

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Bruce Reed and Jose Cerda to the President re: Policy Options in Response to Oklahoma City [partial] (1 page)	04/24/1995	b(7)(E)
002. fax	re: Actions Sought in Light of Oklahoma City [partial] (1 page)	04/24/1995	b(7)(E)
003. fax	re: Proposed Terrorism Supplemental (2 pages)	04/24/1995	P1/b(1), b(7)(E)
004. fax	re: Treasury Enforcement Resource Needs (2 pages)	04/24/1995	b(7)(E)
005. list	Department of Justice Oklahoma City Response Request (1 page)	00/00/0000	b(7)(E)
006. list	Department of Justice Terrorism Supplemental (3 pages)	00/00/0000	b(7)(E)
007. fax	Treasury Enforcement Reduced Terrorism Request (1 page)	04/26/1995	b(7)(E)
008. fax	Treasury Enforcement Reduced Terrorism Request (1 page)	04/26/1995	b(7)(E)
009. fax	Department of Justice Terrorism Supplemental (5 pages)	04/26/1995	b(7)(E)
010. list	Department of Justice Oklahoma City Response Request (4 pages)	00/00/0000	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S

rc2347

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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DRAFT

April 24, 1995

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Jose Cerda

SUBJECT: Policy Options in Response to Oklahoma City

At Erskine's direction, the major law enforcement agencies -- Justice, FBI, ATF, DEA, Secret Service, U.S. Marshals Service -- are preparing an exhaustive inventory of legislative and enforcement actions the Administration can take to prevent, deter, and punish domestic and international terrorism. The Justice list is attached.

Most of these proposals appear to have merit, although some of them are rather obscure and not all of them have a direct terrorism connection. We recommend that you highlight a few major legislative and enforcement initiatives, described below, and leave many of the details to the law enforcement agencies and Congress. While the Administration should continue to take the lead in pursuing expanded authority through legislation, we should not get lost in the legislative bidding war. Our greatest emphasis should be on immediate enforcement actions that we can take on our own.

One major and controversial element of this strategy -- revising the Attorney General's domestic security guidelines -- is still under deliberation at the Justice Department. We expect a decision memorandum from them on Tuesday morning.

We recommend the following:

1. Nationwide Crackdown on Terrorism: Appoint Attorney General Reno to head a concerted, sweeping, high-profile crackdown on terrorism that seeks to identify, isolate, and root out domestic terrorism and related criminal activity. Its charge should be clear and simple: We will do whatever is necessary, and we will keep at it for as long as it takes. The historical precedent is Kennedy's crackdown on organized crime. This effort would include the interagency Domestic Counter-Terrorism Center, headed by FBI Director Freeh, which you have already called for.

2. New Investigative Tools: We need to give law enforcement new tools to investigate these crimes:

- * Give federal law enforcement the expanded authority they need to crack down on domestic terrorism by revising the Attorney General's outmoded guidelines regarding domestic security procedures. [Recommendation pending from Justice.]

- * Give law enforcement authorities access to information they need to investigate terrorist crimes. This includes measures you have already announced that would require information from credit reporting agencies and financial institutions; permit "trap and trace" and "pen register" devices to monitor phone traffic; and require hotels and common carriers to provide records. It also includes some non-controversial changes to privacy statutes to eliminate unnecessary technical burdens.

3. New Enforcement and Prosecutorial Tools: We need to press for immediate passage of the Omnibus Counter-Terrorism Act of 1995, along with the following new prosecutorial tools and penalties:

- * Amend the Posse Comitatus Act to permit the armed forces to assist in cases involving illegal use of chemical, biological, and other weapons of mass destruction.

- * Amend the Chemical Weapons Act to cover non-gaseous chemical weapons, such as dropping dioxin pellets in the water supply.

- * ATF is prepared to propose a permit system for the purchase of significant quantities of explosives. This might not have affected the Oklahoma City bombing, but ATF believes it would be instrumental in deterring other bombings. Justice has proposed a licensing system for those who do weapons and explosives training.

- * Make terrorism a predicate offense for money laundering, so that any money derived from terrorist activities triggers existing money laundering statutes.

- * Make it a federal crime to attack or kill all current and former federal employees.

- * Prevent convicted felons from regaining the ability to possess firearms after their release.

4. Increased Resources to Combat Domestic Terrorism: We are still working with OMB to reconcile what the agencies want with what we can afford. The most compelling requests include:

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* Request (b)(7) new FBI agents and another (b)(7) FBI personnel to engage in counter-terrorism activities.

* Request additional funding for other FBI activities, such as the FBI command center, DNA identification procedures, and a new laboratory.

* Expand ATF's investigative and laboratory capacities in the explosives and firearms unit with (b)(7)D [001]

* Additional resources for the Secret Service for expanded protection due to terrorist threats.

* Additional resources for Customs to monitor arms trafficking.

* Full funding of the digital telephony legislation you signed last year (already announced).

* Creation of a special FBI counter-terrorist and counter-intelligence fund (already announced).

5. Other Announced Actions: We should carry out other actions you have already announced, including a threat assessment of federal facilities; the Presidential Decision Directive from FBI, Attorney General, and NSC; and rebuilding the federal building in Oklahoma City.

ACTIONS SOUGHT IN LIGHT OF OKLAHOMA CITY

I. Substantive Legal Changes

- o Pass the Omnibus Counter-Terrorism Act of 1995.
- o Amend the Electronic Communications Privacy Act of 1986, 18 U.S.C. §2510, to eliminate unnecessary technical burdens without sacrificing legitimate privacy concerns regarding wiretaps in national security cases.
- o Amend 18 U.S.C. §111 to include all current and former Federal employees under statutes that now make it a Federal offense to threaten, assault or kill only certain kinds of Federal employees on account of their official duties.
- o Amend Chemical Weapons Act to include chemical weapons in non-gaseous form.
- o Amend violent crime statutes to prevent convicted felons from regaining the ability to possess firearms.
- o Pass licensing system for those who provide weapons and explosives training.
- o Amend the Posse Comitatus Act to permit the armed forces to assist in cases involving illegal use of chemical, biological, or other weapons of mass destruction.
- o Amend Fair Credit Reporting Act and Right to Financial Privacy Act to require credit reporting agencies and financial institutions to provide information in defined national security investigations.
- o Amend statutes to permit "trap and trace" and "pen register" devices in national security cases.
- o Pass legislation to require hotel/motel and common carriers to provide records pursuant to formal national security request.
- o Pass legislation to establish a single data-encryption standard.
- o Amend award authority statutes to remove/reduce restrictions.
- o Amend FCC statutes to require reimbursement to law enforcement agencies for costs associated with the sale of radio frequencies

Additional Funding Requests

- o Appropriation for implementation of the Digital Telephony legislation (Pub. L. 103-414).
- o Appropriation for implementation of common radio frequencies which can be used by all law enforcement agencies under appropriate management.
- o Appropriation for FBI enhanced DNA identification procedures and laboratory.
- o Appropriation for FBI Project DRUGFIRE which will permit digital storage of bullet impressions so as to permit expedited and accurate firearms comparisons.
- o Appropriation for additional FBI and other personnel to engage in tactical operations, general counter-terrorism activities, investigations requiring proficiency in a foreign language, and security background checks.
- o Appropriation for additional computer technology and aviation needs.
- o Appropriation for DOJ Emergency Assistance Account for aid to state and local authorities in disaster situations
- o Appropriation to expand FBI legal attache program with increased sites and personnel to assist in terrorist prevention activities
- o Appropriation to expand and improve FBI command center
- o Appropriation for additional prosecutors, paralegal and support staff to handle terrorism and violent crime prosecutions.
- o Appropriation to permit replacement of the outmoded computer equipment and replace it with equipment which will increase the efficiency and productivity of operations to keep pace with the demands placed on prosecutors in the fight against violent crime and terrorism.
- o Appropriation to purchase X-ray devices and security officers to be devoted to each U.S. Attorney's office, the magnitude of risk in these offices has been increased tremendously. The number of offices secured by the Marshals Service has been reduced dramatically as a result of moves to leased commercial space.

III. Non-Statutory Procedures

- o Conduct terrorism threat assessment at all federal agencies.
- o Create interagency Domestic Counter-Terrorism Center, headed by the FBI, to coordinate a program directed at preventing, deterring, and, as necessary, investigating domestic terrorist incidents.
- o Revise the Attorney General's guidelines regarding domestic security procedures
- o Designation of the Attorney General as the administration-wide coordinator of law enforcement policy

ACTIONS SOUGHT IN LIGHT OF OKLAHOMA CITY

324-3444

I. Substantive Legal Changes

- o Pass the Omnibus Counter-Terrorism Act of 1995.
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- o Amend 18 U.S.C. §111 to include all current and former Federal employees under statutes that now make it a Federal offense to threaten, assault or kill only certain kinds of Federal employees on account of their official duties.
- o Amend Chemical Weapons Act to include chemical weapons in non-gaseous form.
- o Amend violent crime statutes to prevent convicted felons from regaining the ability to possess firearms. NRA Support? Not directly related
- o Pass licensing system for those who provide weapons and explosives training.
- Amend the Posse Comitatus Act to permit the armed forces to assist in cases involving illegal use of chemical, biological, or other weapons of mass destruction.
- o Amend Fair Credit Reporting Act and Right to Financial Privacy Act to require credit reporting agencies and financial institutions to provide information in defined national security investigations.
- o Amend statutes to permit "trap and trace" and "pen register" devices in national security cases. phone traffic info
- o Pass legislation to require hotel/motel and common carriers to provide records pursuant to formal national security request.
- * Pass legislation to establish a single data-encryption standard.
- o Amend award authority statutes to remove/reduce restrictions. (REWARD #)
- o Amend FCC statutes to require reimbursement to law enforcement agencies for costs associated with the sale of radio frequencies

Don't forget
in H2O

POTUS
already
announced

no public safety exemption?
unpublished?

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II. Additional Funding Requests

#750 million / FY 96 Budget!
- compensate private
conscience

2. o Appropriation for implementation of the Digital Telephony legislation (Pub. L. 103-414).

- o Appropriation for implementation of common radio frequencies which can be used by all law enforcement agencies under appropriate management.

Wireless Users Group

- o Appropriation for FBI enhanced DNA identification procedures and laboratory.

For state + local law enf.

For FBI

- o Appropriation for FBI Project DRUGFIRE which will permit digital storage of bullet impressions so as to permit expedited and accurate firearms comparisons.

- o Appropriation for additional FBI and other personnel to engage in tactical operations, general counter-terrorism activities, investigations requiring proficiency in a foreign language, and security background checks.

- o Appropriation for additional computer technology and aviation needs.

- o Appropriation for DOJ Emergency Assistance Account for aide to state and local authorities in disaster situations

- ATP program

- o Appropriation to expand FBI legal attache program with increased sites and personnel to assist in terrorist prevention activities

Appropriation to expand and improve FBI command center

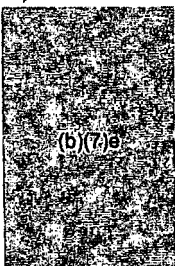
- o Appropriation for additional prosecutors, paralegal and support staff to handle terrorism and violent crime prosecutions.

- o Appropriation to permit replacement of the outmoded computer equipment and replace it with equipment which will increase the efficiency and productivity of operations to keep pace with the demands placed on prosecutors in the fight against violent crime and terrorism.

- o Appropriation to purchase X-ray devices and security officers to be devoted to each U.S. Attorney's office, the magnitude of risk in these offices has been increased tremendously. The number of offices secured by the Marshals Service has been reduced dramatically as a result of moves to leased commercial space.

Cenfire

New introduction



agent
support

[002]

III. Non-Statutory Procedures

CIA Surf?

- o Conduct terrorism threat assessment at all federal agencies.
- o Create interagency Domestic Counter-Terrorism Center, headed by the FBI, to coordinate a program directed at preventing, deterring, and, as necessary, investigating domestic terrorist incidents.
- o Revise the Attorney General's guidelines regarding domestic security procedures
- o Designation of the Attorney General as the administration-wide coordinator of law enforcement policy

Spy w/probable cause
↳ international threshold
is much lower.
↳ Rec. from Jamie

(A) — Immediate Int. Actions (Domestic Security Procedures)

Military
Domestic Security

(B) ① Continued Sup. of Crime Bill

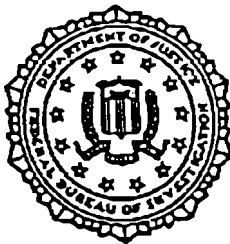
↳ guns — assaults
Brady
FFL's

↳ Law Enf. Resources ④ DNA, Cops

↳ Commitment to Fed. Agents.

↳ Terrorism Penalties.

(C)

FBI FACSIMILE
COVERSHEET

CLASSIFICATION

PRECEDENCE

- ☒ Immediate
☐ Priority
☒ Routine

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: 12To: BRUCE Reed, OMB Date: 4/24/95
(Name of Office)Facsimile number: 456-5557Attn: _____
(Name Room Telephone No.)From: BURDEN PASENELLI, FBI
(Name of Office)Subject: FBI's Proposed
Counterterrorism InitiativeSpecial Handling Instructions: Sent per request
of Bob Bucknam, FBI

Originator's Name: _____

Telephone: 324-134Originator's Facsimile Number: 324-1352Approved: [Signature]

**FEDERAL BUREAU OF INVESTIGATION
PROPOSED COUNTERTERRORISM INITIATIVE**

DOMESTIC COUNTERTERRORISM CENTER

The President has proposed the creation of an interagency domestic counterterrorism center headed by the FBI. Currently, there is a Counterintelligence Center under the Central Intelligence Agency which serves as a clearinghouse for foreign terrorism intelligence information. The Center proposed by the President would establish a domestic counterterrorism resource available to all law enforcement -- federal, state, and local. Without this Center, there is no means by which critical information about domestic terrorism and terrorists can be coordinated and shared among the law enforcement community. This will substantially enhance the ability of the United States to combat domestic terrorism. This raises the fundamental question of having one fully integrated anti-terrorism center under the direction of the FBI.

FBIHQ Command Center:

The FBI operates a Strategic Information Operations Center (SIOC) that is used for providing centralized coordination for major incidents, such as the Oklahoma City bombing, and special events, such as the Olympic Games. The technology in the SIOC is limited and does not meet the need for a capability to address multiple sites and/or incidents. Modernization of the existing SIOC requires \$20 million for nonpersonnel upgrades and \$1.1 million for additional staffing (19 positions/10 FTE) to permit 24-hour coverage.

Management and Analytical:

Resources to staff the proposed Domestic Counterterrorism Center include 14 positions and 7 FTE and \$766,000. This staff is required to provide management and direction to the Center staff and to perform analysis of intelligence collected by the FBI and received from other agencies.

TERRORISM INVESTIGATIONS

Agents and Support:

Funding totaling \$45.8 million is required for 270 agents and 361 support for domestic and international terrorism investigations. The expanded investigative authorities being proposed by the President will allow the FBI to initiate a more proactive posture toward terrorism investigations, with increased

emphasis on the prevention of acts and detection of groups involved in terrorist activities.

Counterterrorism Reward Payments:

Funding totaling \$5.0 million is required to pay rewards (up to \$2.0 million per act) under the authority of the Attorney General.

Special Surveillance Groups:

The FBI uses specially trained personnel to perform surveillances of targets in counterintelligence investigations. Presently, the FBI does not have sufficient personnel to also deploy these groups to conduct surveillances in domestic and international terrorism investigations without taking them from equally critical areas such as espionage investigations. Expert surveillance is often key to preventing or solving acts of terrorism. To upgrade the surveillance capability of the FBI, funding totaling \$24.5 million is required (231 positions and 116 FTE).

Olympics/Security Reinvestigations/Operational Support:

Funding is required to address the upcoming 1996 Olympic Games to be held in Atlanta, Georgia, and other locations throughout the United States, and to address other special events anticipated that present possible targets for terrorist acts, such as the upcoming Papal visit and Presidential nomination conventions (\$6.2 million). Funding is also required to conduct reinvestigations of FBI employees and state and local law enforcement participating in Joint Terrorism Task Forces (\$5.0 million). Finally, funding is required for operational support for counterterrorism investigations, such as informant payments, confidential case expenditures, and undercover operations (\$3.0 million).

DIGITAL TELEPHONY DEVELOPMENT

The President announced full funding for digital telephony legislation and research to enhance our ability to use court-authorized electronic surveillance of terrorist and other criminal activities.

Digital telecommunications technologies jeopardize the lawful interception of oral, wire, and electronic communications by law enforcement agencies. At the urging of the President, Congress last year passed legislation which now must be funded if this technique is to be preserved. This area must be addressed on several fronts. The first front is the development of new techniques and equipment to replace existing intercept capabilities that will no longer work in a digital environment,

as well as developing new techniques and equipment for installing such devices, especially in hostile environments. There is also a need to develop a national law enforcement technical support center to address the problem of encryption. Finally, there remains the need to fund the authorized reimbursement of costs incurred by the telecommunications industry in complying with the Communications Assistance for Law Enforcement Act of 1994.

Development/Equipment:

The President announced funding for development efforts and engineering services to develop new techniques and equipment to perform court-approved wiretaps and interceptions of communications, as well as to acquire new equipment to perform court-approved interceptions. The use of wiretaps and other electronic surveillance is critical to counterterrorism, criminal and counterintelligence investigations. A total of \$243.0 million between 1996 and 2000 is required. In addition, funding totaling \$2.9 million is required for additional engineering and technical staff (31 positions and 16 FTE) to support in-house development and manage contracts with telecommunications vendors. Without this research and development, the new digital communications cannot be processed even if intercepted.

Technical Support Center:

Encryption is a most serious problem confronting law enforcement efforts to conduct court-approved intercepts and electronic surveillance in terrorism, counterintelligence, and criminal investigations. Consequently, law enforcement must have a facility where decryption of encrypted conversations and data is possible. The Technical Support Center would provide such a capability and serve as a resource for all law enforcement -- federal, state, and local. The cost to construct a center is estimated at \$18.9 million, with \$32.5 million required to outfit the center with computing, telecommunications, and analytical equipment. An initial staff for the Technical Support Center of scientists, engineers, and mathematicians (27 positions and 14 FTE) is also required at a cost of \$2.2 million.

Tactical Operations:

In addition to developing the capability to perform interceptions in a digital environment, law enforcement must also have the ability to safely enter and install such devices. This critical capability is also eroding as a result of the widespread use of computer-based and other high-technology locking and alarm systems by criminals. A parallel tactical operations development and acquisition program is vitally needed to address these concerns. The FBI estimates that \$72 million is required to bring existing tactical operations capabilities up-to-date and assess new technologies that come to market. Staffing

requirements associated with this initiative total \$2.6 million for agents, engineers, and technicians (38 positions and 19 FTE).

Telephone Carrier Compliance:

The President announced full funding for digital telephony legislation, the Communications Assistance for Law Enforcement Act of 1994 authorizes the Attorney General to pay telecommunications carriers for costs directly associated with modifying equipment to allow law enforcement agencies to perform court-approved wiretaps and other electronic surveillance. The Act authorizes a total of \$500 million between FYs 1995 and 1998. The carrier compliance effort must parallel the FBI's development of digital-based wiretap and electronic surveillance equipment.

FORENSIC SERVICES

Examiners/technicians/support staffing:

The services provided by technicians and scientists of the FBI Laboratory are critical to the collection and analysis of evidence recovered at the scenes of bombings and other terrorist acts. However, additional staff is needed to insure the FBI Laboratory can effectively address these situations, especially when multiple locations are involved. Major terrorist incidents often require a long-term commitment of scientific personnel that leaves substantial casework for remaining staff. To alleviate this situation, \$2.6 million is needed to hire additional examiners, technicians, and support staff (75 positions and 38 FTE).

