarify the roles and responsibilities of its JTTF and NJTTF members and points-of-contact.

DEA has completed a sensitivity review of the portions of the draft audit report specific to DEA. This information is provided under separate cover.

Documentation detailing DEA's efforts to address the OIG recommendations will be provided to OIG until all corrective actions are employed. If you have any questions regarding this information, please contact Audit Liaison Sheldon Shoemaker at (202) 307-4205.

Attachment

Cc: Richard P. Theis  
Acting Assistant Director, Audit Liaison Group  
Management and Planning Staff

**ACTION PLAN**

**The Department of Justice's Terrorism Task Forces, A-2003-009**

Recommendations	Action Planned	Projected Completion Date
<p>25. The DEA should increase its full-time membership on the JTTFs and work with the FBI to assess the optimum locations for new DEA members.</p>	<p>Should the FBI determine that it would be appropriate for DEA Special Agents or other personnel be assigned full time to work at JTTFs, the FBI should notify the DEA of that request, including the location and number of personnel requested. DEA Headquarters will carefully evaluate any specific FBI requests for additional personnel in conjunction with the affected field offices as to the DEA resources available and the feasibility of full time assignment at the designated locations.</p>	<p>Not Applicable</p>
<p>26. The DEA should issue written guidance that defines the roles and responsibilities of its JTTF and NJTTF members and points of contact.</p>	<p>DEA will prepare and transmit a teletype that defines the established role and responsibilities of DEA Special Agents assigned as full-time members or points-of-contact to the JTTFs and the NJTTF. Guidance will also be included in the teletype that indicates DEA Special Agents assigned to JTTF's as full-time members or points-of-contact are responsible for having up to date contact information for other members of their respective task forces.</p>	<p>July 29, 2005</p>

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## **APPENDIX XVII: OIG ANALYSIS OF THE DRUG ENFORCEMENT ADMINISTRATION'S RESPONSE**

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The OIG sent copies of the draft report to the DEA with a request for written comments on Recommendations 25 and 26. The DEA responded to the OIG in a memorandum dated May 12, 2005. The DEA concurred with both recommendations and agreed to evaluate requests from the FBI for full-time participation on the JTTFs and to issue guidance to DEA agents who serve as members on or points-of-contact to the NJTTF and JTTFs. The DEA presented general comments about its support to the Department's terrorism task forces and then addressed the recommendations. Our analysis of the DEA's response follows.

### **GENERAL COMMENTS**

**Summary of the DEA's Comments.** The DEA stated that it works with the FBI and other law enforcement agencies domestically and internationally to identify and anticipate threats posed by the links between drugs and terrorism. The DEA also stated that, when requested by the Attorney General, it participates in the Department's efforts to prevent terrorist attacks and cited the example of DEA's participation during the 2004 election.

Specifically concerning the JTTFs, the DEA stated that it assigned full-time members to selected JTTFs after September 11, 2001. However, over time the workload did not support the DEA's full-time membership on the JTTFs. The DEA believed that it could meet the JTTFs' requirements by assigning DEA agents as liaisons to the JTTFs, while allowing the same agents to conduct DEA's drug-related investigations. The DEA stated that its agents, intelligence analysts, and other personnel are available to the JTTFs when needed.

The DEA further stated that it has consistently offered or responded to the FBI's requests for assistance, and believed that the DEA's temporary assignment of personnel to meet specific situations has been adequate. As evidence of its support, the DEA cited the absence of any examples in the OIG's report of unresponsiveness by the DEA to the JTTFs. The DEA also stated that its Special Coordination Unit meets the needs of the counterterrorism investigative community by disseminating terrorism-related information to appropriate organizations outside of the DEA.

The DEA stated that it recognizes its investigative expertise benefits counterterrorism efforts, but that the DEA's available resources must be balanced against the JTTFs' requirements. Therefore, the DEA responded that it will continue to work with the FBI to determine optimal placement of

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available full-time DEA personnel on JTTFs. However, at JTTF locations where drugs and terrorism are not linked or the DEA does not have sufficient resources to devote full-time personnel, the use of DEA liaisons to the JTTFs will continue.

**The OIG's Analysis.** The OIG believes that the DEA's "liaison" approach does not adequately fulfill its long-term obligation to support the Department's counterterrorism efforts through active membership on JTTFs. Notwithstanding the DEA's stated responsiveness to specific requests for assistance from the FBI or the Attorney General, the absence of the DEA's proactive daily presence on JTTFs is contrary to the Department's vision for the task forces. The Department, in its Strategic Plan, views the JTTFs as forums that integrate law enforcement expertise from Department components and those of other federal, state, and local agencies. The JTTFs are critical elements of the Department's strategy to prevent terrorism and investigate individuals who have committed, or intend to commit, terrorist acts in the United States.<sup>107</sup> For prevention, the strategy is to "Multiply preventive efforts through increased representation in Joint Terrorism Task Forces (JTTFs)." For investigation, the strategy is to "Utilize regional expertise in terrorism investigations with the FBI's Joint Terrorism Task Force." Both strategies stress that "JTTF members are force multipliers in the war against terrorism" and "JTTFs bring the resources of multiple counterterrorism partners under one roof to investigate potential terrorist activities."

The DEA has withdrawn from membership on all but one JTTF. In contrast, the USMS and ATF have significantly increased their membership during the same period in keeping with the Department's anti-terrorism strategies. Similarly, the Department of Homeland Security has devoted full-time personnel to serve on JTTFs and other terrorism task forces. Like the DEA, all these organizations have limited resources, yet they have devoted full-time resources to the Department's terrorism task forces. The OIG believes that the DEA must do the same.

## **RECOMMENDATIONS**

**Recommendation 25: Resolved – Open.** The DEA should increase its full-time membership on the JTTFs and work with the FBI to assess the optimum locations for new DEA members.

Summary of the DEA's Response. The DEA concurred with the recommendation and stated that "Should the FBI determine that it would be

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<sup>107</sup> *Strategic Plan, Fiscal Years 2003-2008*, U.S. Department of Justice, Goal I, Prevent Terrorism and Promote the Nation's Security, pages 2.10, 2.11, 2.14, and 2.15.

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appropriate for DEA Special Agents or other personnel be assigned full time to work at JTTFs, the FBI should notify the DEA of that request, including the location and number of personnel requested.” The DEA agreed to “carefully evaluate any specific FBI requests for additional personnel in conjunction with the affected field offices as to the DEA resources available and the feasibility of full time assignment at the designated locations.”

The OIG’s Analysis. The DEA’s planned action to work with the FBI in determining placement of full-time DEA members on JTTFs is partially responsive to the recommendation. In its 2003-2008 Strategic Plan, the Department already has determined that DEA membership on JTTFs is required. Furthermore, as indicated in our report, the FBI has expressed a strong desire for the DEA to provide full-time members on the JTTFs. The FBI stated that DEA’s membership would enhance intelligence sources and information sharing and ensure that the JTTFs consistently receive timely information on drug cases with links to terrorism. Liaisons from the DEA, the FBI told us, are not the same as task force members who work side-by-side with other JTTF members on cases, providing immediate access to members’ expertise and parent agencies’ databases. The OIG recommends that the DEA coordinate with the FBI to develop a joint plan to increase DEA full-time membership on terrorism task forces. We ask the DEA to provide us that joint plan by August 30, 2005.

**Recommendation 26: Resolved – Open.** The DEA should issue written guidance that defines the roles and responsibilities of its JTTF and NJTTF members and points of contact.

Summary of the DEA’s Response. The DEA concurred with the recommendation and stated that the “DEA will prepare and transmit a teletype that defines the established role and responsibilities of DEA Special Agents assigned as full-time members or points-of-contact to the JTTFs and the NJTTF. Guidance will also be included in the teletype that indicates DEA Special Agents assigned to JTTF’s [sic] as full-time members or points-of-contact are responsible for having up to date contact information for other members of their respective task forces.”

The OIG’s Analysis. The DEA’s planned action to transmit a teletype defining the role and responsibilities of DEA task force members and points of contact is responsive to the recommendation. We believe that prior to issuance, the DEA should coordinate its teletype with the FBI to ensure that it adequately reflects the roles and responsibilities of full-time JTTF members. Please provide us a copy of the teletype by August 30, 2005.

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## APPENDIX XVIII: THE DEPARTMENT OF HOMELAND SECURITY'S RESPONSE

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*Office of the Assistant Secretary*

U.S. Department of Homeland Security  
425 I Street, NW  
Washington, DC 20536



U.S. Immigration  
and Customs  
Enforcement

May 18, 2005

Mr. Paul A. Price  
Assistant Inspector General  
Department of Justice  
Washington, D.C.