Evidence Response Teams:

The FBI has established Evidence Response Teams in its field offices to provide better crime scene processing and to assist Headquarters-based examiners at local crime scenes. To provide these teams with proper equipment and tools, such as protective clothing, specialized vehicles, and crime scene processing kits, \$2.9 million is needed.

Equipment modernization:

Much of the equipment in the FBI Laboratory is in need of replacement and/or upgrade. The availability of state-of-the-art scientific equipment is critical to performing timely and thorough forensic examinations of evidence. Funding totaling \$30 million is needed to acquire equipment used to perform forensic examinations ranging from bomb analysis to tool and firearm markings to examination of evidentiary computer media, as well as supplies used to perform examinations.

FBI Laboratory facility:

The existing FBI Laboratory facility, located in the FBI Headquarters Building, is inadequate for current and growing needs. There are continuing concerns for having such a facility in a multi-story building in a densely populated area. Some forensic examinations for state and local law enforcement have had to be discontinued as a result of insufficient funding for examiners. Designed and constructed nearly 25 years ago, the FBI Laboratory is critical to solving bombing and other terrorist cases. Further, state and local law enforcement depend upon FBI Laboratory services which are not available through local or regional facilities. A new facility would not only provide an upgraded work environment, but it would also permit new technologies to be readily integrated into the work environment. A new facility would also allow the FBI to collocate forensic science research and development activities, currently housed at the FBI Academy, with the operational components of the FBI Laboratory. Preliminary steps have been taken to estimate the funding required to construct a new FBI Laboratory on federally-owned property in the Washington, D.C., area and approximately \$150.2 million would be required for design and construction. Construction on existing federal property is preferred since it would provide a substantial cost avoidance in money that would otherwise be needed to acquire a commercial site and afford security more naturally than commercial space.

WIRELESS COMMUNICATIONS:

A recent National Telecommunications and Information Administration (NTIA) ruling requires all federal wireless communications users to achieve a 2-to-1 radio spectrum efficiency by 2004. This includes law enforcement. This ruling came, in part, in response to Title VI of the Omnibus Budget Reconciliation Act of 1993, which requires the federal government to provide a minimum of 200 Megahertz of federal radio spectrum to the private sector for emerging technologies. The proceeds from the auction of radio spectrum are used for deficit reduction and the proceeds from the sale are exceeding projections. A fund using proceeds from spectrum auctions that raise revenues above the initial estimates should be established to offset the cost to federal agencies for complying with the transition to narrowband technology mandated by the NTIA and to develop a national wireless network that would service all public safety agencies. In the absence of such a fund, \$16.1 million annually is required for 5-years to evaluate wireless technologies and develop an implementation plan. Thereafter, more than \$1 billion in funding would be required to replace existing radio communications systems with the required new technology.

CRITICAL INCIDENT RESPONSE GROUP (CIRG)**CIRG facility:**

The recently formed CIRG operates from the FBI Academy, Quantico, Virginia, and requires separate office space and specialized training facilities, such as the Hostage Rescue Team shooting house and sniper range. A site for a separate facility is available at the FBI Academy. Construction of required CIRG administrative and training facilities is estimated at \$29.4 million.

Operational Support/Equipment:

Funding totaling \$5 million is required to acquire specialized equipment used by the Hostage Rescue Team and field Special Weapons and Tactics teams. These groups must train in special techniques and operations in order to be ready to respond to terrorist and other critical incidents.

Hostage/Barricade Database:

Development of an automated database is needed to collect and analyze information regarding hostage/barricade situations. This database would permit analysis of such incidents. This information would give on-scene CIRG commanders information for developing and evaluating tactical alternatives and options for resolving such situations based upon previous incidents. This would greatly assist law enforcement in saving the lives of hostages. Funding totaling \$2.5 million is proposed.

NCIC 2000 VIOLENT GANG/TERRORIST ORGANIZATION FILE:

Funding totaling \$1.7 million is required to incorporate the functional requirements for the National Crime Information Center (NCIC) Violent Gang/Terrorist Organization file into the new NCIC 2000 system. The NCIC 2000 contract was initiated prior to the establishment of the Violent Gang/Terrorist Organization file. Consequently, it is necessary to add these functionalities to the current contract to insure the file is operative in the new NCIC 2000 system.

LEGAL ATTACHE EXPANSION:

A critical element of the FBI's response to terrorism is the establishment of legal attaches in key countries that provide the overseas network to support investigations with international elements conducted by federal, state, and local agencies in the United States. This presence is increasingly critical to preventing and investigating the marketing of stolen nuclear materials and technologies by terrorists and other

criminal groups which pose a threat to the security of the nation and our citizens overseas. Legal Attaches represent the first line of defense for the United States against terrorism, international organized crime, drug traffickers, and traffickers in nuclear materials. Their presence extends the perimeter of the Nation's defense against such acts. To expand the FBI's network of legal attaches, including the opening of 7 new offices, funding totaling \$14.1 million is required, including additional staffing (28 positions and 14 FTE). New offices to be opened include: Islamabad, Cairo, Copenhagen, Seoul, Taipei, Tel Aviv, and Warsaw.

CRISIS RESPONSE TEAM/SPECIAL SEARCH TECHNIQUES:

The FBI's Engineering Section Crisis Response Team is deployed to provide communications support for the Hostage Rescue Team and to assist field offices in major cases and special events. This team requires upgraded satellite communications equipment and additional staff. The Engineering Section also performs special search techniques to help locate victims and support other operational requirements. Funding totaling \$7.3 million is required to augment these groups technical equipment and staffing (15 positions and 8 FTE).

AUTOMATION SUPPORT:

A total of \$33.8 million is required to acquire computer equipment, such as lap top computers, scanners, voice and data telecommunications devices, and related equipment. This equipment is critical for organizing and managing information collected during the initial stages of major terrorist and criminal investigations and for generating leads based on the results of investigation reported.

CONTRACT TRANSLATORS AND SERVICES:

Oftentimes, court-approved wiretaps and other electronic surveillances in terrorism and related cases involve non-English speaking subjects. Consequently, recordings must be translated on a timely basis to insure intelligence information collected is promptly made available to investigators. Funding totaling \$17.5 million is required to acquire the services of contract translators to assist in FBI investigations.

AVIATION SUPPORT:

The FBI uses aircraft, both fixed-wing and rotary-wing, to conduct surveillances of targets and suspects, as well as to transport FBI personnel to the locations of major incidents. It is essential that the aircraft used by the FBI be maintained in a ready condition and that funding be available for increased flying time required to support operations. Safety of FBI

personnel demand these aircraft be provided regularly scheduled maintenance. Funding totaling \$11.3 million is required to provided critical upgrades and maintenance of FBI aircraft, to insure supplies and fuel are available to meet major case requirements, and to insure pilots and co-pilots are current in training.

ANTI-TERRORISM PROPOSALS
WHICH DO NOT REQUIRE FUNDING

AS PROPOSED BY THE PRESIDENT:

* Enact the Omnibus Counterterrorism Act of 1995 (S 309 and HR 896)

* Enact HR 68, absent the "sunset" provision. This legislation provides for disclosures by consumer reporting agencies to the FBI for counterterrorism and counterintelligence purposes. The FBI has no mechanism for obtaining credit reports for lead purposes in counterterrorism cases. These reports are available to used car dealers and any other merchant. Without this ability, valuable lead information and investigative time pursuing other avenues is routinely lost. The FBI does have authority under the Right to Financial Privacy Act of 1978 to obtain similar records pursuant to a National Security Letter signed by a high-ranking FBI official. The same procedures and safeguards would apply to credit records.

* Amend the Foreign Intelligence Surveillance Act (FISA) of 1978 to adopt the criminal standard currently used in obtaining a pen register. At present, the FISA requires the same level of probable cause and legal findings to obtain a pen register and/or trap and trace device as to obtain court authorization for a wiretap or microphone surveillance. In criminal cases, a relevancy standard applies. Pen register and trap and trace records, that is, the real time record of telephone numbers called by the subject, and the phone numbers from which the subject was called are often critical in obtaining court authorization for a wiretap. There is no constitutional probable cause threshold for pen registers. The current "artificial" standard impedes the ability of the FBI to obtain electronic surveillance coverage of terrorists and spies.

* Provide legislation to enable the FBI to obtain hotel/motel and common carrier records for the purpose of identifying the subjects of Counterterrorism or Foreign Counterintelligence (FCI) investigations who might be staying at the hotel/motel or using common carriers. The FBI now must rely on the voluntary assistance of motel, hotel and other innkeepers or common carriers regarding records of terrorists who may have stayed at the establishment or used the common carrier. The FBI has found that, while some of these entities voluntarily provide such information, an increasing number refuse, absent a court order, a subpoena, or other legal protection. In a counterterrorism case being conducted pursuant to the Attorney General's Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations, there is no legal mechanism, for example, subpoena, available to obtain these records. Unless innkeepers, etc., cooperate, the FBI is unable to obtain valuable lead information or other critical evidence.

ADDITIONAL LEGISLATIVE ITEMS INCLUDE:

* Absent a currently viable alternative, enact legislation to establish a single data-encryption standard. Without question, one of the most critical law enforcement tools is the ability of law enforcement to conduct court authorized wire taps. However, due to the ability of terrorists, and other criminals to purchase powerful encryption, the benefit of this tool is in serious jeopardy. Absent a single standard that recognizes the needs of law enforcement, the ability to prevent criminal acts and acts of terrorism will be substantially impaired.

* Provide the authority for the Attorney General to pay a reward which is not subject to the spending limitations contained in 18 U.S.C. Section 3059 and 3072, provided that any reward of \$100,000 or more may not be made without the approval of the President or the Attorney General, and such approval may not be delegated. (Language recommended by DOJ)

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. fax	re: Proposed Terrorism Supplemental (2 pages)	04/24/1995	P1/b(1), b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
rc2347

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

FACSIMILE COVER SHEET

DEPARTMENT OF THE TREASURY

OFFICE OF THE UNDER SECRETARY-ENFORCEMENT

OFFICE OF POLICY DEVELOPMENT

FAX NUMBER: 622-7493

TO: Bruce 456-5557
José -7028

PHONE: _____ FAX: _____

FROM: Rebecca

TELEPHONE: _____

NUMBER OF PAGES 3 follow

MESSAGE/COMMENTS:

ATF's legislative (non-funding)
list won't arrive until the morning,
but I wanted to get this to you
tonight.

**Treasury Enforcement Bureaus
Actions Sought In Light of Oklahoma City**

I. Substantive Legal Changes

- Create a permit system for end-users of explosives
- Make domestic terrorism a predicate offense for money laundering
- Amend the Fair Credit Reporting Act and Internal Revenue Code to allow disclosure to law enforcement of consumer information and tax return information, without notification to consumers or taxpayers, for use in investigating domestic terrorism.
- Give Secret Service certain expanded administrative subpoena powers.
- Amend the Arms Export Control Act to include an attempt violation
- Amend the International Emergency economic Powers Act to include an attempt violation
- Amend 18 U.S.C. 981 and 1956 to create specified unlawful activities for certain foreign crimes including kidnapping, terrorism, etc.
- Expand 18 U.S.C. 2314 to include offenses related to terrorism and the international or interstate movement of articles in furtherance of terrorist activities.
- Enhance penalties for violent illegal entry into or exit from the United States (proposed name "Border Violence Suppression Act").
- Provide Customs the authority to conduct warrantless border searches of outbound mail regardless of class (making consistent with Customs authority to search inbound mail).
- Provide the Secretary of Treasury authority to direct the use of Treasury aircraft to support emergency law enforcement situations.
- Provide authority to seize vehicles containing ^{undisclosed} hidden compartments (making consistent with law regarding aircraft and vessels.)
- Create a consolidated export smuggling statute.
- Renew law enforcement access to IRS Form 8300 information.
- Create specific criminal violation under the Bank Secrecy Act involving wire transfers.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. fax	re: Treasury Enforcement Resource Needs (2 pages)	04/24/1995	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

STATEMENT FOR THE RECORD

OF

LOUIS J. FREEH

DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

BEFORE AN OPEN SESSION OF THE

HOUSE JUDICIARY COMMITTEE

WASHINGTON, D.C.

APRIL 6, 1995

GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. I AM PLEASED TO HAVE THIS OPPORTUNITY TO DISCUSS THE CURRENT THREAT OF TERRORISM TO THE UNITED STATES AND ITS CITIZENS, AND TO DESCRIBE THE FBI'S ROLE IN COMBATTING TERRORISM.

THIS IS A VITALLY-IMPORTANT MATTER. THE THREAT FROM TERRORISM IS VERY REAL, AS GRIM STATISTICS SHOW.

TERRORISM KNOWS NO BOUNDARIES. MARCH 20, 1995: A POISON GAS ATTACK OCCURRED IN THE SUBWAY SYSTEM OF TOKYO, KILLING 11 AND INJURING THOUSANDS, INCLUDING TWO AMERICANS. MARCH 8, 1995: TWO AMERICANS WERE MURDERED IN A HAIL OF GUNFIRE ON THE STREETS OF KARACHI. FEBRUARY 26, 1993: SIX PEOPLE WERE KILLED AND OVER 1,000 INJURED WHEN A TWELVE HUNDRED POUND BOMB RIPPED THROUGH THE WORLD TRADE CENTER IN NEW YORK CITY.

TERRORISM HAS BECOME A DEADLY MENACE THAT SEEMS ABLE TO STRIKE NEARLY ANYWHERE IN THE WORLD -- AT ANY TIME.

I AM DEEPLY CONCERNED ABOUT TERRORISM IN THE UNITED STATES. THE FACE AND THE HAND OF TERRORISM ARE CHANGING DRAMATICALLY AS WE ENTER THE LAST HALF OF THE LAST DECADE BEFORE THE 21ST CENTURY. CONSEQUENTLY, THE HANDS OF THE FBI AND COUNTERTERRORISM MUST BE GIVEN NEW TOOLS AND RESOURCES TO FIGHT ITS SERPENT-LIKE PRESENCE AROUND THE WORLD. THERE IS NO HIGHER PRIORITY IN THE FBI THAN COUNTERTERRORISM.

AT THE SAME TIME, THESE TOOLS MUST BE USED CAREFULLY, AND MUST PRESERVE THE INDIVIDUAL LIBERTIES AND CONSTITUTIONAL RIGHTS THAT ARE SO ESSENTIAL IN OUR DEMOCRACY.

THE FBI'S COUNTERTERRORISM PROGRAM

AS YOU ARE AWARE, THE U.S. GOVERNMENT FIGHTS TERRORISM IN A NUMBER OF WAYS, SUCH AS: THROUGH DIPLOMACY; THROUGH ECONOMIC SANCTIONS; THROUGH COVERT OPERATIONS; THROUGH MILITARY INTERVENTION; AND THROUGH LAW ENFORCEMENT ACTION.

THE FBI'S ROLE IN THE GOVERNMENT'S COUNTERTERRORISM EFFORT IS LAW ENFORCEMENT.

IN APRIL 1982, BY EXECUTIVE ORDER, THE FBI WAS GIVEN THE LEAD RESPONSIBILITY FOR COMBATTING TERRORISM INSIDE THE UNITED STATES. AT THE SAME TIME, THE DEPARTMENT OF STATE WAS GIVEN THE LEAD FOR COORDINATING THE U.S. COUNTERTERRORISM EFFORT ABROAD. THE FBI'S MISSION IS SIMPLE: FIRST, AND MOST IMPORTANT, TO PREVENT TERRORIST ACTS BEFORE THEY OCCUR; AND SECOND, SHOULD AN ACT OF TERRORISM OCCUR, TO MOUNT AN IMMEDIATE AND OVERWHELMING INVESTIGATIVE RESPONSE.

TERRORISM IS BEST PREVENTED BY ACQUIRING, THROUGH LEGAL MEANS, INTELLIGENCE INFORMATION RELATING TO GROUPS AND INDIVIDUALS WHOSE VIOLENT INTENTIONS THREATEN U.S. CITIZENS OR INTERESTS.

ONCE ACQUIRED, INTELLIGENCE MUST BE CAREFULLY ANALYZED, RAPIDLY DISSEMINATED, AND EFFECTIVELY USED TO PREVENT ACTS OF TERRORISM BEFORE THEY OCCUR. TO BE USEFUL, HOWEVER, THAT INTELLIGENCE, MUST BE TIMELY, RELIABLE AND AMENABLE TO TAKING ACTION REGARDING ITS CONTENTS.

BUT ANOTHER ISSUE LOOMS ON THE HORIZON THAT ULTIMATELY COULD BE DEVASTATING TO LAW ENFORCEMENT'S ABILITY TO PREVENT

TERRORISM. LAST YEAR -- WITH THE TREMENDOUS SUPPORT OF THE PRESIDENT, THE ATTORNEY GENERAL, AND CONGRESS -- DIGITAL TELEPHONY LEGISLATION WAS ENACTED THAT ENSURES THE GOVERNMENT'S CONTINUING ABILITY TO WIRETAP WITH COURT APPROVAL. NOW THE ISSUE OF ENCRYPTION IS UPON US. UNLESS IT IS RESOLVED SOON, TERRORISTS' CONVERSATIONS OVER THE TELEPHONE AND OTHER COMMUNICATION DEVICES WILL BECOME INDECIPHERABLE BY LAW ENFORCEMENT. AS MUCH AS ANY ISSUE, THIS JEOPARDIZES THE PUBLIC SAFETY AND NATIONAL SECURITY OF THIS COUNTRY. I WILL TALK ABOUT THIS IMPORTANT PREVENTION MATTER LATER IN MY STATEMENT.

WHEN TERRORISM DOES STRIKE, OUR MISSION IS TO MOUNT WHATEVER IT TAKES TO SOLVE THE CRIME AND APPREHEND THE INDIVIDUAL TERRORISTS OR TERRORIST GROUPS. THE SWIFT AND EFFECTIVE INVESTIGATION OF TERRORIST ACTS, CULMINATING IN ARRESTS, CONVICTIONS, AND INCARCERATIONS, SENDS A POWERFUL MESSAGE TO TERRORISTS THAT CAN HELP DETER FUTURE ACTS OF TERRORISM. IT MUST ALWAYS BE CLEAR THAT WE WILL PURSUE TERRORISTS WORLDWIDE TO BRING THEM TO JUSTICE FOR ACTS OF TERRORISM AGAINST THE UNITED STATES AND OUR PEOPLE -- REGARDLESS OF WHERE THE ACTS OCCUR. THIS IS PRECISELY WHY THE FBI NEEDS LEGAL ATTACHES OVERSEAS IN CRITICAL EMBASSIES AS A FIRST LINE OF DEFENSE, EXTRATERRITORIAL JURISDICTION TO FIGHT CRIME AND PROTECT AMERICANS, AND POLICE CONTACTS AND NETWORKS ABROAD TO STOP CRIME FROM ENTERING AMERICA.

AS AN EXAMPLE, WE ALL GRIMLY RECALL THE BOMBING OF PAN AM FLIGHT 103 IN 1988. ON NOVEMBER 14, 1991, THE DEPARTMENT OF JUSTICE OBTAINED INDICTMENTS AGAINST THE TWO LIBYAN INTELLIGENCE

OPERATIVES NOW CHARGED AS RESPONSIBLE FOR THE BOMBING. THEIR NAMES ARE LAMEN KHALIFA FHIMAH AND ABDEL BASSET ALI AL-MEGRAHI.

SINCE THE BOMBING, THE UNITED NATIONS HAS IMPOSED ECONOMIC SANCTIONS IN AN ATTEMPT TO FORCE LIBYAN LEADER COLONEL KHADAFI TO END HIS SPONSORSHIP OF TERRORISM, TO ACCEPT RESPONSIBILITY FOR THE PAN AM 103 BOMBING, AND TO EXTRADITE FHIMAH AND MEGRAHI TO EITHER THE UNITED STATES OR THE UNITED KINGDOM TO STAND TRIAL.

ON MARCH 23, 1995, FHIMAH AND MEGRAHI WERE ADDED TO THE FBI'S TEN MOST WANTED FUGITIVES PROGRAM. ON THE SAME DAY, THE STATE DEPARTMENT OFFERED UP TO FOUR MILLION DOLLARS IN REWARD MONEY FOR INFORMATION LEADING TO THEIR ARRESTS. SUCH STEPS CAN BRING RESULTS.

FOR EXAMPLE, ACCUSED WORLD TRADE CENTER BOMBER RAMZI AHMED YOUSEF ALSO WAS PLACED ON THE TOP TEN LIST AND WAS ADDED TO THE REWARD PROGRAM ON JULY 23, 1993. HE WAS APPREHENDED IN ISLAMABAD, PAKISTAN, ON FEBRUARY 7, 1995. THE DRUG ENFORCEMENT ADMINISTRATION, THE U.S. DEPARTMENT OF STATE, AND OTHER AGENCIES PROVIDED VALUABLE ASSISTANCE IN THIS ARREST. THROUGH THE TOP TEN PROGRAM, WE PUT A FACE ON TERRORISM. IT WAS A FACTOR IN HIS APPREHENSION.

ONCE A TERRORIST ACT OCCURS, WE CAN NEVER LET UP UNTIL JUSTICE IS DONE. TO DO OTHERWISE ONLY INVITES MORE ATTACKS. THE FACE OF TERRORISM IS DYNAMIC. TODAY, ACTS OF TERRORISM GENERALLY ARE MORE SPECTACULAR, ARE AIMED AT CAUSING LARGER NUMBERS OF CASUALTIES, AND RAISE HIGHER LEVELS OF FEAR AMONG CIVILIAN

POPULATIONS THAN IN THE PAST. MUCH OF WHAT WE ARE SEEING TODAY IS THE RESULT OF THE MANY CHANGES AROUND THE WORLD WHICH HAVE BROUGHT UNREST, ARMED CONFLICT, AND POLITICAL INSTABILITY. IN THIS CLIMATE, THERE IS A GREAT POTENTIAL FOR OUR NATION AND ITS CITIZENS TO BE ATTACKED BY VIOLENT ACTS OF TERRORISM.

ASSESSMENT OF THE THREAT

MR. CHAIRMAN, YOU HAVE EXPRESSED A KEEN INTEREST IN THE FBI'S CURRENT ASSESSMENT OF THE TERRORIST THREAT. THE WORLD TRADE CENTER BOMBING DID NOT UNLEASH ADDITIONAL ACTS OF TERRORISM IN THE UNITED STATES. BUT IT SERVES AS A CONSTANT REMINDER THAT THE UNITED STATES IS NOT IMPERVIOUS TO TERRORISM WITHIN OUR BORDERS.

THE POTENTIAL TERRORIST THREAT TO U.S. NATIONAL SECURITY DEPENDS ON A NUMBER OF FACTORS. THEY INCLUDE DEVELOPMENTS IN FOREIGN POLICY BY OTHER NATIONS AROUND THE WORLD, AN INCREASE IN STATE SUPPORT OF TERRORISM, AND CHANGES OCCURRING IN THE WORLD ORDER. WORLD EVENTS CAN HAVE A SIGNIFICANT IMPACT ON THE TERRORIST THREAT INSIDE THE UNITED STATES. INDIVIDUALS ASSOCIATED WITH EXTREMIST CAUSES AND EXTREMIST BELIEFS MAY DECIDE TO ENGAGE IN TERRORIST ACTIVITIES. IN RECENT YEARS, WE HAVE NOT WITNESSED SIGNIFICANT STATE-SPONSORED TERRORIST ACTIVITY IN THIS COUNTRY. BUT THIS COULD CHANGE IF COUNTRIES WHICH SPONSOR TERRORISM DECIDE TO INCLUDE TERRORISM WITHIN U.S. BORDERS ON THEIR AGENDAS.

THE MOST PROMINENT INTERNATIONAL TERRORIST THREAT HAS BEEN THE EMERGENCE OF INTERNATIONAL EXTREMIST GROUPS THAT USE CRIME AND VIOLENCE TO FURTHER THEIR POLITICAL, SOCIAL, AND ECONOMIC OBJECTIVES.

THE FBI BELIEVES THAT THIS TYPE OF INTERNATIONAL TERRORISM POSES A SIGNIFICANT THREAT TO U.S. NATIONAL SECURITY AND THE SECURITY OF THE AMERICAN PEOPLE.

THESE GROUPS OPERATE IN A DECENTRALIZED FASHION, UNLIKE MANY STATE-SPONSORED GROUPS, WHICH TEND TO BE MORE STRUCTURED. THE MEMBERS MOVE BETWEEN DIFFERENT GROUPS, FACTIONS, LEADERS, AND OBJECTIVES BASED ON EVOLVING INTERNATIONAL OR LOCAL CONDITIONS. AMERICANS IN ANY COUNTRY ARE VULNERABLE.

ONGOING TRADITIONAL THREATS AND OUR CONTINGENCY PLANNING AGAINST ANY ACTS OF NUCLEAR, CHEMICAL, OR BIOLOGICAL TERRORISM PROMISE A FULL WORKLOAD FOR THE FBI FOR THE FORESEEABLE FUTURE.

AS YOU MAY KNOW, THE FIRST FBI ARREST FOR VIOLATION OF THE BIOLOGICAL WEAPONS ANTI-TERRORISM ACT OF 1989 OCCURRED IN MINNEAPOLIS ON AUGUST 4, 1994. TWO MEN ASSOCIATED WITH A DOMESTIC TERRORIST GROUP CALLED THE PATRIOTS COUNCIL HAD MANUFACTURED RICIN, A HIGHLY-TOXIC SUBSTANCE, WHICH THEY WERE PLANNING TO USE AGAINST LAW ENFORCEMENT PERSONNEL. THE TWO MEN WERE CONVICTED ON FEBRUARY 28. RICIN IS A HIGHLY EFFECTIVE NEUROTOXIN SYNTHESIZED FROM CASTOR BEANS. SOPHISTICATED TECHNOLOGY IS NOT REQUIRED. NEITHER WAS IT REQUIRED FOR THE SARIN USED IN JAPAN, NOR FOR THE UREA NITRATE USED IN THE WORLD

TRADE CENTER. MANY OF THESE DEADLY COMPONENTS ARE COMMERCIALY AVAILABLE.

INVESTIGATIVE TOOLS -- MORE ARE NEEDED

DESPITE THREATS AND DEEDS, THE UNITED STATES HAS BEEN EFFECTIVE IN MAKING THIS COUNTRY A HOSTILE ENVIRONMENT FOR TERRORISTS. THE U.S. CONGRESS HAS PLAYED A VITAL ROLE IN COUNTERING TERRORISM BY PROVIDING THE FBI WITH LEGAL TOOLS WE UTILIZE IN FULFILLING OUR COUNTERTERRORISM RESPONSIBILITIES. IN 1968, CONGRESS PASSED LEGISLATION GIVING LAW ENFORCEMENT THE COURT-AUTHORIZED WIRETAP. IT HAS BECOME A TECHNIQUE CRUCIAL TO THE FIGHT NOT ONLY AGAINST TERRORISM, BUT ALSO AGAINST DRUGS, KIDNAPPING AND SOPHISTICATED WHITE COLLAR CRIME.

LAST YEAR, AFTER CAREFUL DELIBERATION, CONGRESS PASSED LEGISLATION TO ENSURE CONTINUING ACCESS TO CRIMINAL CONVERSATIONS IN THE FACE OF THE INCREDIBLE ADVANCE OF TELECOMMUNICATIONS TECHNOLOGY KNOWN AS DIGITAL TELEPHONY. HAD CONGRESS NOT DONE SO, WE WOULD HAVE LOST THE ABILITY TO ACCESS CRIMINAL CONVERSATIONS PURSUANT TO COURT ORDER. ALL THAT REMAINS ON THE ACCESS ISSUE IS FUNDING CONSISTENT WITH THE AUTHORIZATION TO ENSURE CARRIER COMPLIANCE. I HAVE BEEN ADVISED THAT THE ADMINISTRATION WILL SOON BE SENDING LEGISLATION TO ADDRESS THIS FUNDING ISSUE. OF COURSE, THIS FUNDING IS CRITICAL TO THE IMPLEMENTATION OF THE LEGISLATION. WE'RE CONFIDENT IT WILL HAPPEN. TOO MANY PEOPLE WORKED TOO HARD -- INCLUDING THOUSANDS OF STATE AND LOCAL POLICE

CHIEFS, WHO DO THE MAJORITY OF COURT-AUTHORIZED WIRETAPS IN THE UNITED STATES.

HOWEVER, AN EVEN MORE DIFFICULT PROBLEM WITH COURT-AUTHORIZED WIRETAPS LOOMS: POWERFUL ENCRYPTION THAT IS BECOMING MORE COMMONPLACE. DRUG CARTELS ARE ALREADY BUYING SOPHISTICATED COMMUNICATIONS EQUIPMENT. UNLESS THE ISSUE OF ENCRYPTION IS RESOLVED SOON, CRIMINAL CONVERSATIONS OVER THE TELEPHONE AND OTHER COMMUNICATIONS DEVICES WILL BECOME INDECIPHERABLE BY LAW ENFORCEMENT.

AS MUCH AS ANY ISSUE, THIS JEOPARDIZES THE PUBLIC SAFETY AND NATIONAL SECURITY OF THIS COUNTRY. TERRORISTS, DRUG CARTELS, AND KIDNAPPERS WILL USE TELEPHONES AND OTHER COMMUNICATIONS MEDIA WITH IMPUNITY KNOWING THAT THEIR CONVERSATIONS ARE IMMUNE FROM OUR MOST VALUED INVESTIGATIVE TECHNIQUE.

THIS IS AN EXTREMELY DIFFICULT ISSUE. WE ARE WORKING HARD TO ADDRESS ADEQUATELY THE IMPORTANT LAW ENFORCEMENT, NATIONAL SECURITY, COMMERCIAL, AND PRIVACY CONCERNS ASSOCIATED WITH THIS MATTER. AS WE PROCEED WITH SOLVING THIS ISSUE, WE WILL BE CONSULTING CLOSELY WITH CONGRESS.

TO LOOK AGAIN AT PAST ACTIONS, CONGRESS ENACTED THE COMPREHENSIVE CRIME CONTROL ACT OF 1984 AND THE OMNIBUS DIPLOMATIC SECURITY AND ANTI-TERRORISM ACT PASSED IN 1986. THEY RESULTED IN SIGNIFICANT EXPANSION OF FBI JURISDICTION BY ENABLING THE FBI TO INVESTIGATE CERTAIN TERRORIST ACTS ABROAD. THIS HAS

RESULTED IN THE FBI INVESTIGATING 205 TERRORIST INCIDENTS CONDUCTED AGAINST U.S. TARGETS OVERSEAS THUS FAR.

WHILE THESE LAWS ALLOW THE UNITED STATES TO ASSERT JURISDICTION OUTSIDE OF OUR BORDERS, I STRONGLY EMPHASIZE THAT HOST COUNTRY APPROVAL AND COORDINATION WITH THE U.S. DEPARTMENT OF STATE ARE PREREQUISITES AND ESSENTIAL TO THE SUCCESSFUL APPLICATION OF THIS JURISDICTION. I WANT TO UNDERScore THAT THE FBI'S SPECIAL AGENTS, WHO WORK AS LEGAL ATTACHES OVERSEAS, ARE OVERT, DECLARED OFFICERS, AND THAT THEIR ACTIVITIES ARE SUPPORTED 100 PERCENT AND WITH THE KNOWLEDGE OF THE AMBASSADOR AND THE HOST COUNTRY. THESE STATUTES HAVE PROVIDED THE FBI WITH A LEGAL MECHANISM TO INVESTIGATE AND, WHEN WARRANTED, SEEK THE PROSECUTION OF TERRORISTS WHO ATTACK AMERICANS AND U.S. INTERESTS ABROAD. THUS FAR, OUR EXTRATERRITORIAL INVESTIGATIONS HAVE HAD CONSIDERABLE SUCCESS. WE HAVE OBTAINED INDICTMENTS AGAINST INDIVIDUALS WHO HAVE COMMITTED TERRORIST ACTS, SUCH AS THE TWO LIBYAN NATIONALS I MENTIONED EARLIER. SEVERAL OTHER TERRORISTS HAVE BEEN ARRESTED AND TRIED ABROAD.

THIS IS WHY THE FBI IS IN KARACHI, AND THAT IS WHY WE ARE OFFERING SUPPORT, AS NEEDED, TO THE ROMANIAN AUTHORITIES IN THEIR INVESTIGATION OF THE CRASH OF A ROMANIAN AIRLINER ON MARCH 31, 1995, WHICH KILLED 59 PASSENGERS AND CREW, INCLUDING THREE AMERICANS.

THE SMALL FBI PRESENCE OVERSEAS REPRESENTS A CRITICAL FIRST LINE OF DEFENSE. CURRENTLY, THE FBI HAS 23 LEGAL ATTACHES OVERSEAS -- FBI AGENTS WORKING HAND-IN-HAND WITH LAW ENFORCEMENT

OFFICIALS FROM THE HOST NATIONS TO ADDRESS THE GROWING, JOINT PROBLEMS OF TERRORISM AND OTHER INTERNATIONAL CRIMES. BECAUSE TERRORISM TAKES MANY FORMS -- BOMBINGS, THE THEFT OF NUCLEAR MATERIAL, MURDERS OF AMERICANS ABROAD, AND, AS WE SAW TWO WEEKS AGO, A CHEMICAL ATTACK IN JAPAN -- THE FBI NEEDS MORE LEGAL ATTACHES IN OTHER NATIONS.

THE URANIUM-235 AND THE PLUTONIUM SEIZURES BY THE GERMAN BKA, THE UKRAINIANS, AND THE CZECH POLICE WERE ALL DONE BY POLICE, NOT INTELLIGENCE AGENCIES. THAT'S WHY THE FBI NEEDS TO BE THERE WORKING WITH THEM.

IT TOOK NEARLY 36 HOURS BEFORE FBI AGENTS REACHED THE CRIME SCENE IN KARACHI, PAKISTAN, LAST MONTH: THAT IS SIMPLY UNACCEPTABLE. THE OVERSEAS AGENTS ARE SO IMPORTANT THAT WE HAVE DEVELOPED PLANS TO STATION THEM IN MANY MORE COUNTRIES WORLDWIDE -- AND WE HAVE FOUND THESE COUNTRIES EAGER TO JOIN IN THE COMMON BATTLE AGAINST TERRORISM.

THE FBI'S MISSION TO PREVENT AND INVESTIGATE ACTS OF TERRORISM IS IMPEDED BY TWO SIGNIFICANT OBSTACLES: 1) THERE IS NO FEDERAL LAW AGAINST ACTS OF TERRORISM COMMITTED IN THE UNITED STATES; AND 2) CURRENT IMMIGRATION LAWS AND PROCEDURES ARE NOT EFFECTIVE IN ADDRESSING ALIEN TERRORISTS WHEN THEY ARE DISCOVERED.

SO, WE NEED MORE WEAPONS TO ASSIST U.S. LAW ENFORCEMENT IN THE FIGHT AGAINST TERRORISM. WE NEED TO IMPROVE CURRENT IMMIGRATION LAW, TO STOP TERRORISTS FROM ENTERING THE COUNTRY.

ATTORNEY GENERAL RENO HAS PROVIDED STRONG LEADERSHIP IN THIS AREA.

THE UNITED STATES IS A GENEROUS PLACE WHERE FUND-RAISING FOR HUMANITARIAN PURPOSES IS ALWAYS WELCOME. IT ALSO CAN BE A SIGNIFICANT SOURCE OF CASH FOR FUNDING THE VIOLENCE OF TERRORISM. WHEN IT IS THE LATTER, WE NEED TO PROHIBIT TERRORIST FUND-RAISING -- THE LIFE-BLOOD OF A TERRORIST ORGANIZATION.

WE NEED TO FULLY IMPLEMENT REGULATIONS WHICH MANDATE THE ADDITION OF DETECTION AGENTS INTO ALL PLASTIC EXPLOSIVES EITHER MANUFACTURED IN OR IMPORTED INTO THE UNITED STATES. THIS WILL ALLOW US TO MORE QUICKLY IDENTIFY EXPLOSIVES AND THE TERRORISTS WHO USE THEM.

MORE NEEDS TO BE DONE: FOR EXAMPLE, ON APRIL 24, THE ATTORNEY GENERAL WILL OPEN THE INTERNATIONAL LAW ENFORCEMENT ACADEMY IN BUDAPEST. SPEARHEADED BY THE FBI AND WITH THE FULL SUPPORT AND HELP OF HUNGARY AND MANY OTHER COUNTRIES, POLICE OFFICERS FROM ALL OVER EASTERN AND CENTRAL EUROPE WILL BE TRAINED OVERTLY IN EFFECTIVE POLICE METHODS UNDER THE RULE OF LAW. IT WILL HELP THEM -- AND IT WILL HELP THE UNITED STATES, TOO. IF WE ARE TO BE EFFECTIVE IN FIGHTING INTERNATIONAL CRIME, CRIMES LIKE DRUG TRAFFICKING AND TERRORISM, WE MUST HAVE A WORLD-WIDE PRESENCE TO PUSH THE PERIMETER OF DEFENSE AND PREVENTION AS FAR BACK FROM THE UNITED STATES AS POSSIBLE. WE MUST HAVE WORLD-WIDE COOPERATION WITH OTHER COUNTRIES -- COP-TO-COP BRIDGES. IN BUDAPEST, WE'LL BE WORKING CLOSELY WITH THE DEPARTMENT OF STATE,

THE DEPARTMENT OF TREASURY, THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, AND THE GOVERNMENTS OF MANY OTHER COUNTRIES.

WE NEED TO COMBAT MORE FORCEFULLY THE THREAT OF NUCLEAR CONTAMINATION AND PROLIFERATION WHICH MAY RESULT FROM ILLEGAL POSSESSION AND USE OF RADIOACTIVE MATERIALS. LAW ENFORCEMENT AROUND THE WORLD HAS BEEN CONFRONTED WITH LITERALLY DOZENS OF INSTANCES OF ILLEGAL TRAFFICKING OF NUCLEAR MATERIAL. SOME OF IT HAS BEEN WEAPONS GRADE. THE POTENTIAL HARM IS INCALCULABLE. IN DECEMBER, 1994, ALONE, THERE WERE TWO SUBSTANTIAL SEIZURES OF NUCLEAR MATERIAL. ON THE FOURTEENTH OF DECEMBER, CZECH AUTHORITIES SEIZED 2.72 KILOGRAMS OF HIGHLY-ENRICHED URANIUM-235. THEY ARRESTED THREE INDIVIDUALS, INCLUDING A NUCLEAR ENGINEER WHO HAD BEEN TRAINED IN THE FORMER SOVIET UNION. THE VERY NEXT DAY, LITHUANIAN AUTHORITIES MADE TWO ARRESTS AND CONFISCATED EIGHT KILOGRAMS OF URANIUM, WHICH HAD BEEN STOLEN FROM A NUCLEAR PLANT.