SUBJECT: Draft OIG Review of Department of Justice's Terrorism Task Forces

Dear Mr. Price:

Thank you for the opportunity to comment on the Department of Justice (DOJ), Office of Inspector General (OIG) draft review of DOJ's Terrorism Task Forces (JTTF). Specifically, U.S. Immigration and Customs Enforcement (ICE) was asked to comment on Recommendation 27, which addresses issues related to the Department of Homeland Security's participation in the JTTFs.

In terms of the number of participating personnel, DHS is second only to the Federal Bureau of Investigation (FBI), with the majority of those participants from ICE. Therefore, we have a significant interest in making sure that our resources are being used in an efficient and effective manner that contributes to the important mission of the JTTFs. This draft report highlights important coordination issues and other areas where improvements should certainly be addressed. However, I am concerned that in many instances the report relies on outdated or inaccurate information to form the basis of its recommendations. I have highlighted those areas where we believe the draft report should be changed in the attached comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Garcia".

Michael J. Garcia  
Assistant Secretary

Attachment

[www.ice.gov](http://www.ice.gov)

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U.S. Immigration and Customs Enforcement Comments  
DOJ OIG Report on DOJ Terrorism Task Forces  
May 18, 2005

**Page 152**

*“The enforcement and investigative functions of INS, U.S. Customs Service, the Federal Protective Service and the Federal Air Marshals Service were combined to create another new DHS agency called Immigration and Customs Enforcement (ICE), which is responsible for apprehending, detaining and deporting those individuals who enter the country illegally, enforcement of air and marine security and protecting specified federal buildings.”*

This statement does not accurately reflect ICE's extensive investigative programs and authorities related to both immigration and customs law. ICE recommends that DOJ OIG's description of ICE's responsibilities be reworded based on the mission statements of the three agencies that comprise ICE, as follows:

ICE Office of Investigations mission statement: “to focus on national security, financial, and smuggling violations including illegal arms exports, financial crimes, commercial fraud, human trafficking, narcotics smuggling, child pornography/exploitation, and immigration fraud. ICE brings to bear all of the considerable resources and authorities to fulfill its primary mission: to detect vulnerabilities and prevent violations that threaten national security.”

ICE Federal Air Marshal Service (FAMS) mission statement: “to be responsible for and protect air security and promote public confidence in our nation's civil aviation system through the effective deployment of Federal Air Marshals in order to detect, deter and defeat hostile acts targeting U.S. air carriers, airports, passengers and crews.”

ICE Federal Protective Service (FPS) mission statement: “to provide law enforcement and security services to over one million tenants and daily visitors to all federally owned and leased facilities nationwide. FPS focuses directly on the interior security of the nation and the reduction of crimes and potential threats to federal facilities throughout the nation.”

Also, the report should note that Air and Marine Operations transferred from ICE to another agency within the Department of Homeland Security, U.S. Customs and Border Protection, in November 2004.

**Pages 153-154**

DOJ OIG cites two paragraphs from a GAO report issued in October 2004 as the basis for the conclusion that ICE has not provided ICE JTTF members with needed direction even though the paragraphs do not refer to ICE support of or direction provided to ICE JTTF

agents. ICE responded to the GAO report and has made significant changes in the seven months since that report was issued. ICE requests that the excerpts of the GAO report "Homeland Security, Management Challenges Remain in Transforming Immigration Programs" be removed from the DOJ OIG report on DOJ's Terrorism Task Forces.

**Page 154**

***"An example of the contradictory guidance the DHS ICE provided to its task force members occurred in June 2003."***

The draft report states that in June 2003 an "ICE Regional Coordinator" (there is no such position in ICE) sent a memorandum referring to the 1999 FBI/INS JTTF MOU to three ICE JTTF offices saying "INS agents" could not work intelligence cases. According to the DOJ OIG report, this supposedly caused great confusion among those three offices. However, the draft report's own footnote states that two of the three offices said they never received the memo. We have no record of a June 2003 memorandum on this subject, but believe the memo reference may actually refer to the cover memo sent to field offices by the INS on June 23, 1999, to accompany and explain the FBI/INS JTTF MOU, signed by the FBI June 18, 1999.

Even if there were such a memorandum issued by someone in June 2003, it does not seem that one incident that happened two years ago and affected one agent in one office relating to an MOU signed by both the FBI and the former INS should be used as an example of contradictory guidance being sent to ICE JTTFs. ICE requests the removal of this section from the report.

**Pages 155-156**

***ICE has not Cross-Trained its Agents or Supervisors in Immigration and Customs Matters***

The draft report cites cross-training statistics from late August 2004 which are now outdated. As of March 15, 2005, over 4,900 ICE Special Agents have completed cross training. This number represents virtually the entire priority group (non-supervisory ICE Special Agents working in our field offices) as well as the vast majority of the non-priority group (supervisory and headquarters Special Agents).

ICE requests that this section, and the accompanying item in recommendation 27 "sufficiently trained ICE members on the task force and their supervisory chain of command" be removed from the draft report, as the information on which the recommendation is based is outdated.

**Page 156**

***Insufficient ICE Staff Detailed to the JTTFs and FTTTF***

In support of this contention, this section included the following comments from ICE task force members:

*“Not enough bodies from ICE. Every case involves an ICE component”*

*“Should have a full-time Immigration investigative assistant to locate ICE [legacy INS] immigration records and [files].”*

*“Omaha (JTTF) could always use more people. I suggest at least two immigration people.”*

Those statements may, in fact, be the opinions of those particular field agents. In general, we believe that most agents in any office would argue that more personnel, resources and equipment are needed in that venue. ICE, like every other law enforcement agency, has finite resources and therefore prioritizes personnel assignments and resource allocations using risk-based management. Special Agents are not always aware of the competing resource demands when these comments are offered. For example, the fact that there are only five open ICE JTTF cases at the ICE Resident Agent in Charge (RAC) Omaha office indicates that the number of ICE personnel assigned to the Omaha JTTF is more than sufficient to cover the caseload.

ICE requests that this section be removed.

**Page 157**

The draft report notes that by October 2004 ICE had substantially increased JTTF participation by 110 positions when compared with the November 2003 baseline number. However, the draft report attributes the bulk of those additional positions (88) to the addition of the Federal Air Marshal Service and the Federal Protective Service (FPS). The report should note that FPS joined ICE in March 2003, and therefore the 30 FPS positions should have already been included as ICE positions in the November 2003 baseline number. The FAMS joined ICE in November 2003, and therefore, it is not likely that their positions would have been counted as ICE positions in the November 2003 baseline assessment.

**Page 158**

***“DHS no longer details analysts from ICE’s Law Enforcement Support Center (LESC) to work on the Foreign Terrorist Tracking Task Force (FTTTF)”***

*“the last LESG support to FTTTF was on or about July 2003”*

*“Because only one ICE person has access to all ICE data systems, that person is inundated with work, and it often takes up to a week for task force members to get*

*answers . . . [I]t often takes weeks to receive an answer, and it would be more efficient if the FTTTF members had direct access to the DHS data systems.”*

While it is true that ICE no longer sends additional personnel TDY to the FTTTF to augment the ICE personnel assigned full-time to the FTTTF, these statements are misleading in that they do not recognize the significant support that ICE, in general, and the LESC, in particular, provide to FTTTF. First, it should be noted that the LESC detailed personnel were Law Enforcement Technicians (LETs) whose role was to search DHS databases, obtain information and forward that information to other FTTTF personnel for further analysis. The LETs had no analytical role. The detail assignments ended because required data searches can be more efficiently and effectively conducted by LETs at the LESC in Vermont. In July 2003, the FBI and FTTTF were informed that instead of having LESC personnel assigned TDY to FTTTF (at great cost to the government), the FTTTF could contact the LESC direct for queries and investigative support.

The FTTTF has had and continues to have direct access to all DHS immigration data systems through the LESC 365 days a year, seven days a week, 24 hours a day. There are LETs and ICE special agents on duty at the LESC around the clock whose primary role and responsibility is to provide immigration identity and status information to law enforcement officials nationwide, including the FTTTF. Communication with the LESC is secure and entirely electronic, using the National Law Enforcement Telecommunications System (NLETS). Requests for information on specific individuals are received at the LESC in seconds and the available information is usually returned in minutes. The information that will be returned is the same information that would have been obtained by LETs detailed to the FTTTF.