AS I STRESSED EARLIER, WE NEED MANY NEW TOOLS THAT WILL ASSIST THE FBI AND OTHER LAW ENFORCEMENT AGENCIES IN OUR COOPERATIVE MISSION OF PREVENTING ACTS OF TERRORISM BEFORE THEY OCCUR AND BRINGING THE PERPETRATORS OF TERRORIST VIOLENCE TO THE BAR OF JUSTICE.

DISTURBINGLY, THE CURRENT SCOPE OF FEDERAL CRIMINAL LAW DOES NOT REACH SOME VERY POSSIBLE AND TRULY FRIGHTENING ACTIVITY WHICH COULD BE THE BASIS OF A TERRORIST ORGANIZATION'S CAMPAIGN TO AFFECT THE OPERATION OF THE GOVERNMENT OF THE UNITED STATES AND THE SAFETY AND CONFIDENCE OF THE AMERICAN PUBLIC.

FOR EXAMPLE, IF, ACTING WITHIN A SINGLE STATE, A TERRORIST ORGANIZATION ENTERED INTO A CAMPAIGN OF ASSASSINATION, KILLING NON-FEDERAL OFFICIALS, LEADERS OF PRIVATE INTEREST GROUPS AND MEMBERS OF THE GENERAL PUBLIC, THIS ACTIVITY COULD EASILY FALL ENTIRELY OUTSIDE OF FEDERAL CRIMINAL JURISDICTION.

SIMILARLY, IF A TERRORIST ORGANIZATION PUT UP POSTERS THREATENING TO KILL OR INJURE NON-FEDERAL OFFICIALS, LEADERS OF PRIVATE INTEREST GROUPS AND/OR MEMBERS OF THE GENERAL PUBLIC, THE FBI WOULD BE HARD PRESSED TO ARTICULATE A LEGAL BASIS FOR ITS INVESTIGATION OF THIS ACTIVITY.

PERHAPS MOST FRIGHTENINGLY, IF A TERRORIST ORGANIZATION ACTING WITHIN A SINGLE STATE CONSTRUCTED BOMBS OR INCENDIARY DEVICES WITH INGREDIENTS THAT HAVE NOT CROSSED STATE LINES AND PROCEEDED TO BOMB OR BURN NON-GOVERNMENT OWNED ABANDONED BUILDINGS, OR MANY PRIVATE RESIDENCES, THE FBI COULD NOT INVESTIGATE.

THESE EXAMPLES ARE MERELY ILLUSTRATIVE OF THE SERIOUS GAPS IN THE FEDERAL CRIMINAL LAWS WHICH CAN BE USED TO COMBAT TERRORISM. THE FBI NEEDS MORE TOOLS TO MEET THE CHALLENGES OF TERRORISM.

LET ME GIVE YOU SPECIFIC CASE EXAMPLES OF ONE OF OUR CONCERNS. IT INVOLVES ALIEN ABUSE OF OUR IMMIGRATION SYSTEM.

THIS EXAMPLE IS WHAT I'LL CALL THE "Y" CASE:

IN NOVEMBER OF 1989, Y AND HIS WIFE RECEIVED A U.S. ENTRY VISA (J-1 AND J-2, EXCHANGE VISITOR AND SPOUSE) TO PURSUE

EDUCATION IN THE UNITED STATES. Y BEGAN ATTENDING CLASSES AT A MAJOR UNIVERSITY AND CONTINUES TO DO SO TO THE PRESENT DATE.

INVESTIGATION INDICATES THAT DURING THE ENTIRE TIME THAT Y HAS RESIDED IN THE U.S., Y HAS BEEN AN ACTIVE MEMBER OF AN INTERNATIONALLY KNOWN TERRORIST ORGANIZATION. Y HAS BEEN INVOLVED IN THE ORGANIZATION AS A LEADER IN FINANCIAL TRANSACTIONS, COMMUNICATIONS AMONG OTHER MAJOR LEADERS, AND IN ADMINISTRATION OF THE GROUP. Y PLAYED A MAJOR ROLE IN THE ORGANIZATION.

BECAUSE Y HAS NOT VIOLATED ANY OF THE REQUIREMENTS OF HIS VISA STATUS, Y CANNOT BE DEPORTED BY NORMAL PROCEDURES. THE FBI CANNOT PROVIDE ANY OF THE CLASSIFIED INFORMATION OBTAINED IN ITS INVESTIGATION OF Y TO SUPPORT DEPORTATION BECAUSE THERE IS NO CAPACITY TO CONTROL ITS DISCLOSURE TO EITHER Y OR THE PUBLIC AT LARGE, THEREBY CAUSING IRREPARABLE HARM TO THE NATIONAL SECURITY.

THIS IMMIGRATION PROBLEM DIRECTLY TIES INTO THE WORLD TRADE CENTER BOMBING.

AS YOU CAN SEE FROM THE EXAMPLE, THE PROBLEM IS REAL AND CANNOT BE IGNORED. OVER THE YEARS, WE HAVE ADAPTED TO VARIOUS FORMS OF TERRORISM AND DEALT WITH THEM IN AN INFORMED AND CONFIDENT MANNER. CONTINUED SUCCESS WILL BE ACCOMPLISHED THROUGH COOPERATIVE EFFORTS WITH OUR COUNTERPARTS IN THE U.S. INTELLIGENCE AND LAW ENFORCEMENT COMMUNITIES AND FRIENDLY FOREIGN SERVICES. FINALLY, AND PERHAPS MOST IMPORTANTLY, AS ALWAYS, THE FBI RELIES HEAVILY ON THE COOPERATION AND SUPPORT OF THE AMERICAN PUBLIC TO FULFILL OUR MISSION.

CONCLUSION

IN CONCLUSION, LET ME EMPHASIZE THAT THE TERRORIST THREAT IS EVER-PRESENT AND CONSTANTLY EVOLVING. ITS CURRENT EVOLUTION IN THE UNITED STATES REPRESENTS THE MOST SERIOUS THREAT FROM INTERNATIONAL TERRORISM WE HAVE EVER FACED. IN SOME WAYS, IT PRESENTS A FAR MORE DANGEROUS CHALLENGE THAN THE COLD WAR ERA.

THE GOAL OF THE FBI IS TO COUNTER THIS THREAT WITH THE LIMITED RESOURCES WE HAVE AVAILABLE. THE UNITED STATES WON THE COLD WAR AGAINST A FORMIDABLE ADVERSARY. WE ALSO CAN WIN OUR MANY BATTLES WITH TERRORISTS. WE NEED DEEP RESOLVE.

THROUGH CONTINUING EFFORTS PLACED ON DEVELOPING EFFECTIVE INTELLIGENCE AND PLAIN HARD WORK, WE WILL STRIVE TO CONTINUE TO DETECT AND PREVENT TERRORIST ACTS FROM OCCURRING WITHIN THE UNITED STATES. WE CANNOT ACCOMPLISH THIS ALONE. IT IS THROUGH THE CONTINUED COOPERATION OF U.S. GOVERNMENT AGENCIES, LOCAL AND STATE AUTHORITIES, AND OF COURSE, THE AMERICAN PUBLIC, THAT WE CAN BE PREPARED TO MEET AGGRESSIVE ACTIVITY ON THE PART OF TERRORISTS AND STOP IT BEFORE IT HAPPENS. WE ARE FACED WITH CHALLENGES TO THE SECURITY OF OUR NATION BUT I AM CONFIDENT THAT THE FBI AND THE U.S. LAW ENFORCEMENT COMMUNITY CAN MEET THIS CHALLENGE -- IF WE HAVE THE FULL SUPPORT OF THE CONGRESS.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. list	Department of Justice Oklahoma City Response Request (1 page)	00/00/0000	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
rc2347

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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**TCJS MAJOR AGENCIES
OKLAHOMA CITY RESPONSE REQUEST
\$ IN MILLIONS**

	<u>1995</u>		<u>1996</u>		<u>Comments</u>
	<u>\$</u>	<u>FTE</u>	<u>\$</u>	<u>FTE</u>	
General Services Administration					
Oklahoma City Building Replacement	0	--	28	--	
Demolition of existing Oklahoma Building	5	--	0	--	
Temporary Housing	2	--	4	--	
Repair of Court House and Post Office	1	--	5	--	
Federal Protection Officers (Overtime)	24	--	12	--	
Other Misc.	3	--	0	--	
Total, General Services	35	--	49	--	
Department of Transportation					
FAA equipment to detect bombs on Airplanes	10	--	0	0	
Total, Department of Transportation	10	--	0	--	

25-Apr-95

**PRELIMINARY SUMMARY OF REQUESTS ASSOCIATED
WITH OKLAHOMA CITY RESPONSE**

Ult. at lpr

(BA in \$ MILLIONS)

<u>AGENCY</u>	<u>FY 1995</u>	<u>FY 1996</u>	<u>Comments</u>
DEPARTMENT OF JUSTICE			
Federal Bureau of Investigation	\$398.00	\$611.00	FTE: FY95--558; FY96--1109
Other (e.g., Marshals, DEA, US Attys)	\$117.00	\$98.00	FTE: FY95--116 ; FY96--321
Sub-total	\$515.00	\$709.00	
DEPARTMENT OF THE TREASURY			
Bureau of Alcohol, Tobacco, Firearms	\$4.90	n/a	Estimates for Oklahoma related costs only
Customs	\$1.20	n/a	See Memorandum for Estimates for General
Secret Service	\$1.20	n/a	Terrorism
Subtotal	\$7.30	\$0.00	
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Long-term benefits	\$54.00	n/a	Represents personnel costs over 40 yr period
One-time costs	\$3.00	n/a	Includes building; immediate personnel items
Sub-total	\$57.00	\$0.00	<i>should be able to get from reprogramming</i>
GENERAL SERVICES ADMINISTRATION	\$35.00	\$49.00	Replace building; more security; temp housing
DEPARTMENT OF TRANSPORTATION	\$10.00	\$0.00	Only FAA equipment to detect bombs on planes
OFFICE OF PERSONNEL MANAGEMENT	\$19.30	?????	Preliminary; excludes medical expenses under workman's comp; injury, death related costs
FEDERAL EMERGENCY MANAGEMENT AGENCY			
AGENCY	n/a	n/a	FEMA doesn't need supp, assuming HR 1158
TOTAL	\$643.60	\$758.00	

MEMORANDUM: TREASURY DEPT GENERAL TERRORISM REQUEST

<u>Agency</u>	<u>BA</u>	<u>FTE</u>	
Bureau of Alcohol, Tobacco & Firearms	\$104.50	850	Additional costs for general terrorism activities
Customs	\$102.00	75	Will require substantial increase in FTEs
Secret Service	\$69.00	62	Costs could be split between FY95 supp and
Federal Law Enforcement Training Center	\$5.00	10	FY96 amendment
Treasury Enforcement	\$2.50	18	
Subtotal	\$283.00	1,015	

150.00

-
- ① What to do and how much?
 - ② Other provisions
 - ③

Make Rec. to President on what to do tomorrow.

WHAT THE PRESIDENT IS ANNOUNCING TODAY:

1. THE PRESIDENT URGES CONGRESS TO IMMEDIATELY PASS HIS OMNIBUS ANTITERRORIST ACT OF 1995 TO PROVIDE THE FEDERAL GOVERNMENT ADDITIONAL AUTHORITY TO PREVENT AND FIGHT TERRORISM;
2. THE PRESIDENT WILL SEEK LEGISLATION TO TAKE ALL STEPS NECESSARY TO PREVENT TERRORISM AND INFILTRATE AND CRACK TERRORIST NETWORKS, BOTH FOREIGN AND DOMESTIC, INCLUDING:
 - A. FULL FUNDING FOR DIGITAL TELEPHONY LEGISLATION AND RESEARCH TO ENHANCE OUR ABILITY TO USE COURT-AUTHORIZED ELECTRONIC SURVEILLANCE OF TERRORIST AND OTHER CRIMINAL ACTIVITIES;
 - B. CREATION OF A SPECIAL FBI COUNTERTERRORIST AND COUNTERINTELLIGENCE FUND
 - C. CREATION OF INTERAGENCY DOMESTIC COUNTERTERRORISM CENTER HEADED BY THE FBI;
 - D. GIVING THE FBI AUTHORITY FOR INCREASED USE OF PEN REGISTERS, FOR ACCESS TO DISCLOSURES BY CONSUMER REPORTING AGENCIES, AND FOR ACCESS TO HOTEL, MOTEL, AND COMMON CARRIER RECORDS FOR COUNTERTERRORISM AND COUNTERINTELLIGENCE OPERATIONS.
3. THE PRESIDENT HAS DIRECTED THE ATTORNEY GENERAL TO CHAIR A CABINET COMMITTEE CHARGED WITH CONDUCTING A VULNERABILITY REVIEW OF FEDERAL FACILITIES AND REPORTING RECOMMENDATIONS WITHIN 60 DAYS. HE HAS FURTHER DIRECTED ALL CABINET MEMBERS AND AGENCY HEADS TO PERSONALLY REVIEW SECURITY OF ALL FEDERAL FACILITIES AND TAKE IMMEDIATE STEPS TO ENHANCE THEIR SECURITY PENDING COMPLETION OF THE ATTORNEY GENERAL'S REVIEW.
4. THE PRESIDENT HAS DIRECTED THE GENERAL SERVICES ADMINISTRATION TO REPLACE THE FEDERAL OFFICE BUILDING IN OKLAHOMA CITY AND HELP REPAIR OTHER FACILITIES AFFECTED BY THE BOMBING. HE WILL REQUEST THE NECESSARY SUPPLEMENTAL FUNDS TO IMPLEMENT THIS AND OTHER PRESIDENTIAL DIRECTIVES.
5. THE PRESIDENT HAS DIRECTED THE FBI DIRECTOR, THE ATTORNEY GENERAL AND THE NATIONAL SECURITY ADVISOR TO PREPARE A PRESIDENTIAL DECISION DIRECTIVE AUTHORIZING AND AND ALL FURTHER STEPS NECESSARY TO COMBAT FOREIGN AND DOMESTIC TERRORISM.

Hotel Motel
Civil Penalties
Pen Registers
o

CLINTON Country
Administration Terrorism Package

I. Actions Already Announced by the President

1) Pass the Omnibus Counter-terrorism Act of 1995

This bill would provide clear Federal criminal jurisdiction for any international terrorist attack that might occur in the United States; provide Federal criminal jurisdiction over terrorists who use the United States as the place from which to plan terrorist attacks overseas; provide a workable mechanism, utilizing United States District Judges appointed by the Chief Justice, to deport expeditiously alien terrorists without risking the disclosure of national security information or techniques; provide a new mechanism for preventing fund-raising in the United States that supports international terrorist activities overseas; and would implement an international treaty requiring the insertion of a chemical agent into plastic explosives when manufactured to make them detectable.

2) Enact additional statutory reforms to provide more tools to federal law enforcement agencies investigating terrorism cases

- o Amend the Fair Credit Reporting Act to ease access to financial and credit reports in anti-terrorism cases. This legislation provides for disclosures by consumer reporting agencies to the FBI for counterintelligence and counterterrorism purposes. The FBI has no mechanism for obtaining credit reports for lead purposes in counterterrorism cases. These reports are available to used car dealers and other merchants. The FBI currently has authority under the Right to Financial Privacy Act of 1978 to obtain similar records pursuant to a "National Security Letter" signed by a high-ranking FBI official. The same procedures and safeguards would apply to credit records under this proposal.

- o Amend Federal law to adopt, in national security cases the standard currently used in obtaining a "pen register" in a routine criminal case. This proposal would extend the relaxed standard for obtaining "pen registers" and "trap and trace" device orders which already exists in routine criminal cases, to national security cases. A "pen register" is a device which records the number dialed on a telephone. A "trap and trace" device is similar to "Caller ID," providing law enforcement with the telephone number from which a call originates. Neither "pen registers" nor "trap and trace" devices permit law enforcement to monitor the actual conversations being conducted. The current, higher-than-regular standard impedes the ability of the FBI to obtain surveillance coverage of terrorists and spies.
 (What does this not do? Doesn't change current provisions)
- o Pass legislation to require hotel/motel and common carriers to provide records necessary for fighting terrorism. This proposal would require hotel/motel and common carriers such as airlines and bus companies to provide records to the FBI pursuant to authorized national security requests just as they must do now for virtually all state and local law enforcement. The FBI now must rely on the voluntary assistance of motel, hotel and other innkeepers or common carriers regarding records of terrorists who may have stayed at the establishment or used the common carrier. The FBI has found that, while some of these entities voluntarily provide such information, an increasing number refuse, absent a court order, a subpoena, or other legal protection. In a counterterrorism case being conducted pursuant to the Attorney General's Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations, there is no legal mechanism, e.g., subpoena, available to obtain these records.
- o Fully fund the FBI's "digital telephony" initiative to assure court-authorized law enforcement access for electronic surveillance to digitized communications. This proposal would appropriate funds to implement recent amendments to statutes governing secure telephone data transmission (digital telephony). These amendments require telephone carriers to install and maintain sophisticated equipment which will permit law enforcement to continue to conduct legal electronic surveillance.

- o Create and allocate funds for a special FBI counterterrorist and counterintelligence fund. This proposal will fund costs associated cases which arise in connection with terrorism crises, including logistics and other support.
- o Create an interagency Domestic Counterterrorism Center headed by the FBI. This proposal will establish a partnership effort between the Justice Department, including the FBI, and other federal and state law enforcement authorities to coordinate counterterrorism efforts within the United States.

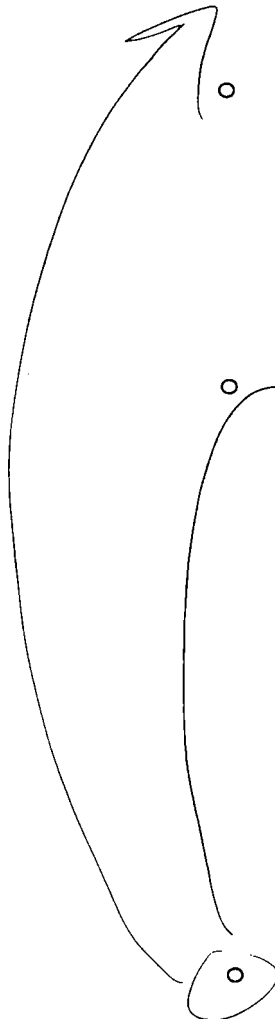
II. New Legislative Proposals

PROPOSED LAW ENF. ENHANCEMENTS

A. INVESTIGATIONS OF ROLS

- o Amend the Electronic Communications Privacy Act of 1986 to constitutionally enhance use of electronic surveillance to fight terrorism. This proposal would: permit any federal felony to be used as a basis for an electronic surveillance order; ease restrictions on the use, in American court proceedings, of information from electronic surveillance conducted by foreign governments; forbid suppression of electronic surveillance evidence unless law enforcement acted in bad faith in obtaining the evidence; authorize emergency electronic surveillance in situations involving threats by domestic terrorist organizations; authorize roving wiretaps where it is not practical to specify the number of the phone to be tapped, such as where a target uses multiple pay phones; allow the FBI to obtain records of local telephone calls, without the need for a court order, as they can now obtain records of long-distance calls; and require telephone companies and/or service providers to preserve evidence until a court order could be obtained.
- o Amend the Posse Comitatus Act to permit military participation in crime-fighting in limited, specialized circumstances. This proposal would amend Federal laws, which severely limit the role of the military in domestic law enforcement, to permit military participation in criminal cases involving chemical, biological and other weapons of mass destruction; areas in which the military has specialized expertise.