In the last two years the LESC has responded to over 10,000 queries from FBI units, field offices and task forces throughout the United States – each response was completed and sent back from the LESC within a matter of minutes. Over the last several years, LETs in Vermont have worked over a dozen individual projects for local JTTFs in several states each involving multiple name searches – including one project that involved searching 200 names. The majority of those projects were completed within 24 to 48 hours. None took longer than 10 days to complete. The LESC has a close working relationship with the FBI's Criminal Justice Information Services division. The LESC responded to over 50,000 requests each year for immigration identity and status information from CJIS in connection with prospective firearm purchasers in 2003 and 2004. Again, the requests and responses were entirely electronic and returned in minutes. In addition, until recently, ICE personnel assigned to FTTTF provided support to the Transportation Security Administration's Alien Flight Student Program. That task has been transferred to the CEU's Threat Analysis Section at ICE Headquarters, thereby freeing up the ICE personnel assigned to FTTTF to focus on work directly related to the FTTTF mission.

To further strengthen the ICE commitment to the FTTTF, ICE recently developed and provided a system to FTTTF through which FTTTF personnel (including FBI and other

non-ICE personnel) could directly access the US-VISIT and Student Exchange Visitor Information System (SEVIS) databases.

ICE recommends that this section regarding ICE support to the FTTTF be reworded to more accurately reflect the significant support provided by ICE and ICE LESC to the FBI and the DOJ Terrorism Task Forces.

**Page 159**

***“ICE assigns non-JTTF tasks to its members on the JTTFs”***

ICE agrees that all agencies should make reasonable efforts to ensure their JTTF personnel are not assigned non-JTTF tasks. ICE believes that this requirement is the same for all JTTF members, DHS, FBI or other agencies and, if included in the report, should be included as an overall recommendation to all participants and not just ICE.

**Page 162**

***“The Deputy Attorney General should work jointly with DHS officials to ensure sufficient DHS participation on the Department’s task forces.”***

DHS is the largest contributor of personnel to JTTFs across the nation (second only to the FBI) and ICE is the largest contributor of personnel (311) among DHS components. In addition to its contribution of personnel to the field JTTFs, ICE also has personnel assigned full time to the Foreign Terrorist Travel Task Force (FTTTF), the FBI’s International Terrorism Operation Section (ITOS), the Terrorist Financing Operations Section (TFOs), and an ICE senior manager is detailed as deputy director of N-JTTF. ICE has two agents assigned to counter-terrorism and counter-proliferation units at the CIA and the CIA has reciprocated by assigning two officers full time to ICE. The FBI has declined to assign any personnel to any ICE counter-terrorism or intelligence units at ICE headquarters.

ICE has also increased its presence at CBP’s National Targeting Center (NTC) by a factor of four, allowing ICE to be operationally responsive 24 hours a day, seven days a week to terrorist-related lookouts and other issues. As a result of the partnership with NTC, during FY 2004, ICE JTTF agents responded over 935 times to various ports of entry to interview and take appropriate action with regard to persons who were arriving at U.S. ports of entry and were matches or potential matches to persons listed on the national terrorist watch list.

JTTFs have expanded to more than 100 locations in a short period of time. A number of these JTTFs are in locations remote from any established ICE office and where the workload would not support a full-time ICE position. In order to make a more accurate determination of the appropriate staffing levels at each JTTF, it would have been useful for the DOJ IG to have conducted a caseload analysis at each JTTF location including a breakdown of the type of cases the authorities needed. This type of assessment would prove valuable to any agency’s decision with respect to commitments to local task force

activity—certainly more useful than the purely anecdotal comments from task force agents.

ICE recommends that the report be modified to reflect the significant resources already provided by ICE in support of DOJ's Terrorism Task Forces, the substantial logistical and financial challenges in providing such support and recommendations as to locations where resource needs outweigh such concerns.

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## **APPENDIX XIX: OIG ANALYSIS OF THE DEPARTMENT OF HOMELAND SECURITY'S RESPONSE**

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The OIG sent copies of the draft report to the Department of Homeland Security, Immigration and Customs Enforcement (DHS ICE) with a request for written comments on Recommendation 27, which concerns the DHS but is directed to the Deputy Attorney General for action. Although the report addressed issues related to the management and operations of the Department of Justice's task forces and advisory councils, a variety of issues regarding the DHS ICE were implicated by our review. Therefore, the OIG provided the DHS ICE a copy of the draft report for its review. The DHS ICE responded to the OIG in a memorandum dated May 18, 2005. The DHS ICE did not state whether it concurred with Recommendation 27, but provided extensive comments about its significant resource contributions to the task forces.

### **GENERAL COMMENTS**

The DHS ICE stated that the draft report highlighted important coordination issues and other areas where improvements should be made. However, the DHS ICE expressed concern that the report relied on outdated or inaccurate information and requested that several areas in the report be modified to reflect the significant resources provided by the DHS ICE to support the Department's terrorism task forces and the related logistical and financial challenges.