Against weapons of mass destruction

- 
- Pass legislation to require, within 1 year, the inclusion of taggants in standard explosive device raw materials which will permit tracing of the materials post-explosion. This proposal would require the inclusion of microscopic particles in certain raw materials, thereby permitting law enforcement to trace the source of explosives even after a device has been detonated.
 - Pass legislation to require individuals convicted of a violent federal felony to submit a blood sample to a federal DNA data bank. This proposal would mandate contributions to a federal DNA data bank by convicted federal felons, just as those felons are required to submit fingerprints to fingerprint data banks. Almost half of the states currently have such laws. There is no federal mechanism for collecting and sharing this critical information concerning federal felons among the states. The existence of this data bank would enable the FBI to link evidence relating to a terrorism incident to a particular individual, e.g. if a sealed envelope is connected to an act of terrorism, DNA from the saliva on the flap may be able to be associated with someone with DNA data in the data bank.
 - Require the BATF to study and report on: 1) whether common chemicals used to manufacture explosives can be rendered inert for use in explosives, and 2) whether controls can be imposed on certain precursor chemicals used to manufacture explosives

B. ^{ORIGINAL} ~~PROSECUTION~~ ^{FBI'S}

- Amend Federal law to criminalize the use of all chemical weapons to include all forms of chemical weapons. This bill would amend federal law to include chemical weapons in non-gaseous form. Under existing law, chemical weapons in gaseous form are covered, but those which are in liquid or solid form are not. Thus, for example, an individual who introduces dioxin in solid form into the water supply of a city would not be chargeable under the law.
- Make it illegal to possess explosives knowing that they are stolen. This proposal would conform explosives laws to existing firearms statutes, making it a crime to for an individual to possess explosives which the individual knows are stolen.

- explain
NRA.
- Extend the statute of limitations on the National Firearms Act to five (5) years.
 - Amend the Arms Export Control Act to include an "attempt" violation. This proposal would criminalize attempts to unlawfully export arms. Current law only criminalizes actual exportations.
 - Amend the International Emergency Economic Powers Act to include an "attempt" violation.
 - Provide the Secretary of Treasury authority to direct the use of Treasury Department aircraft to support emergency law enforcement situations. This proposal would authorize the Secretary of Treasury to authorize the use of Treasury Department aircraft in support of emergency law enforcement crises.
 - Amend reward authority statutes to reduce restrictions on making rewards. This proposal would provide the Attorney General authority to pay a reward which is not subject to the spending limitations contained in 18 U.S.C. §§ 3059 and 3072, provided that any reward of \$100,000 or more may not be made without the approval of the President or the Attorney General, and such approval may not be delegated.
 - Amend Misprision of Felony statute to hold criminally liable individuals who have reason to believe a crime will be committed and do not report that information. This proposal would amend existing criminal law which already penalizes those who have knowledge that a crime has been committed and fail to report it, to penalize those who have reason to believe that a crime will be committed and fail to report that information.

C. **PENALTIES**

- Increase the penalty for anyone convicted of transferring a firearm or explosive knowing that it will be used to commit a crime of violence or drug trafficking crime. This proposal will increase the penalties for those who commit unlawful firearms and/or explosives transfers knowing that those firearms and/or explosives will be used to commit crimes of violence and/or drug trafficking crimes.

- o Amend 18 U.S.C. §111 to provide enhanced penalties for all current and former Federal Employees against terrorist attacks. The existing statute only protects enumerated categories of current Federal employees. The proposed statute would provide enhanced penalties for crimes against all current and former Federal employees, and their immediate families, when the crime is committed because of the official duties of the federal employee.

FUNDING

Resources or incorporate into other sections

- o (Justice items to be added)
- o (Treasury items to be added)
- o (Other)

III. Actions Which Do Not Require Congressional Action

- o Vigorously prosecute those involved in the Oklahoma City bombing
- o Maximize federal emergency assistance to Oklahoma City to recover from the disaster and restore facilities
- o Conduct terrorism threat assessment of every federal facility in the country within the next 60 days
- o Clarify the Attorney General's "Domestic Surveillance Guidelines" for the FBI in order to maximize counter-terrorism activity while protecting constitutional rights

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. list	Department of Justice Terrorism Supplemental (3 pages)	00/00/0000	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
rc2347

RESTRICTION CODES

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- P1 National Security Classified Information [(a)(1) of the PRA]
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RR. Document will be reviewed upon request.

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FACSIMILE COVER SHEET

DEPARTMENT OF THE TREASURY

OFFICE OF THE UNDER SECRETARY-ENFORCEMENT

OFFICE OF POLICY DEVELOPMENT

FAX NUMBER: 622-7493

TO: Jose

PHONE: _____ FAX: 456-7028

FROM: Rebecca

TELEPHONE: _____

NUMBER OF PAGES 1

MESSAGE/COMMENTS:

Our #5 revision - we cut back
our annual cost for 96 by
about \$50 M.

Please share w/ Bruce.

Thanks.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. fax	Treasury Enforcement Reduced Terrorism Request (1 page)	04/26/1995	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

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26-Apr-95
OKLAHOMA CITY RESPONSE SPENDING REQUEST
 (BA in \$ millions)

<u>Categories</u>	<u>Agency</u>	<u>FY 1995</u>	<u>FY 1996</u>
Oklahoma Immediate			
DOJ/FBI			
	Office Costs (DEA and Marshalls)	\$1	
	Reward	\$5	
	Command Center	\$22 (10)	\$1
Treasury			
	ATF (OT, travel, etc..)	5	
	Other (Customs, USSS, IRS)	3	
HUD			
GSA			
	Repairs to nearby facilities	\$2	
	Demolition/Temp Housing	\$3	
	Enhanced Security	\$4	
	Building Replacement	\$11	\$32
TOTAL	----->	34	33
Core Anti-Terrorism			
DOJ			
	Investigation (personnel and support)		\$70
	Forensic Services (Treasury wants something)	\$12.00	\$9.00
	Critical Incident Response Group and Crisis Response		18
	NCIC Violent Gang/Terrorists	2	
	Legal Attache Expansion		14
Treasury			
	ATF		9
	FLETC (terrorism training)		\$1
	USSS (training/equip., security & investigation)		\$21
	DOT (bomb detection)		\$10 *
	GSA (enhanced security)		\$11 *
	Judiciary (enhanced security)	???	???
TOTAL	----->	14	163

26-Apr-95

OKLAHOMA CITY RESPONSE SPENDING REQUEST

(BA in \$ millions)

<u>Categories</u>	<u>Agency</u>	<u>FY 1995</u>	<u>FY 1996</u>
Other Related Requests			
DOJ			
New Lab		13	137
Wireless			11
Automation Support			7
Translators and Aviation Support			6
Treasury			
ATF (firearms tracing, misc.)			5
Customs			37
Other			1
TOTAL	----->	13	204

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. fax	Treasury Enforcement Reduced Terrorism Request (1 page)	04/26/1995	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
rc2347

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. fax	Department of Justice Terrorism Supplemental (5 pages)	04/26/1995	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
rc2347

RESTRICTION CODES

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TALKING POINTS
BIPARTISAN LEADERSHIP MEETING
April 26, 1995

I. Pool Spray:

[Tab A]

II. Report on Oklahoma City Visit:

For those of you who have not been there, let me tell you a little about what it's like, and some of what I've seen, heard, and felt over the last several years.

III. Update on Investigation:

I want to call on representatives of the agencies who are here to provide an update on the investigation and the situation in Oklahoma City:

- Attorney General Reno
- FEMA representative Bill Tidball

IV. Actions The President Has Already Called For:

[Tab B]

V. Announce Additional Steps We're Calling for Today:

[Tab C]

VI. Announce Joint Process on Domestic Security Guidelines:

[Tab D]

VII. Ask for Their Ideas, and for Putting Politics Aside:

I know that everyone here is determined to tackle this problem together. Many of you have been working on these issues for years, and I hope we can reach a quick consensus about the right combination of tough, reasonable measures to address this.

Let's do this without partisanship, and do it quickly: This is no time for politics. The country needs us to put aside our partisan differences, and come together quickly on a swift, certain, focused, non-political response to deal with this tragedy and prevent terrorist actions in the future.

We should move as quickly as we can while still respecting the important and weighty issues involved. We should work on this together, without blame or rancor. But above all, we should get this done.

Clinton Administration Counterterrorism Initiative

I. Actions Already Announced by the President

- 1) Pass the Omnibus Counter-terrorism Act of 1995
- 2) Provide more tools to federal law enforcement agencies fighting terrorism
 - o Amend the Fair Credit Reporting Act to ease access to financial and credit reports in anti-terrorism cases.
 - o Amend Federal law to adopt, in national security cases, the standard currently used in obtaining a "pen register" in a routine criminal case.
 - o Pass legislation to require hotel/motel and common carriers to provide records necessary for fighting terrorism.
 - o Fully fund the FBI's "digital telephony" initiative to assure court-authorized law enforcement access for electronic surveillance to digitized communications.
 - o Create and allocate funds for a special FBI counterterrorist and counterintelligence fund.
 - o Create an interagency Domestic Counterterrorism Center headed by the FBI.
- 3) Conduct terrorism threat assessment of every federal facility in the country within the next 60 days.
- 4) Direct GSA to replace the federal building in Oklahoma City.
- 5) Direct the FBI Director, the Attorney General, and the National Security Adviser to prepare a Presidential Decision Directive authorizing any and all further steps necessary to combat foreign and domestic terrorism.

II. New Legislative Proposals

1) INVESTIGATIONS

- o Hire approximately 1000 new agents, prosecutors, and other federal law enforcement and support personnel to investigate, deter, and prosecute terrorist activity.
- o Pass legislation to require, within 1 year, the inclusion of taggants in standard explosive device raw materials, which will permit tracing of the materials post-explosion.
- o Require the BATF to study and report on: 1) the tagging of explosive materials for purposes of identification and detection; 2) whether common chemicals used to manufacture explosives can be rendered inert for use in explosives, and 3) whether controls can be imposed on certain precursor chemicals used to manufacture explosives.
- o Amend the Posse Comitatus Act to permit military participation in crime-fighting involving weapons of mass destruction.
- o Amend the Electronic Communications Privacy Act of 1986 to constitutionally enhance use of electronic surveillance to fight terrorism.

2) PROSECUTION

- o Amend Federal law to criminalize the use of all chemical weapons to include all forms of chemical weapons.
- o Make it illegal to possess explosives knowing that they are stolen.
- o Extend the statute of limitations on the National Firearms Act to five (5) years.
- o Provide the Secretary of Treasury authority to direct the use of Treasury Department aircraft to support emergency law enforcement situations.
- o Amend reward authority statutes to reduce restrictions on making rewards.

3) PENALTIES

- o Increase the penalty for anyone convicted of transferring a firearm or explosive knowing that it will be used to commit a crime of violence or drug trafficking crime.
- o Amend 18 U.S.C. §111 to provide enhanced penalties for *all* current and former Federal Employees against terrorist attacks.

ATTORNEY GENERAL'S GUIDELINES ON DOMESTIC TERRORISM INVESTIGATIONS

- The Attorney General's Guidelines were originally developed in 1976 in response to Congressional inquiries concerning FBI investigations that resulted in the abuse of Constitutional rights.
- Attorney General Levi issued the Guidelines for Domestic Terrorism Investigations to end this pattern of abuse, while preserving the FBI's power to conduct internal security investigations where there is a threat of force or violence.
- Since being issued in 1976, the Attorney General Guidelines have been altered only slightly and only with substantial Congressional input prior to alterations.
- It is appropriate, given recent events, to consider whether the Guidelines need to be changed in any way.
- So that Congressional input can be guaranteed, I am asking the Senate Majority and Minority Leaders, the House Speaker and the House Minority Leader to each name a representative to a working group that, along with the Attorney General and the White House Counsel, will examine the question of what amendments to the guidelines might be appropriate
- It expect this group, working in a bi-partisan manner, to develop recommendations for any necessary changes to the Attorney General's guidelines that will maximize our ability to fight domestic terrorism while protecting our precious privacy rights

Clinton Administration Counterterrorism Initiative

I. Actions Already Announced by the President

1) Pass the Omnibus Counter-terrorism Act of 1995

This bill would provide clear Federal criminal jurisdiction for any international terrorist attack that might occur in the United States; provide Federal criminal jurisdiction over terrorists who use the United States as the place from which to plan terrorist attacks overseas; provide a workable mechanism, utilizing United States District Judges appointed by the Chief Justice, to deport expeditiously alien terrorists without risking the disclosure of national security information or techniques; provide a new mechanism for preventing fund-raising in the United States that supports international terrorist activities overseas; and would implement an international treaty requiring the insertion of a chemical agent into plastic explosives when manufactured to make them detectable.

2) Provide more tools to federal law enforcement agencies fighting terrorism

- o Amend the Fair Credit Reporting Act to ease access to financial and credit reports in anti-terrorism cases.** This legislation provides for disclosures by consumer reporting agencies to the FBI for counterintelligence and counterterrorism purposes. The FBI has no mechanism for obtaining credit reports for lead purposes in counterterrorism cases. These reports are available to used car dealers and other merchants. The FBI currently has authority under the Right to Financial Privacy Act of 1978 to obtain similar records pursuant to a "National Security Letter" signed by a high-ranking FBI official. The same procedures and safeguards would apply to credit records under this proposal.
- o Amend Federal law to adopt, in national security cases the standard currently used in obtaining a "pen register" in a routine criminal case.** This proposal would extend the relaxed standard for obtaining "pen registers" and "trap and trace" device orders which already exists in routine criminal cases, to national security cases. A "pen register" is a device which records the number dialed on a telephone. A "trap and trace" device is similar to "Caller ID," providing law enforcement with the telephone number from which a call originates. Neither "pen registers" nor "trap and trace" devices permit law enforcement to monitor the actual conversations being conducted. The current, higher-than-regular standard impedes the ability of the FBI to obtain surveillance coverage of terrorists and spies.

- o Pass legislation to require hotel/motel and common carriers to provide records necessary for fighting terrorism. This proposal would require hotel/motel and common carriers such as airlines and bus companies to provide records to the FBI pursuant to authorized national security requests just as they must do now for virtually all state and local law enforcement. The FBI now must rely on the voluntary assistance of motel, hotel and other innkeepers or common carriers regarding records of terrorists who may have stayed at the establishment or used the common carrier. The FBI has found that, while some of these entities voluntarily provide such information, an increasing number refuse, absent a court order, a subpoena, or other legal protection. In a counterterrorism case being conducted pursuant to the Attorney General's Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations, there is no legal mechanism, e.g., subpoena, available to obtain these records.
 - o Fully fund the FBI's "digital telephony" initiative to assure court-authorized law enforcement access for electronic surveillance to digitized communications. This proposal would appropriate funds to implement recent amendments to statutes governing secure telephone data transmission (digital telephony). These amendments require telephone carriers to install and maintain sophisticated equipment which will permit law enforcement to continue to conduct legal electronic surveillance.
 - o Create and allocate funds for a special FBI counterterrorist and counterintelligence fund. This proposal will fund costs associated cases which arise in connection with terrorism crises, including logistics and other support.
 - o Create an interagency Domestic Counterterrorism Center headed by the FBI. This proposal will establish a partnership effort between the Justice Department, including the FBI, and other federal and state law enforcement authorities to coordinate counterterrorism efforts within the United States.
- 3) Conduct terrorism threat assessment of every federal facility in the country within the next 60 days. The President has directed the Attorney General to conduct this assessment and report her recommendations in 60 days. The assessment has already begun.
- 4) Direct GSA to replace the federal building in Oklahoma City.

- 5) Direct the FBI Director, the Attorney General, and the National Security Adviser to prepare a Presidential Decision Directive authorizing any and all further steps necessary to combat foreign and domestic terrorism.

II. New Legislative Proposals

1) INVESTIGATIONS

- o Hire approximately 1000 new agents, prosecutors, and other federal law enforcement and support personnel to investigate, deter, and prosecute terrorist activity.
- o Pass legislation to require, within 1 year, the inclusion of taggants in standard explosive device raw materials which will permit tracing of the materials post-explosion. This proposal would require the inclusion of microscopic particles in certain raw materials, thereby permitting law enforcement to trace the source of explosives even after a device has been detonated.
- o Require the BATF to study and report on: 1) the tagging of explosive materials for purposes of identification and detection; 2) whether common chemicals used to manufacture explosives can be rendered inert for use in explosives, and 3) whether controls can be imposed on certain precursor chemicals used to manufacture explosives. In light of recent bombing incidents, there is a need to develop technologies that will make it possible to detect concealed explosives. Additionally, if bombings do take place, a means of providing some clues is needed to lead investigators to those responsible for the explosion. Moreover, since explosives can be manufactured using common agricultural and household materials, it is important to determine whether such materials can be manufactured in a manner so that their use in explosives is unlikely. Finally, the study would determine whether any reasonable controls can be placed on precursor chemicals, e.g., ammonium nitrate, which have many legitimate uses.
- o Amend the Posse Comitatus Act to permit military participation in crime-fighting involving weapons of mass destruction. This proposal would amend Federal laws, which severely limit the role of the military in domestic law enforcement, to permit military participation in criminal cases involving chemical, biological and other weapons of mass destruction; areas in which the military has specialized expertise.

- o Amend the Electronic Communications Privacy Act of 1986 to constitutionally enhance use of electronic surveillance to fight terrorism. This proposal would: permit any federal felony to be used as a basis for an electronic surveillance order; ease restrictions on the use, in American court proceedings, of information from electronic surveillance conducted by foreign governments; forbid suppression of electronic surveillance evidence unless law enforcement acted in bad faith in obtaining the evidence; authorize emergency electronic surveillance in situations involving threats by domestic terrorist organizations; authorize roving wiretaps where it is not practical to specify the number of the phone to be tapped, such as where a target uses multiple pay phones; allow the FBI to obtain records of local telephone calls, without the need for a court order, as they can now obtain records of long-distance calls; and require telephone companies and/or service providers to preserve evidence until a court order could be obtained. None of these changes would alter the requirement for probable cause prior to engaging in electronic surveillance.

2) PROSECUTION

- o Amend Federal law to criminalize the use of all chemical weapons to include all forms of chemical weapons. This bill would amend federal law to include chemical weapons in non-gaseous form. Under existing law, chemical weapons in gaseous form are covered, but those which are in liquid or solid form are not. Thus, for example, an individual who introduces dioxin in solid form into the water supply of a city would not be chargeable under current law.
- o Make it illegal to possess explosives knowing that they are stolen. This proposal would conform explosives laws to existing firearms statutes, making it a crime to for an individual to possess explosives which the individual knows are stolen.
- o Extend the statute of limitations on the National Firearms Act to five (5) years. This proposal would extend from three (3) to five (5) years the statute of limitations for prosecution for violations of the National Firearms Act, which deals with explosive and incendiary bombs. This change brings the statute of limitations for these offenses in line with similar criminal provisions.

- o Provide the Secretary of Treasury authority to direct the use of Treasury Department aircraft to support emergency law enforcement situations. This proposal would authorize the Secretary of Treasury to authorize the use of Treasury Department aircraft in support of emergency law enforcement crises.
- o Amend reward authority statutes to reduce restrictions on making rewards. This proposal would provide the Attorney General authority to pay a reward which is not subject to the spending limitations contained in 18 U.S.C. §§ 3059 and 3072, provided that any reward of \$100,000 or more may not be made without the approval of the President or the Attorney General, and such approval may not be delegated.

3). **PENALTIES**

- o Increase the penalty for anyone convicted of transferring a firearm or explosive knowing that it will be used to commit a crime of violence or drug trafficking crime. This proposal will provide a mandatory penalty of not less than 10 years for any person who transfers a firearm knowing or having reasonable cause to believe that a firearm will be used to commit a crime of violence or drug-trafficking crime.
- o Amend 18 U.S.C. §111 to provide enhanced penalties for *all* current and former Federal Employees against terrorist attacks. The existing statute only protects enumerated categories of current Federal employees. The proposed statute would provide enhanced penalties for crimes against all current and former Federal employees, and their immediate families, when the crime is committed because of the official duties of the federal employee.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. list	Department of Justice Oklahoma City Response Request (4 pages)	00/00/0000	b(7)(E)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5319

FOLDER TITLE:

Terrorism [1]

2016-0931-S
rc2347

RESTRICTION CODES

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RR. Document will be reviewed upon request.

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U. S. Department of Housing and Urban Development
Estimated Requirements for Disaster Assistance, FY 1995

LONG-TERM COSTS

Additional costs for enhanced security of the HUD building in Washington, DC. Estimates include the costs of additional security personnel, and costs of additional equipment. \$500,000

Personnel benefits/entitlements estimated over 10 years \$54,000,000

Sub-total..... \$54,500,000

ONE-TIME COSTS

Overtime 50,000

Travel \$250,000

Relocation Cost for Replacement of an estimated 10 employees \$500,000

Replacement of computing equipment, including PCs, printers, local- and wide-area networks, etc. \$400,000

Shipping, labor, installation of electronic equipment \$150,000

Office furniture \$600,000

Additional file cabinets \$50,000

Phone equipment and messaging system \$100,000

Copiers and facsimile machines \$95,000

Office supplies \$30,000

Reference materials and law books \$55,000

Sub-total..... \$2,291,000

Estimates do not include the costs of recreating or restoring financial and other documents lost or damaged in the explosion.

TOTAL \$56,791,000



From the desk of

JOHN J. PITTA
EXECUTIVE VICE PRESIDENT
April 24, 1995

Mr. President:

Just a short note to express my delight with your interview on 60 Minutes last evening. The concern you showed for the current situation in Oklahoma City, and the explanations of the Waco situation made us in law enforcement know you are a true leader.

FLEOA stands ready to support you in your quest to keep America land of the free, home of the brave.

Again, thank you for being our leader.

A handwritten signature in cursive script, reading "John J. Pitta".

S. 735

May 2, 1995

DS/Dave: Pick-up from last week

↳ we introduced bill: go slower now;
let's look at this 'stuff'; exchange q's
on the matter

RG/WH: We would like to introduce our bill
tomorrow; use as a starting point;
and move to cosponsor the bill.
↳ Hammer out differences afterwards

DS/Dave: S. 735 is our vehicle; so even if we don't
cosponsor

RK/Burke: Hope the Pres.'s bill will be more helpful as well.

MC/Watch: How does civil penalties work.

DS/Dave: Appropriations?

BR/MF/CH: 500 million DT; 1.5 over 5 yrs; Budget Amendment

DS/Dave: How much is Federal law Enfr.; buildings?

? — Budget Amendments: emergency desig.; VCRTE?

↳ RG/WH → no VCRTE

MF/WH → off sets, yes.

? 1/1/97: Pick-up from last week + what we want, very narrow;

KM/DAT: Trying to make this even narrower than nuclear exception 18 USC...

DS/Dole: Roving Wire Taps?

AF/DAT: not random roving...

Brin/CH: What are the existing circumstances
→ want to guarantee that we want to
dissuade agents from going to court.

MC/Haber: There is a Title III statutory x-rule.

? / Sect. 103 on bugging? normal regulatory process? yes
explosives detected? yes

DS/Dole: Habeas a non-starter?

PG/WH: Notwithstanding his own position on Habeas, Rie
doesn't belong in the bill; complicating —
slows down.

→ Speculating, but 2-3 weeks. Want to give
expeditious treatment, but not going to move just yet.

RK/Inchile: Our members will go to guns, bullets, etc.

DS/Dole: Heard the POTUS on 60 minutes + was trying
to be responsive.

→ Posse Com. language ready today.

SECTION-BY-SECTION ANALYSIS

TITLE I - SUBSTANTIVE INVESTIGATIVE ENHANCEMENTS

SEC. 101. PEN REGISTERS AND TRAP AND TRACE DEVICES IN FOREIGN COUNTERINTELLIGENCE AND COUNTERTERRORISM INVESTIGATIONS

Section 101 permits the FBI to use pen register and trap and trace device statutes - already available in routine criminal cases - in foreign counterintelligence investigations. Pen registers are devices which record signals pulsed or toned - simply put, the number dialed, while trap and trace devices record the number from which a call originates, simply put, Caller ID. Neither device permits the monitoring of the actual conversation taking place.

SEC. 102. DISCLOSURE OF INFORMATION AND CONSUMER REPORTS TO FBI FOR FOREIGN COUNTERINTELLIGENCE PURPOSES

Section 102 permits the FBI to obtain access to consumer credit reports in foreign counterintelligence matters. These are the same reports available on request to car salesmen and real estate agents and to the FBI, by grand jury subpoena, in routine criminal cases. Without the information in these reports, the FBI cannot determine where terrorists hold their assets and accordingly a major part of investigations is lost. The grand jury subpoena process is not available in foreign counterintelligence matters because these are not necessarily criminal in nature.

SEC. 103. STUDY AND REQUIREMENTS FOR TAGGING OF EXPLOSIVE MATERIALS, AND STUDY AND RECOMMENDATIONS FOR RENDERING EXPLOSIVE COMPONENTS INERT AND IMPOSING CONTROLS ON PRECURSORS OF EXPLOSIVES

Section 103 requires The Department of the Treasury to study the addition of taggants - microscopic particles which will survive combustion and which are unique by manufacture and date and which therefore will serve to identify the source of an explosive - as well as whether it is possible to render certain chemicals inert and whether certain explosives precursors can be controlled. The study must be completed within one year of enactment.

The provision also requires Treasury to promulgate regulations regarding the addition of these taggants by private manufacturers and criminalizes possession, transfer and other conduct respecting explosives not containing taggants. The criminal provision does not become effective until 90 days after the promulgation of the regulation requiring the taggant addition.

SEC. 104. ACCESS TO RECORDS OF COMMON CARRIERS, PUBLIC ACCOMMODATION FACILITIES, PHYSICAL STORAGE FACILITIES AND VEHICLE RENTAL FACILITIES IN FOREIGN COUNTERINTELLIGENCE AND COUNTERTERRORISM CASES

Section 104 permits the FBI access to the same records already available to the DEA by administrative subpoena in routine narcotics investigations and which are available to the FBI and all other law enforcement agencies in criminal cases where a grand jury subpoena may properly be obtained.

Hotels and motels, storage facilities, airlines, trains and vehicle rental companies all provide services and maintain records which are often of extraordinary value to law enforcement - no less in foreign counterintelligence and counterterrorism cases.

Records would be produced pursuant to a special written request which would be signed by a person with a title no lower than Assistant Special Agent In Charge. Such an individual is generally a senior person considered middle-management within the FBI structure.

SEC. 105. LIMITATION OF STATUTORY EXCLUSIONARY RULE.

Section 105 would simply extend to warrants issued to conduct electronic surveillance, the same "good faith" standard which already exists by Supreme Court decision as to routine search warrants. There is no policy basis to apply a different standard to electronic surveillance warrants than is applied to other warrants.

SEC. 106. AUTHORITY FOR WIRETAPS IN ANY TERRORISM-RELATED OR EXPLOSIVES FELONY

Section 106 would expand the circumstances under which electronic surveillance orders for oral and/or wire intercepts could be issued by a court, to include any felony when an appropriate high-ranking Department of Justice official certifies that the "felony involves or may involve domestic or international terrorism." While most such felonies are already covered in the Electronic Communications Privacy Act of 1986 (ECPA), 18 U.S.C. §2510, et seq., there are occasions when those engaged in terrorism may have violated statutes which are not enumerated. In such instances, although the statute may not ordinarily merit status as a predicate under ECPA, the specific actions of the target(s) may raise the seriousness of the statute to a level where an ECPA order is appropriate.

Section 106 would also expand the list of predicate crimes to include felony explosives violations. Such violations are key to terrorism and violent crime prosecutions and accordingly a key predicate to ECPA orders which may be required in such cases.

SEC. 107. TEMPORARY EMERGENCY WIRETAP AUTHORITY INVOLVING TERRORISTIC CRIMES

Section 107 would simply permit the issuance of emergency wiretap orders - already available in organized crime cases - to situations involving domestic or international terrorism. Such orders are only valid for 48 hours but are essential because this period of time is sufficient to permit the FBI to obtain a court-ordered warrant, a process which may take as long as the 48 hours permitted.

SEC. 108. EXPANDED AUTHORITY FOR ROVING WIRETAPS

Section 108 removes a needless impediment to the issuance of roving wiretaps - wiretaps which protect individual rights because the "tap" follows the target from phone to phone rather than remaining on one phone which others may use - by deleting the requirement that the government, which must show that the target is using multiple phones lines, is doing so in order to avoid routine surveillance.

This is a hard standard to meet and bears no direct relevance to whether the roving wiretap ought to be authorized by a court. Although roving wiretaps have been authorized since at least 1986, the additional requirement of proof of motive has foiled several major investigations.

SEC. 109. ENHANCED ACCESS TO TELEPHONE BILLING RECORDS

Section 109 would allow the FBI to obtain telephone billing information already available in routine cases by way of grand jury subpoena. Although toll records are already available, information such as address, length of service and local calling information is essential in many investigations and the very same information is used by many telephone companies for routine marketing and sales promotion programs.

SEC. 110. REQUIREMENT TO PRESERVE EVIDENCE

Section 110 would require telephone companies to preserve their records on demand, for at least 90 days, possibly more, until a court order to preserve records can be obtained. Although most mainstream phone companies already preserve their records for more

than this period of time, the growth of small companies in the industry has resulted in services which discard records after very short periods of time. Such information is of critical importance in a wide variety of investigations.

SEC. 111. PERMISSION TO REQUEST MILITARY ASSISTANCE WITH RESPECT TO OFFENSES INVOLVING CHEMICAL AND BIOLOGICAL WEAPONS

Section 111 would permit the Attorney General - who may already request military assistance in cases involving nuclear devices - to request military assistance in cases involving chemical and biological weapons. This does not give intelligence agencies any mission that is prohibited by their charters.

Section 111 would also amend current law concerning chemical weapons to include all chemical weapons, whether in gaseous form or not. Under existing law, chemical weapons are covered, only if in gaseous form. Accordingly, an individual who poisoned a city's water supply with a pellet of dioxin would not be chargeable under current law because the pellet was not in gaseous form until it was dropped into the water.

SEC. 112. GENERAL REWARD AUTHORITY OF THE ATTORNEY GENERAL

Section 112 would remove the existing \$500,000 cap on the Attorney General's reward authority and would also permit the Attorney General to receive funds from other agencies so as to permit "pooled" awards when multiple agencies are involved. The Administration intends to submit complementary appropriations language on this subject.

TITLE II - SUBSTANTIVE PROSECUTIVE ENHANCEMENTS

SEC. 201. POSSESSION OF STOLEN EXPLOSIVES

Section 201 would expand federal statutes which already criminalize the knowing possession of stolen firearms to include stolen explosive materials.

SEC. 202. PROTECTION OF FEDERAL EMPLOYEES ON ACCOUNT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

Section 202 would expand federal criminal murder and assault jurisdiction to include all federal employees and their immediate families. The provision would also include the uniformed services of the military. Under existing federal law, only certain enumerated federal employees are protected under federal law and as

federal employees become targets - not only as the result of their specific job titles, but merely because they are federal employees - the need for federal protection grows.

TITLE III - CRIMINAL PENALTIES

SEC. 301. MANDATORY PENALTY FOR TRANSFERRING A FIREARM KNOWING THAT IT WILL BE USED TO COMMIT A CRIME OF VIOLENCE

Section 301 would increase from a maximum to a minimum of 10 years, the sentence of imprisonment which must be imposed when an individual transfers a firearm knowing that the firearm material will be used to commit a crime of violence or a drug trafficking crime. Because such knowledge makes the crime more serious, there is a greater need for punishment.

SEC. 302. MANDATORY PENALTY FOR TRANSFERRING AN EXPLOSIVE MATERIAL KNOWING THAT IT WILL BE USED TO COMMIT A CRIME OF VIOLENCE

Section 302 would create a parallel offense to that involving firearms when an individual transfers explosives material knowing that the material will be used to commit a crime of violence or a drug trafficking crime.

SEC. 303. INCREASED PERIOD OF LIMITATIONS FOR NATIONAL FIREARMS ACT

Section 303 would extend the current three-year statute of limitations which applies to certain serious weapons offenses, to five years, the same statute of limitations as applies to virtually all other felony offenses under federal criminal law. Some of the offenses covered include the possession of machineguns, sawed-off shotguns, silencers and explosive devices.

TITLE IV - FUNDING

SEC. 401. CIVIL MONETARY PENALTY SURCHARGE AND TELECOMMUNICATIONS CARRIER COMPLIANCE PAYMENTS

Section 401 creates a mechanism to pay for the costs of implementing digital telephony programs. Subject to appropriations action, a surcharge of 40 percent is added to each civil monetary penalty at the time it is assessed by the United States or an agency thereof. The Administration intends to submit complementary appropriations language on this subject.

SECTION-BY-SECTION ANALYSIS OF
S.735
DOLE-HATCH
COMPREHENSIVE TERRORISM PREVENTION ACT OF 1995

Title I Substantive Criminal Law Enhancements

Sec. 101 Increased Penalties For Conspiracies Involving Explosives.

This section amends the explosives chapter of Title 18 to provide that a conspiracy to commit a crime under that chapter is punishable by the same maximum penalty as that applicable to the substantive offense that formed the object of the conspiracy.

Sec. 102 Acts of Terrorism Transcending International Boundaries.

Provides a more certain and comprehensive basis for the Federal Government to respond to future acts of terrorism carried out within the U.S. Enacts a statute that enables the government to incorporate for purposes of federal prosecution any applicable state or federal crime violated by the terrorist act, so long as the government can establish certain jurisdictional bases.

Sec. 103 Conspiracy to Harm People and Property Overseas.

Amends 18 U.S.C. 956 to provide federal penalties for conspiracies to commit terrorist acts against both persons and property overseas in cases where an act in furtherance of the conspiracy is committed within the jurisdiction of the United States.

Sec. 104 Increased Penalties For Certain Terrorism Crimes.

This section increases penalties for a series of federal crimes, including amending the law against maiming and disfiguring to include torture and punishing an attempt to violate this section by up to \$10,000 and/or 10 years, and adds protection to armed services personnel.

Sec. 105 Firearms and Explosives.

Penalizes conspiracies to commit explosives or firearms offenses at the same level as the substantive offense that formed the object of the conspiracy, makes it a federal crime to transfer explosives to another knowing that they will be used to commit a violent crime, and imposes a 10 year mandatory prison sentence for the transfer of explosives or firearms to another, knowing that they will be used to commit a violent crime.

Sec. 106 Penalty for Possession of Stolen Explosives.

Eliminates gap in federal law, by criminalizing the possession of explosives known to be stolen.

Sec. 107 Enhanced Penalties for Use of Explosives or Arson.
Increases the penalty for arson or explosives crimes against property, including mandatory minimum sentences for these offenses.

Title II Combatting International Terrorism

Sec. 201 Findings

States Congressional findings and urges the President to establish a White House office to coordinate U.S. counterterrorism efforts and to organize an international conference to develop multinational responses to the threat of international terrorism.

Sec. 202 Prohibition on Assistance to Countries that aid Terrorist States.

Prohibits U.S. aid to countries that provide aid to terrorist nations.

Sec. 203 Prohibition on Assistance to Countries that Provide Military Equipment to Terrorist States.

Prohibits U.S. aid to countries that provide military equipment to terrorist nations, with a presidential national interest waiver.

Sec. 204 Opposition to Assistance by International Financial Institutions to Terrorist States.

Requires U.S. opposition to international financial institutions' assistance to countries that support terrorism.

Sec. 205 Antiterrorism Assistance.

Eases restrictions for U.S. antiterrorism assistance to foreign nations.

Sec. 206 Jurisdiction for Lawsuits Against Terrorist States.

Provides that terrorist states will be amenable to suit in U.S. courts.

Sec. 207 Technology Transfers to Terrorist States.

Prohibits the transfer to terrorist states of technology or products that the Secretary of State determines can be used to promote or engage in terrorism.

Sec. 208 Report on Support for International Terrorists.

Requires the Secretary of State to report annually to the Congress on the implementation of this title, as well as on assessments of countries providing support for terrorism and the efforts of other countries in combatting terrorism.

Title III Alien Removal

Sec. 301 Alien Terrorist Removal.

These provisions create a new "terrorism court" made up of sitting district court judges appointed by the Chief Justice of the Supreme Court. This specialty court would have the authority to hear deportation cases involving alien terrorists and would ensure, through the use of a limited *ex parte* procedure, that the United States can expeditiously deport alien terrorists without disclosing national security secrets to them and their criminal partners.

Sec. 302 Extradition of Aliens.

This section permits the Attorney General to extradite persons who are not U.S. citizens, nationals, or permanent residents to countries with which the United States does not have an extradition treaty.

Sec. 303 Changes to the Immigration and Nationality Act to Facilitate Removal of Alien Terrorists.

Enhances the ability of the government to deny visas to alien terrorist leaders and to deport non-resident alien terrorists under the Immigration and Nationality Act.

Sec. 304 Access to Certain Confidential Immigration and Naturalization Files through Court Order.

This section permits the Immigration and Naturalization Service to release certain confidential information on individual aliens for law enforcement purposes.

Title IV Control of Fundraising for Terrorism Activities

Sec. 401 Prohibition on Terrorist Fundraising.

These provisions make it a crime to knowingly provide material support to certain, presidentially-designated foreign terrorist groups. It authorizes the government to regulate or prohibit any person or organization within the United States, and any person subject to the jurisdiction of the United States from raising or providing funds for use by any organization determined to be a terrorist organization. The section enacts a licensing authority to keep track of to whom the money goes and further requires the receiving organization to open its financial books for auditing.

Sec. 402 Correction to Material Support Provision.

Removes impediment to investigation of terrorist organizations by eliminating requirement that federal law enforcement have reasonable proof of a violation of federal law before initiating an investigation.

Title V--Assistance to Federal Law Enforcement Agencies.

Subtitle A -- Antiterrorism Assistance

Sec. 501 Study and Report on Domestic Terrorism

Requires FBI Director to study and report to Congress on adequacy of guidelines and laws regulating domestic antiterrorism surveillance.

Sec. 502 Federal Bureau of Investigation Counterintelligence.

Permits disclosure of financial institution credit information on certain individuals and organizations believed to be involved in terrorist activities.

Sec. 503 Administrative Subpoenas for Common Carriers and Innkeepers.

Allows federal law enforcement to access the records of common carriers and innkeepers relevant to a counterterrorism investigation.

Sec. 504 Increase in Maximum Rewards for Information Concerning International Terrorism.

Increases from \$500 thousand and \$2 million to \$10 million (across the board) rewards for persons providing information leading to the capture and conviction of terrorists.

Sec. 505 Federal Bureau of Investigation Report.