**Mission Statements.** The DHS ICE requested that the OIG reword the mission statements for several DHS ICE components.

The OIG's Analysis. The OIG has revised the mission statements for the DHS ICE agencies using the requested language.

**GAO Report.** The DHS ICE requested that the OIG remove excerpts from a GAO report "Homeland Security: Management Challenges Remain in Transforming Immigration Programs." The DHS ICE stated that it has made significant changes since the GAO issued that report and that the GAO report did not refer to the DHS ICE's direction to the DHS ICE JTTF agents.

The OIG's Analysis. The GAO report was one source in support of the OIG's conclusion that the DHS ICE did not provide DHS ICE JTTF members with needed direction. Our conclusion was based on interviews with DHS ICE JTTF agents and supervisors and survey results from randomly selected JTTF members that included DHS ICE agents.

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The GAO's findings were based on interviews with officials in CBP, CIS, and DHS ICE field offices nationwide and included interviews with managers, supervisory investigators, and investigators in the DHS ICE. The GAO report assessed the status of three areas within DHS, one being the integration of immigration and customs investigators in the DHS ICE. Some of the findings in the GAO's report included: confusion about roles and responsibilities, lack of uniform policies and procedures, and inappropriate administrative assignments. While the GAO report did not specifically address direction to DHS ICE JTTF agents, the same agents who conduct immigration or customs investigations serve on the JTTFs. Therefore, the GAO findings have affected all agents within the DHS ICE field offices, including those DHS ICE agents assigned to JTTFs.

DHS stated that it has made significant changes since the GAO report was issued in October 2004. If true, these changes should aid DHS ICE JTTF agents. However, we believe that the report accurately describes the conditions that existed at the time of our field work.

**Contradictory Guidance to DHS ICE JTTF Members.** The DHS ICE requested that we delete the example of the DHS ICE agent on the St. Louis JTTF who was pulled off all intelligence cases for 3 months based on an outdated 1999 MOU prohibiting such casework. The DHS ICE stated that the incident occurred 2 years ago, was a one-time incident, and should therefore not be used as an example of contradictory guidance being sent to DHS ICE JTTF agents. The DHS ICE also stated that it has no record of a June 2003 memorandum forbidding DHS ICE agents from working on intelligence cases.

The OIG's Analysis. The report's St. Louis example was the most vivid of several examples cited to us by DHS ICE JTTF agents regarding confusion and lack of direction from DHS ICE management. The example demonstrated the effect such lack of guidance can have on a DHS ICE agent's work and the JTTF's investigations. The e-mail (not memorandum) in question, written by a DHS ICE Program Manager, referred to as the JTTF Regional Coordinator (working title), was sent to two DHS ICE officials on June 4, 2003, with a copy to the DHS ICE JTTF agents effected. The e-mail was listed as "Priority: Urgent" and states as follows:

Date: 6/4/2003  
Sender: [ICE JTTF Regional Coordinator - name omitted]  
To: [2 ICE NSU/HQ officials - names omitted]  
cc: [3 JTTF ICE Agents - names omitted]  
Priority: Urgent  
Subject 199 cases

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. . . I have personally spoken to JTTF agents/supervisors at St. Louis, Kansas City and San Antonio regarding the existing MOU between the FBI and us, and bullet point number 3 contained therein relative to Intelligence cases (199) . . . . [A]ll have reviewed the MOU and indicated that they will make the appropriate adjustments in order to fully comply . . . . [A]dditionally, I have offered my assistance if any issues arise from the host agency in making these adjustments . . . .<sup>108</sup>

regards

[initials of ICE JTTF Regional Coordinator omitted]

While the position of DHS ICE JTTF Regional Coordinator no longer exists, a DHS ICE employee informed us that all JTTF members in the Central Region of the country (there were three regions at the time) reported to the DHS ICE JTTF Central Regional Coordinator who authored the e-mail. The DHS ICE JTTF member stated, “When the Regional Coordinator sent something, you had to comply.”

While the example we cited involved only one agent in one office, the effect on terrorism investigations can be felt nationwide when an agency provides confusing and contradictory managerial direction to JTTF members. This direction from a DHS ICE Regional Manager – sent in writing to DHS ICE JTTF agents in three states prohibiting their participation on intelligence cases – was followed by a DHS ICE headquarters executive stating it was never the agency’s intention to prohibit DHS ICE JTTF agents from participating on intelligence cases. Further, the citing of this outdated 1999 MOU between the INS and the FBI also supports the case for updating all JTTF MOUs to reflect post-September 2001 changes.