This section requires the FBI to investigate and report back to Congress on the effectiveness of a federal law prohibiting contributions to terrorist organizations or their "front" groups in the United States.

Subtitle B -- Intelligence

Sec. 511 Study and Report on Electronic Surveillance.

Directs the FBI Director to study current laws and guidelines governing the use of electronic surveillance devices and PEN registers, and to make recommendations for any necessary modifications.

Sec. 512 Wiretap Authority for Terrorism and Related Offenses.

This section expands authority for issuing wiretaps to encompass certain terrorism and alien smuggling offenses.

Sec. 513 Participation of Foreign and State Government Personnel in Interceptions of Communications.

This section permits the participation of state law enforcement officials and officials of foreign law enforcement agencies in intercepting communications.

Sec. 514 Disclosure of Intercepted Communications to Foreign Law Enforcement Agencies.

This section permits, under certain, limited circumstances, disclosure of intercepted communications to cooperating foreign law enforcement agencies.

Sec. 515 Authorization or Interceptions of Communications in Certain Terrorism Related Offenses.

This section authorizes the interception of communications in certain terrorism cases, including the creation of terrorism conspiracies, the destruction of buildings, and providing material support to terrorists, and engaging in terrorist acts at airports.

Subtitle C -- Secs. 521 - 526 Additional Funding for Law Enforcement.

Authorizes additional appropriations of approximately \$1.6 billion from the Violent Crime Reduction Trust Fund (enacted by the 1994 Crime Law,) for the Federal Bureau of Investigation, Immigration and Naturalization Service, Customs Service, Drug Enforcement Administration, and the Department of Justice to support counterterrorism initiatives.

Title VI Terrorist Interdiction

Sec. 601 Terrorist Interdiction

This section permits the Secretary of State to withhold visas from certain individuals who come from nations that sponsor terrorism, or from certain individuals who are members of organizations suspected of terrorist activities.

Title VII Criminal Procedure Improvements.

Subtitle A -- Secs. 701 - 708 Habeas Corpus Reform

This section incorporates reforms to curb the abuse of the statutory writ of habeas corpus, and to address the acute problems of unnecessary delay and abuse in capital cases. It sets a one year limitation on an application for a habeas writ and revises the procedures for consideration of a writ in federal court. It provides for the exhaustion of state remedies and requires deference to the determinations of state courts.

The revision in capital habeas practice also sets a time limit within which the district court must act on a writ, and provides the government with the right to seek a writ of mandamus if the district court refuses to act within the allotted time period. Successive petitions must be approved by a panel of the court of appeals and are limited to those petitions that contain newly discovered evidence that would seriously undermine the jury's verdict or that involve new

constitutional rights that have been retroactively applied by the Supreme Court.

In capital cases, procedures are established for the appointment of counsel, conduct of evidentiary hearings, and the application of the procedures to state unitary review systems. Courts are directed to give habeas petitions in capital cases priority status and to decide those petitions within specified time periods.

Subtitle B -- Criminal Procedure Improvements

Sec. 721 Clarification and Extension of Criminal Jurisdiction Over Certain Terrorism Offenses Overseas.
Fulfills treaty obligations by clarifying and expanding federal jurisdiction over certain terrorism crimes, such as hijacking, that occur overseas.

Sec. 722 Extension of Territorial Sea.
This section codifies the extension of United States territorial sea, as defined by a 1988 Presidential Proclamation. This area would then be included within the special maritime and territorial jurisdiction of the U.S. This section also adopts non-conflicting state law in the territorial sea.

Sec. 723 Jurisdiction of United States Courts Over Acts of International Terrorism.
Provides that Foreign Sovereign Immunity Act does not apply to suits arising from acts of terrorism.

Sec. 724 Addition of Foreign Murder as a Money Laundering Predicate.
Adds foreign murder as a money laundering predicate act.

Sec. 725 Expansion of Weapons of Mass Destruction Statute.
Criminalizes a threat to use a weapon of mass destruction, extends the prohibition to the use of such weapons by U.S. nationals overseas, and clarifies that any chemical weapon is included in the definition of weapon of mass destruction or destructive device.

Sec. 726 Addition of Terrorism Offenses to the RICO Statute.
Incorporates certain terrorism acts as RICO predicates.

Sec. 727 Addition of Terrorism Offenses to the Money Laundering Statute.
Adds certain terrorism crimes as predicate acts triggering implementation of money laundering crimes.

Sec. 728 Clarification of Maritime Violence Jurisdiction.
This provision ensures federal jurisdiction over acts of

terrorism against maritime jurisdiction by correcting a drafting error in the 1994 Crime Act.

Sec. 729 Protection of Current or Former Officials, Officers, or Employees of the United States.

This section permits prosecution of assaults, murders, and threats made against current or former government officials or employees arising from the discharge of their official duties while employed by the government.

Sec. 730 Addition of Conspiracy to Terrorism Offenses.

Adds conspiracy crime to certain terrorism offenses. Terrorist organizations can thus be stopped at their formation, rather than after they have committed a terrorist act.

Sec. 731 Pretrial Detention for Possession of Firearms or Explosives by Convicted Felons.

Clarifies law that permits pretrial detention for certain offenses to include those involving firearms or explosives.

Sec. 732 Inclusion of Alien Smuggling as a RICO Predicate.
Makes alien smuggling a RICO predicate crime.

Title VIII--Marking of Plastic Explosives

Sec. 801 Implementation of the Convention on the Marking of Plastic Explosives.

This section requires the makers of plastic explosives to implement chemical "tagging" agents, implementing international obligations of the United States.

Sec. 802 Study on Tagging of Explosive Materials.

Directs the Secretary of the Treasury to provide to the Congress a study of the feasibility of tagging explosive precursor chemicals, and of imposing controls on certain of those chemicals.

Title IX--Miscellaneous Provisions

Sec. 901 Severability.

Provides that if any provision of the Act is held unconstitutional, the rest of the Act will be unaffected by the holding.

FACT SHEET

THE OMNIBUS COUNTERTERRORISM ACT OF 1995

Transmitted to Congress on February 10, 1995, "The Omnibus Counterterrorism Act of 1995" was announced by President Clinton in his January 24, 1995, State of the Union address. This legislation will strengthen the United States' hand in combatting terrorists, whether they strike at home or abroad.

Some of the legislation's most significant provisions include:

1. Provides Clear Federal Criminal Jurisdiction for any International Terrorist Attack Which Might Occur in the United States.

- This proposal provides a more certain and comprehensive basis for the Federal Government to respond to future acts of international terrorism carried out within the United States.
- It creates a new federal crime relating to acts of international terrorism involving any of the following conduct occurring within the U.S.:
 - * murder, kidnapping, maiming, assault resulting in serious bodily injury, assault with a dangerous weapon
 - * destroying or damaging any structure, conveyance, or other real or personal property
- The statute would be utilized only when the Attorney General concludes and certifies that the offense: (a) transcended national boundaries; and (b) was of a terrorist nature (i.e., intended to coerce, intimidate, or retaliate against a government or civilian population).

The proposal also

- * facilitates pretrial detention for persons charged with this offense (by creating a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of the community and the appearance of the defendant) and
- * amends federal electronic surveillance statute to facilitate the use of court-authorized roving electronic surveillance in investigating violations of this statute.

2. Provides Federal Criminal Jurisdiction Over Terrorists who use the U.S. as the Place From Which to Plan Terrorist Attacks Overseas.

- It makes it a crime for any person within the U.S. to undertake any act in furtherance of the following types of overseas criminal activity:
 - * murdering, kidnapping, or maiming; or
 - * injuring or destroying any railroad, canal, bridge, airport or other public utility, public conveyance or public structure, or any religious, educational, or cultural property
- This provision, in combination with the terrorist fund raising and alien deportation provisions will serve to ensure that the U.S. is not used as a support base for terrorism in other countries.

3. Provides a Workable Mechanism to Expediently Deport Alien Terrorists Without Risking Disclosure of National Security Information or Techniques

- This proposal contains comprehensive procedures to facilitate the expeditious deportation of alien terrorists.
- It provides a balanced set of procedures which both:
 - * afford the alien fundamental fairness, and
 - * afford the government a reasonable basis to avoid the public disclosure of sensitive national security information.
- The proposal creates a special court made up of five U.S. district court judges appointed by the Chief Justice of the United States

4. Provides a New Mechanism for Preventing Fund Raising in the U.S. That Supports International Terrorist Activities Overseas

- This provision authorizes the government to regulate or prohibit any person or organization within the U.S. from raising or providing funds for use by any foreign organization designated by the President as engaged in terrorist activities.
- This legislation provides a licensing mechanism under which funds can be transferred based on a showing that the money will be used exclusively for religious, charitable, literary, or educational purposes.

5. Implements an International Treaty Requiring the Insertion of a Chemical Agent into Plastic Explosives When Manufactured to Make Them Detectable

- This provision implements the March 1, 1991, Convention on the Marking of Plastic Explosives for Purposes of Detection, which is an international response, in the aftermath of the terrorist bombing of Pan Am Flight 103, designed to avert terrorist disasters.
- The provision makes it unlawful to manufacture or to receive, possess, or transfer plastic explosives which do not contain a detection agent.

6. Contains Numerous Relatively Technical but Important, Provisions Which Will Facilitate Investigations and Prosecutions of Terrorist Crimes, including:

- Addition of terrorism offenses to the list of predicate offenses under the Racketeering Influenced and Corrupt Organizations (RICO) statute and federal money laundering statute.
- Addition of terrorism offenses to the list of statutes which are subject to court-authorized electronic surveillance.
- Increased penalties for conspiring to commit terrorist offenses.
- Jurisdictional clarification to ensure that, where a U.S. national is the victim or perpetrator of an extraterritorial terrorism offense, the defendant can be charged prior to being present in the U.S.
- Amendment of existing laws relating to attacks against federal employees to cover attacks against former employees where the offense is motivated by their prior performance of official duties.

THE OMNIBUS COUNTERTERRORISM ACT OF 1995 STRENGTHENING AMERICA'S HAND AGAINST TERRORISM

The Clinton Administration introduced legislation (S.390, H.R.896) on February 9, 1995 to strengthen the United States' hand in combatting terrorists, whether they strike at home or abroad. The Administration seeks to improve our ability to hunt down terrorists and bring them to justice.

- ◆ **Clear Federal Criminal Jurisdiction to Provide a More Certain and Comprehensive Response to Terrorism.** The proposed legislation gives the federal government more tools to combat future acts of international terrorism within the United States. Among its many provisions, included are:
 - A new federal crime relating to acts of international terrorism, that can be used subject to certification by the Attorney General*, which incorporates state criminal violations and involves any of the following conduct within the United States:
 - * murder, kidnapping, maiming, assault resulting in serious bodily injury, assault with a dangerous weapon.
 - * destroying or damaging any structure, conveyance, or other real or personal property.
 - Facilitation of pre-trial detention for persons charged with this offense by creating a rebuttable presumption that the safety of the community and/or the appearance of the defendant in court cannot be assured.
 - Facilitation of the use of court-authorized roving electronic surveillance in investigating violations of this statute by amending the federal electronic surveillance statute.
- ◆ **America Must Not be the Support Base from which Acts of Terror are Masterminded and Carried Out Abroad.** The proposed legislation would outlaw any person within the United States from undertaking any act in furtherance of the following overseas criminal activity:
 - * murder, kidnap, maiming
 - * Injury or destruction of any railroad, canal, bridge, airport or other public utility, public conveyance, or public structure, or any religious educational, or cultural property.

* The Attorney General must conclude and certify that the offense a) transcended national boundaries; and b) was of a terrorist nature.

- ◆ **America Must not be Used to Bankroll Terrorism.** Unless it can be explicitly shown that money would be used for religious, charitable, literary or educational purposes, the proposed legislation authorizes the U.S. Government to regulate or prohibit any person or organization within the United States from raising or providing funds for terrorist organizations or activities.
- ◆ **Improving Deportation Procedures so that America is not the Veil Behind which Terrorists Hide.** The proposed legislation contains comprehensive procedures to facilitate the expeditious deportation of alien terrorists. It does so while adhering to standards of fundamental fairness and affording the government a reasonable basis to avoid public disclosure of sensitive national security information. Such hearings would be heard before a special court made up of five U.S. district court judges appointed by the Chief Justice of the United States.
- ◆ **Avoiding another Pan Am 103 -- Demanding that all Plastic Explosives be Manufactured with Detection Agents.** This proposal would implement the international Convention on the Marking of Plastic Explosives. The provision would represent America's commitment in ensuring that we avert future tragedies like the bombing of Pan Am 103. It would make it unlawful to manufacture or to receive, possess, or transfer any plastic explosive which does not contain a detection agent.
- ◆ **Strengthening our Ability to help investigate and prosecute terrorist crimes.** The proposed legislation contains a number of relatively technical but highly important provisions including:
 - * Addition of terrorism offenses to the list of predicate offenses under the Racketeering Influenced and Corrupt Organizations (RICO) statute and the federal money laundering statute.
 - * Addition of terrorism offenses to the list of statutes which are subject to court-authorized electronic surveillance.
 - * Increased penalties for conspiracies to commit terrorist offenses.
 - * Jurisdictional clarifications to ensure that, where a United States national is the victim or perpetrator of an extraterritorial terrorist offense, the defendant can be charged prior to being present in the United States.
 - * Amendment to the existing laws relating to attacks against federal employees to cover attacks against former employees where the offense is motivated by their prior performance of official duties.

TO: Bruce Reed
 Jose Genda

DOO/DOO ~~agreement~~ agreement

re: Power limitation provision

Affect ~~the~~ President's
 Term... bills

R. Jones

What Everybody Is Going To Say About Posse Comitatus Provisions:

1) New Chem./Bio. Provision

§111 should be understood to mean: Military may, when civilian law enforcement authorities lack necessary technical expertise, provide equipment and personnel to assist through technical support and advice in investigating, searching, collecting or analyzing evidence concerning the criminal use of biological or chemical weapons, and to assist in disarming or disabling those in control of chemical or biological weapons only when necessary to disable or disarm the chemical or biological weapon. This subsection is not intended to give intelligence agencies any authority not otherwise provided by law or executive order.

2) Old Terrorism Transcending National Boundries Provision

The new chem./bio. provision should be treated as superseding the §101(f) of the February bill. The new authority granted in §101(f) should be deleted in favor of the narrower chem/bio provision.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

May 2, 1995

President Requests Emergency Funds
For Oklahoma City

President Clinton has asked the Congress to provide \$142 million in emergency funding to meet urgent needs created by last month's bombing in Oklahoma City and to implement his new anti-terrorism initiative.

"The magnitude of the tragedy in Oklahoma demands that we provide these emergency funds as quickly as possible," the President said.

The President asked that the \$142 million be allocated to five major agencies -- the Departments of Justice, Treasury, and Housing and Urban Development (HUD), the General Services Administration (GSA), and the Federal Emergency Management Agency (FEMA) -- and the Judiciary.

Specifically, the President requested:

- \$71 million for the Department of Justice to fund immediate requirements in Oklahoma City as well as other anti-terrorism efforts. These funds would cover expenses related to investigating the bombing; establishing a Domestic Counter-terrorism Center; providing replacement facilities and equipment for employees displaced by the bombing; and covering other related efforts.
- \$26 million for GSA to fund emergency expenses related to the bombing, including funds for demolishing the Alfred P. Murrah Federal Building; leasing, furnishing, and equipping replacement office space; and providing increased security and heightened security precautions in Federal buildings across the Nation.
- \$24 million for the Department of the Treasury to fund immediate requirements in Oklahoma City and other anti-terrorism efforts. These funds would cover expenses related to investigating the bombing; establishing four National Response Teams; providing replacement facilities and equipment for employees displaced by the bombing; and funding other related efforts, including enhanced security at the White House.
- \$7 million to enable FEMA to help increase Federal, State, and local preparedness for mitigating and responding to the consequences of terrorism.
- \$3 million for HUD to provide replacement facilities and equipment for employees displaced by the bombing, and to enhance security at the HUD building in Washington, D.C.

- \$10 million that the Judiciary requested to provide enhanced security for judges and support personnel.

The President designated the \$142 million in fiscal year 1995 spending as an emergency under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. Although the emergency designation frees the President and the Congress of the requirement to offset the costs of these funds, the President proposed to offset this spending fully through cuts in other programs.

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DRAFT -- DRAFT -- DRAFT

May 17, 1995

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed
Rahm Emanuel

SUBJECT: Executive Actions on Antiterrorism

We have identified a series of unilateral actions the President could take over the next month while we wait for Congress to pass our antiterrorism bill. Dole is planning to bring a bill to the floor in early June; Hyde will have hearings then as well. Congress will have to pass something eventually. But for the moment, the Republicans' strategy seems to be to slow the bill down while they gear up for joint Congressional hearings on Waco and Ruby Ridge.

The following executive actions would keep pressure on Congress and keep the focus on terrorism:

1. Clarification of the Domestic Security Guidelines: The Justice Department will be ready to announce clarifications in the Attorney General's guidelines any day now -- as soon as Jamie Gorelick and Louis Freeh feel that they have done sufficient Congressional consultation. The changes they have in mind are minor, but will attract considerable press attention. If Justice is ready, the Administration could announce them over the recess, to underscore that we're taking action while Congress is taking its time. This announcement is not without risk, however. There will be a reflexive editorial backlash, grief from the right and the left, criticism that we're changing the guidelines after saying we wouldn't, and some speculation over whether Oklahoma City could have been prevented if we had changed the guidelines earlier. That is why Gorelick and Freeh are working hard to shore up Congressional support first.

2. Jawbone Explosives Industry: The President could direct Treasury Secretary Rubin to meet with CEOs of the explosives manufacturing industry, to press them to take action on tagging explosives without waiting for Congress. We should continue to demand legislation that would make taggants mandatory and enable ATF to study additional measures, such as rendering fertilizer inert. But in the meantime, we should lean on the industry to take steps on its own. ATF believes the industry will be eager to come to the table (although still resistant to any new regulatory burdens).

3. Bipartisan Commission on Domestic Terrorism: The President could appoint a bipartisan group to examine the extent to which militia and other organized groups seek to use force or violence for political and social objectives, and to look at other aspects of the domestic terrorist threat. The task force -- headed by someone from outside Washington, preferably a Republican or independent -- could conduct hearings around the country on the militia, anti-government organizations, etc., and issue a report by the end of the year. A commission could be a powerful tool to keep the focus on domestic terrorism while Congress looks into Waco. Many at Justice don't like the idea because it suggests that we don't know what to do and need a commission to tell us. They also point out that until we know more about what's behind the Oklahoma City bombing, we can't tell a commission where to look.

4. Establish Domestic Counterterrorism Center: The rescission bill includes funds for a domestic counterterrorism center, headed by the FBI. But we could begin to set up the center even before we have the money in hand. The President could direct all federal law enforcement agencies to cooperate in setting up the center, and to provide resources as necessary. If we pushed the agencies, we could get them to work out key details, such as a location for the center, which agencies will contribute what, etc. For example, we could establish a domestic terrorism hotline for local law enforcement agencies to call at any time.

Other areas for possible action:

* **Gun Shows:** ATF is in the preliminary stages of discussions with gun dealers on developing a code of ethics for gun shows, which have come under additional scrutiny because of the McVeigh case. Gun shows are an important part of the militia culture, and harbor an unknown amount of illegal gun trafficking. They are virtually impossible to regulate, but self-policing by gun dealers could make a difference.

* **Security Review:** The Attorney General is supposed to complete her 60-day security review of federal facilities by June 18. That report may include some recommendations for action -- although it may not be something we wish to publicize.