**Lack of Cross-Training for DHS ICE in Immigration and Customs Matters.** The DHS ICE stated that the section of the report on cross-training DHS ICE personnel in immigration and customs matters should be removed because the August 2004 data is outdated. The DHS ICE has increased its number of Special Agents and Supervisors who have been cross-trained since that time.

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<sup>108</sup> Bullet point number 3 referred to in the e-mail states as follows: “FBI supervisors will not assign INS agents to conduct routine FBI intelligence (199) cases.” The bullet point is from an ICE/INS document titled “Policy Highlights of the [1999] JTTF Memorandum of Understanding Between the INS and the FBI.”

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The OIG's Analysis. The OIG has retained this section of the report and updated the training statistics for DHS ICE agents and supervisors who were provided cross-training to reflect March 2005 statistics.

**Insufficient DHS ICE Staff Detailed to the JTTFs and the FTTTF.**

The DHS ICE requested that this section of the report be reworded to more accurately reflect the significant support provided by the DHS ICE to the Department of Justice's task forces. The DHS ICE stated that most of the agents in any office would argue that more personnel, resources, and equipment are needed, but they are not always aware of competing resource demands. The DHS ICE also stated that there were only five open DHS ICE JTTF cases at the Omaha ICE Resident Agent-in-Charge's office, which indicates that the number of DHS ICE personnel assigned to the Omaha JTTF is more than sufficient to cover the caseload.

The DHS ICE also stated that the OIG erred in partially attributing the increase in DHS ICE JTTF agents to the addition of the Federal Protective Service (FPS) to DHS ICE because the FPS joined DHS ICE prior to November 2003.

The DHS ICE stated that the OIG report did not recognize its significant support to the FTTTF. The DHS ICE stated that the Law Enforcement Support Center's (LESC) temporary duty assignments to the FTTTF ended because the data searches required by the FTTTF can be more efficiently and effectively conducted by Law Enforcement Technicians from the LESC in Vermont, and that the FTTTF was informed it could contact the LESC directly for any queries and investigative support. The DHS ICE further stated that the FTTTF continues to have 24-hour direct access to all DHS immigration data systems through the LESC, whose information and turn-around time would be the same as if the LESC's Law Enforcement Technicians were onsite at the FTTTF. Additionally, the DHS ICE summarized the LESC's accomplishments in support of the JTTFs and the FBI, and cited the system the DHS ICE provided recently to the FTTTF that enables FTTTF members to directly access the US-VISIT and SEVIS databases.

The OIG's Analysis. We revised the report to reflect the DHS ICE's increased membership on the JTTFs, and have deleted reference to the lack of support from the LESC. Regarding the increases in the number of DHS ICE positions on the JTTFs, the OIG report stated that the increase of 110 full-time and 20 part-time DHS ICE positions to the JTTFs between November 2003 and October 2004 could be partially attributed to the Federal Air Marshals (58) and the Federal Protective Service (30) who were already JTTF members at the time these two agencies were assimilated into the DHS ICE. We obtained this information directly from DHS ICE. However, the DHS ICE stated that because

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the Federal Protective Service joined DHS ICE in March 2003, its personnel should be removed from this figure. The OIG has revised this section of the report to state that the increase of 130 DHS ICE positions was partially attributable to 58 Federal Air Marshals who were already JTTF members (then under TSA) at the time the agency was assimilated into the DHS ICE. Because the number of JTTFs increased from 86 to 100 JTTFs during this time frame, the FBI could not verify whether the remainder of the DHS ICE staff increases (72) resulted from the overall increase in the number of JTTFs or the 138 additional positions requested in the NJTTF's needs assessment submitted to the DHS ICE in November 2003.

Regarding DHS ICE's statement that the small number of open DHS ICE JTTF cases in Omaha justifies the number of DHS ICE personnel assigned to the Omaha JTTF, the number of open cases is not fully reflective of the amount or type of work that DHS ICE agents perform daily on the JTTFs. Since information provided during our review indicated that many terrorism cases or queries have an immigration nexus, we found that DHS ICE agents receive numerous daily requests for information directed to DHS ICE agents, which required that they devote hours searching databases, receiving and making numerous phone calls to obtain information, or interpreting immigration/DHS ICE regulations and procedures for other task force members. Additionally, DHS ICE agents may be assigned to interview subjects before a case becomes "open," and in some situations may never become "open."

**Assignment of Non-JTTF Tasks to DHS ICE JTTF Members.** The DHS ICE agreed that all agencies should make reasonable efforts to ensure that their JTTF members are not assigned non-JTTF tasks, but stated that this recommendation should be addressed to all agencies participating on the JTTFs.

The OIG's Analysis. While all agencies should make reasonable efforts to ensure that they do not assign non-JTTF tasks to their JTTF members, only DHS ICE JTTF members raised that issue during our site visits, which included interviews with JTTF members from state, local, and other federal (non-FBI) agencies as well as DHS ICE JTTF members.

## **RECOMMENDATION**

**Recommendation 27: Resolved – Open.** The Deputy Attorney General should work jointly with DHS officials to ensure:

- Sufficient DHS participation on the Department's task forces,
- Sufficiently trained DHS ICE members on the task forces and their supervisory chain of command,

- 
- Non-task-force related assignments to DHS members are minimized, and
  - Updated MOUs defining roles and information responsibilities between the FBI and DHS.

Summary of the DHS ICE's Response. The DHS ICE stated that the report did not reflect the significant resources it already provided to the JTTFs. The DHS ICE stated that it is second only to the FBI in terms of the numbers of its participants on the Department's task forces and therefore has a significant interest in ensuring its resources are used in an efficient and effective manner that contributes to the important mission of the JTTFs. The DHS ICE has personnel assigned to other FBI terrorism task forces, such as the FTTTF, ITOS, TFOS, and NJTTF as well as personnel assigned to the CIA. The DHS ICE stated that the FBI has declined to assign any personnel to DHS ICE counterterrorism or intelligence units at DHS ICE headquarters. The DHS ICE also stated that it has increased its presence at CBP's National Targeting Center by a factor of four allowing DHS ICE to be operational 24 hours a day, 7 days a week to address terrorist-related lookouts and other issues. The DHS ICE reported that as a result of its partnership with the National Targeting Center, DHS ICE JTTF agents responded over 935 times to various ports of entry to interview and take appropriate action to persons arriving at ports who were matches or potential matches to those listed on the national terrorist watch list.

The DHS ICE stated that JTTFs have expanded to more than 100 locations in a short period of time and some are in remote locations where DHS ICE may not have an established office and where the workload would not support a full-time DHS ICE position.

The OIG's Analysis. The OIG has revised the DHS section of the report to include updated information about ICE's participation on the JTTFs. However, at almost every field site visited, DHS ICE employees raised ICE managerial issues that they believed affected their efficiency or effectiveness on the task force

The DHS ICE stated that the report cited only anecdotal comments from task force agents regarding the need for additional DHS ICE staff. However, FBI field supervisors and managers and officials at FBI headquarters also cited the need for additional DHS support on the task forces. This information from interviews also was supported by survey responses of randomly selected JTTF members nationwide, who indicated that more task force members with immigration and customs expertise are needed. From our analysis of the qualitative data from our interviews and survey, we concluded that the DHS

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ICE should increase its membership on the JTTFs with personnel cross-trained in immigration and customs matters.

Additionally, as stated in the report, at the request of DHS, the NJTTF conducted a critical needs assessment of staffing by querying the JTTF field supervisors on how many DHS ICE agents were needed on each JTTF. The results showed 159 full-time and 22 part-time DHS ICE agents on 86 JTTFs in November 2003, and that JTTF supervisors requested an additional 138 full-time DHS ICE agents – a proposed increase of approximately 45 percent. As of October 2004, the number of JTTFs had increased to 100 and DHS ICE JTTF task force members had increased by 110 full-time and 20 part-time members. When we interviewed DHS ICE officials, they informed us that they had requested an analysis of DHS ICE’s participation on the terrorism task forces to determine where and how many personnel were assigned and where the DHS ICE will gain the most benefit.

Although the DHS did not state whether it concurred with the recommendation, it is considered “Resolved – Open” since the recommendation is directed to the Deputy Attorney General to work jointly with DHS officials to ensure that the intent of this recommendation is carried out. The Deputy Attorney General, in his response, stated, “. . . as DHS and we jointly undertake to implement and execute the National Response Plan and other related Homeland Security policies and programs, we will work with our colleagues at DHS to ensure effective participation of DHS components on the JTTFs.”