* **Regulating the Militia:** The Justice Department is looking into state laws on regulating the militia. We could ask them to make recommendations on federal regulation of the militia, once we have a better idea what options we have.

Clinton Administration Counterterrorism Initiative

I. Actions Already Announced by the President

1) Pass the Omnibus Counter-terrorism Act of 1995

This bill would provide clear Federal criminal jurisdiction for any international terrorist attack that might occur in the United States; provide Federal criminal jurisdiction over terrorists who use the United States as the place from which to plan terrorist attacks overseas; provide a workable mechanism, utilizing United States District Judges appointed by the Chief Justice, to deport expeditiously alien terrorists without risking the disclosure of national security information or techniques; provide a new mechanism for preventing fund-raising in the United States that supports international terrorist activities overseas; and would implement an international treaty requiring the insertion of a chemical agent into plastic explosives when manufactured to make them detectable.

2) Provide more tools to federal law enforcement agencies fighting terrorism

- o Amend the Fair Credit Reporting Act to ease access to financial and credit reports in anti-terrorism cases.** This legislation provides for disclosures by consumer reporting agencies to the FBI for counterintelligence and counterterrorism purposes. The FBI has no mechanism for obtaining credit reports for lead purposes in counterterrorism cases. These reports are available to used car dealers and other merchants. The FBI currently has authority under the Right to Financial Privacy Act of 1978 to obtain similar records pursuant to a "National Security Letter" signed by a high-ranking FBI official. The same procedures and safeguards would apply to credit records under this proposal.
- o Amend Federal law to adopt, in national security cases the standard currently used in obtaining a "pen register" in a routine criminal case.** This proposal would extend the relaxed standard for obtaining "pen registers" and "trap and trace" device orders which already exists in routine criminal cases, to national security cases. A "pen register" is a device which records the number dialed on a telephone. A "trap and trace" device is similar to "Caller ID," providing law enforcement with the telephone number from which a call originates. Neither "pen registers" nor "trap and trace" devices permit law enforcement to monitor the actual conversations being conducted. The current, higher-than-regular standard impedes the ability of the FBI to obtain surveillance coverage of terrorists and spies.

- o Pass legislation to require hotel/motel and common carriers to provide records necessary for fighting terrorism. This proposal would require hotel/motel and common carriers such as airlines and bus companies to provide records to the FBI pursuant to authorized national security requests just as they must do now for virtually all state and local law enforcement. The FBI now must rely on the voluntary assistance of motel, hotel and other innkeepers or common carriers regarding records of terrorists who may have stayed at the establishment or used the common carrier. The FBI has found that, while some of these entities voluntarily provide such information, an increasing number refuse, absent a court order, a subpoena, or other legal protection. In a counterterrorism case being conducted pursuant to the Attorney General's Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations, there is no legal mechanism, e.g., subpoena, available to obtain these records.
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- o Amend Federal law to adopt, in national security cases the standard currently used in obtaining a "pen register" in a routine criminal case.** This proposal would extend the relaxed standard for obtaining "pen registers" and "trap and trace" device orders which already exists in routine criminal cases, to national security cases. A "pen register" is a device which records the number dialed on a telephone. A "trap and trace" device is similar to "Caller ID," providing law enforcement with the telephone number from which a call originates. Neither "pen registers" nor "trap and trace" devices permit law enforcement to monitor the actual conversations being conducted. The current, higher-than-regular standard impedes the ability of the FBI to obtain surveillance coverage of terrorists and spies.

- o Pass legislation to require hotel/motel and common carriers to provide records necessary for fighting terrorism. This proposal would require hotel/motel and common carriers such as airlines and bus companies to provide records to the FBI pursuant to authorized national security requests just as they must do now for virtually all state and local law enforcement. The FBI now must rely on the voluntary assistance of motel, hotel and other innkeepers or common carriers regarding records of terrorists who may have stayed at the establishment or used the common carrier. The FBI has found that, while some of these entities voluntarily provide such information, an increasing number refuse, absent a court order, a subpoena, or other legal protection. In a counterterrorism case being conducted pursuant to the Attorney General's Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations, there is no legal mechanism, e.g., subpoena, available to obtain these records.
 - o Fully fund the FBI's "digital telephony" initiative to assure court-authorized law enforcement access for electronic surveillance to digitized communications. This proposal would appropriate funds to implement recent amendments to statutes governing secure telephone data transmission (digital telephony). These amendments require telephone carriers to install and maintain sophisticated equipment which will permit law enforcement to continue to conduct legal electronic surveillance.
 - o Create and allocate funds for a special FBI counterterrorist and counterintelligence fund. This proposal will fund costs associated cases which arise in connection with terrorism crises, including logistics and other support.
 - o Create an interagency Domestic Counterterrorism Center headed by the FBI. This proposal will establish a partnership effort between the Justice Department, including the FBI, and other federal and state law enforcement authorities to coordinate counterterrorism efforts within the United States.
- 3) Conduct terrorism threat assessment of every federal facility in the country within the next 60 days. The President has directed the Attorney General to conduct this assessment and report her recommendations in 60 days. The assessment has already begun.
- 4) Direct GSA to replace the federal building in Oklahoma City.

- 5) Direct the FBI Director, the Attorney General, and the National Security Adviser to prepare a Presidential Decision Directive authorizing any and all further steps necessary to combat foreign and domestic terrorism.

II. New Legislative Proposals

1) INVESTIGATIONS

- o Hire approximately 1000 new agents, prosecutors, and other federal law enforcement and support personnel to investigate, deter, and prosecute terrorist activity.
- o Pass legislation to require, within 1 year, the inclusion of taggants in standard explosive device raw materials which will permit tracing of the materials post-explosion. This proposal would require the inclusion of microscopic particles in certain raw materials, thereby permitting law enforcement to trace the source of explosives even after a device has been detonated.
- o Require the BATF to study and report on: 1) the tagging of explosive materials for purposes of identification and detection; 2) whether common chemicals used to manufacture explosives can be rendered inert for use in explosives, and 3) whether controls can be imposed on certain precursor chemicals used to manufacture explosives. In light of recent bombing incidents, there is a need to develop technologies that will make it possible to detect concealed explosives. Additionally, if bombings do take place, a means of providing some clues is needed to lead investigators to those responsible for the explosion. Moreover, since explosives can be manufactured using common agricultural and household materials, it is important to determine whether such materials can be manufactured in a manner so that their use in explosives is unlikely. Finally, the study would determine whether any reasonable controls can be placed on precursor chemicals, e.g., ammonium nitrate, which have many legitimate uses.
- o Amend the Posse Comitatus Act to permit military participation in crime-fighting involving weapons of mass destruction. This proposal would amend Federal laws, which severely limit the role of the military in domestic law enforcement, to permit military participation in criminal cases involving chemical, biological and other weapons of mass destruction; areas in which the military has specialized expertise.

- o Amend the Electronic Communications Privacy Act of 1986 to constitutionally enhance use of electronic surveillance to fight terrorism. This proposal would: permit any federal felony to be used as a basis for an electronic surveillance order; ease restrictions on the use, in American court proceedings, of information from electronic surveillance conducted by foreign governments; forbid suppression of electronic surveillance evidence unless law enforcement acted in bad faith in obtaining the evidence; authorize emergency electronic surveillance in situations involving threats by domestic terrorist organizations; authorize roving wiretaps where it is not practical to specify the number of the phone to be tapped, such as where a target uses multiple pay phones; allow the FBI to obtain records of local telephone calls, without the need for a court order, as they can now obtain records of long-distance calls; and require telephone companies and/or service providers to preserve evidence until a court order could be obtained. None of these changes would alter the requirement for probable cause prior to engaging in electronic surveillance.

2) PROSECUTION

- o Amend Federal law to criminalize the use of all chemical weapons to include all forms of chemical weapons. This bill would amend federal law to include chemical weapons in non-gaseous form. Under existing law, chemical weapons in gaseous form are covered, but those which are in liquid or solid form are not. Thus, for example, an individual who introduces dioxin in solid form into the water supply of a city would not be chargeable under current law.
- o Make it illegal to possess explosives knowing that they are stolen. This proposal would conform explosives laws to existing firearms statutes, making it a crime to for an individual to possess explosives which the individual knows are stolen.
- o Extend the statute of limitations on the National Firearms Act to five (5) years. This proposal would extend from three (3) to five (5) years the statute of limitations for prosecution for violations of the National Firearms Act, which deals with explosive and incendiary bombs. This change brings the statute of limitations for these offenses in line with similar criminal provisions.

- o Provide the Secretary of Treasury authority to direct the use of Treasury Department aircraft to support emergency law enforcement situations. This proposal would authorize the Secretary of Treasury to authorize the use of Treasury Department aircraft in support of emergency law enforcement crises.
- o Amend reward authority statutes to reduce restrictions on making rewards. This proposal would provide the Attorney General authority to pay a reward which is not subject to the spending limitations contained in 18 U.S.C. §§ 3059 and 3072, provided that any reward of \$100,000 or more may not be made without the approval of the President or the Attorney General, and such approval may not be delegated.

3) **PENALTIES**

- o Increase the penalty for anyone convicted of transferring a firearm or explosive knowing that it will be used to commit a crime of violence or drug trafficking crime. This proposal will provide a mandatory penalty of not less than 10 years for any person who transfers a firearm knowing or having reasonable cause to believe that a firearm will be used to commit a crime of violence or drug-trafficking crime.
- o Amend 18 U.S.C. §111 to provide enhanced penalties for *all* current and former Federal Employees against terrorist attacks. The existing statute only protects enumerated categories of current Federal employees. The proposed statute would provide enhanced penalties for crimes against all current and former Federal employees, and their immediate families, when the crime is committed because of the official duties of the federal employee.



Office of Policy Development
United States Department of Justice
10th and Constitution Ave. NW
Washington, D. C. 20530

TO: Bruce Reed / José Cerdá FAX: ()

FROM: Grace Mastalli

VOICE: (202)
FAX: (202) 514-8639

Total Pages (excluding this cover): _____

Additional Message:

The timing on release of this
is flexible. It is based on
last year's NIJ funded RAND report.

DRAFT

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice



National Institute of Justice

Update

Jeremy Travis, Director

June 1995

State and Local Responses to Terrorism

Horrendous acts of terrorism, such as the bombings of Oklahoma City's Murrah Federal Building and New York City's World Trade Center, have focused attention on Federal, State, and local law enforcement preventive and preparedness measures and, in particular, on the re-evaluation of domestic security policies and procedures nationwide. To assess how States and municipalities have perceived the threat of terrorism and to identify potentially promising anti- and counter-terrorism programs used by these jurisdictions, the National Institute of Justice (NIJ) sponsored a 2-year research effort. The results of this study indicated that State and local law enforcement agencies viewed the threat of terrorism as very real, that they defined it more broadly than their Federal counterparts, and that a jurisdiction's approach to preparedness and prevention varied according to its size, resources, and the nature of the terrorist threats it confronted.

Perceptions of terrorism

The research project's national survey of State and local law organizations showed that their more expansive definitions of what constitutes terrorist activity led a sizable majority of jurisdictions to believe terrorism to be more widespread than indicated by the official terrorist statistics published by the Federal Bureau of Investigation (FBI). In these broader definitions, States and municipalities considered threatening acts by organizations such as the Skinheads to be terrorist, and they identified right-wing (neo-Nazi, anti-Semitic, anti-federalist) and issue-specific (anti-abortion, animal rights, environmentalist) organizations as the most threatening actual and potential terrorist sources.

Approaches to the problem

After conducting a survey to assess the perception of the terrorist threat in this country, researchers selected 10 locations (Whitehall, Pennsylvania; New York, New York; Birmingham, Alabama; Miami, Florida; San Juan, Puerto Rico; Milwaukee, Wisconsin; Coffey County/Burlington, Kansas; Coeur d'Alene, Idaho; Seattle, Washington; and Los Angeles, California) as case studies. They looked at how these different jurisdictions have adapted to the threat of terrorism and developed their preventive and preparedness programs. The case studies confirmed in detail what the survey revealed in general terms, i.e., that communities have been aware of potential terrorism problems and were interested in confronting terrorism before it erupted. A variety of successful terrorism preparedness formulas existed in communities both large and small.

Major cities. Large municipalities, such as New York City and Miami, have developed significant counter-terrorism programs in close cooperation with the FBI and its regional joint terrorism task forces. These cities adhere to similar, or the same, guidelines and restrictions on intelligence gathering and collection as are imposed on Federal law enforcement agencies. They communicate regularly with the FBI and benefit from the Bureau's training and guidance.

Smaller jurisdictions. Less populated communities, such as Kootenai County/Coeur d'Alene in Idaho, have worked to stay ahead of nascent terrorism threats by forging close regional alliances and capitalizing on available FBI resources. Smaller jurisdictions that house

sensitive facilities—such as military installations, nuclear power plants, telecommunications nodes, and fuel supplies—are more likely to have developed and reviewed terrorism contingency plans than communities with no such vital infrastructure targets. For example, Coffey County, Kansas, home of the Wolf Creek Nuclear Station, contracted with a private agency to provide its four-member strategic response team with counter-terrorism training.

Resource constraints

More generally, the case study findings suggest that, along with the nature of the possible terrorism and the number of people who live within the jurisdiction, budgetary constraints influence both strategic and tactical law enforcement responses. Communities value the intelligence and support the FBI provides and municipalities value their communication with Federal authorities. Localities are

interested in adopting a broad strategic approach, which uses intelligence, planning, and advance preparation to combat terrorism, but they frequently lack the resources to maintain such an expensive approach.

The full report, *Domestic Terrorism: A National Assessment of State and Local Law Enforcement Preparedness*, was written by Kevin Jack Hiley and Bruce Hoffman, analysts at the RAND Corporation. A limited number of copies of the report are available from NCJRS (NCJ 154149). The study was prepared for the National Institute of Justice under grant number 91-417-CX-0019. Copies of the full report (SOS-NU-RAND), published in 1995, can be obtained from RAND by telephoning 310-451-7002 or sending an e-mail request to order@rand.org.

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

Washington, D.C. 20531

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

May 3, 1995

TO THE CONGRESS OF THE UNITED STATES:

Today I am transmitting for your immediate consideration and enactment the "Antiterrorism Amendments Act of 1995." This comprehensive Act, together with the "Omnibus Counterterrorism Act of 1995," which I transmitted to the Congress on February 9, 1995, are critically important components of my Administration's effort to combat domestic and international terrorism.

The tragic bombing of the Murrah Federal Building in Oklahoma City on April 19th stands as a challenge to all Americans to preserve a safe society. In the wake of this cowardly attack on innocent men, women, and children, following other terrorist incidents at home and abroad over the past several years, we must ensure that law enforcement authorities have the legal tools and resources they need to fight terrorism. The Antiterrorism Amendments Act of 1995 will help us to prevent terrorism through vigorous and effective investigation and prosecution. Major provisions of this Act would:

- Permit law enforcement agencies to gain access to financial and credit reports in antiterrorism cases, as is currently permitted with bank records. This would allow such agencies to track the source and use of funds by suspected terrorists.
- Apply the same legal standard in national security cases that is currently used in other criminal cases for obtaining permission to track telephone traffic with "pen registers" and "trap and trace" devices.
- Enable law enforcement agencies to utilize the national security letter process to obtain records critical to terrorism investigations from hotels, motels, common carriers, storage facilities, and vehicle rental facilities.
- Expand the authority of law enforcement agencies to conduct electronic surveillance, within constitutional safeguards. Examples of this increased authority include additions to the list of felonies that can be used as the basis for a surveillance order, and enhancement of law enforcement's ability to keep pace with telecommunications technology by obtaining multiple point wiretaps where it is impractical to specify the number of the phone to be tapped (such as the use of a series of cellular phones).
- Require the Department of the Treasury's Bureau of Alcohol, Tobacco, and Firearms to study the inclusion of taggants (microscopic particles) in standard explosive device raw materials to permit tracing the source of those materials after an explosion; whether common chemicals used to manufacture explosives can be rendered inert; and whether controls can be imposed on certain basic chemicals used to manufacture other explosives.

more

(OVER)

- Require the inclusion of taggants in standard explosive device raw materials after the publication of implementing regulations by the Secretary of the Treasury.
- Enable law enforcement agencies to call on the special expertise of the Department of Defense in addressing offenses involving chemical and biological weapons.
- Make mandatory at least a 10-year penalty for transferring firearms or explosives with knowledge that they will be used to commit a crime of violence and criminalize the possession of stolen explosives.
- Impose enhanced penalties for terrorist attacks against current and former Federal employees, and their families, when the crime is committed because of the employee's official duties.
- Provide a source of funds for the digital telephony bill, which I signed into law last year, ensuring court-authorized law enforcement access to electronic surveillance of digitized communications.

These proposals are described in more detail in the enclosed section-by-section analysis.

The Administration is prepared to work immediately with the Congress to enact antiterrorism legislation. My legislation will provide an effective and comprehensive response to the threat of terrorism, while also protecting our precious civil liberties. I urge the prompt and favorable consideration of the Administration's legislative proposals by the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 3, 1995.

#

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 5, 1995

**PRESIDENT CLINTON ANNOUNCES EXPANSION OF OKLAHOMA CITY
DISASTER DECLARATION**

The President today amended his April 26 declaration of a major disaster in the city of Oklahoma City in the State of Oklahoma as a result of the bombing at the Alfred P. Murrah Federal building in Oklahoma City on April 19, 1995.

The President's amended declaration authorizes the addition of Public Assistance and Hazard Mitigation to the major disaster declaration. This action makes Federal funding available to affected state and local governments in Oklahoma county.

Federal funding is available to eligible local governments on a 75 percent Federal cost-sharing basis for the repair or replacement of public facilities damaged by the explosion. FEMA will continue funding costs associated with debris removal and emergency protective measures, as authorized by Section 501(b) in the April 19 declaration, at 100 percent Federal funding.

30-30-30



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

**OFFICE OF THE
DEPUTY ASSISTANT SECRETARY
(ENFORCEMENT)**

TO: Jose Cuda

PHONE NUMBER: _____

FAX NUMBER: 456-7028

FROM: Rebecca Hedlund

PHONE NUMBER: (202) 622-0200

FAX NUMBER: (202) 622-7154

PAGE(S): _____

MESSAGE/COMMENTS:

Q: What is ATF's current jurisdiction regarding explosives?

ATF has primary jurisdiction for violations of 18 U.S.C., chapter 40, section 842 (dealing in explosives without a license, giving false information to buy explosives, transporting explosives interstate without a license, distributing explosives to nonresident nonpermittee, distributing explosives to nonlicensee or nonpermittee, distributing explosives for an unlawful purpose, transferring explosives to a prohibited person, knowingly possessing stolen explosives, distributing explosives in violation of local laws, making false entries in required explosives records, distributing explosives without proper recordkeeping, prohibited persons possessing explosives, illegally storing explosives, and failing to report an explosives theft). ATF also has authority to investigate violations of sections 844(d) (transporting explosives interstate with intent to kill, injure, maim, or cause property damage) and 844(i) (using or attempting to use an explosive to damage or destroy any building vehicle, or other real property used in interstate or foreign commerce). ATF shares this authority with the FBI if there is recognized terrorist group involvement or if the incident is directed against foreign diplomatic facilities, and with the USPS if the incident is directed against the USPS or its functions, at which time the incidents are investigated jointly.

Under 26 U.S.C., chapter 53, section 5861, ATF is responsible for investigating the illicit manufacture, possession, receipt, and transfer of destructive devices. ATF also maintains the National Firearms Registration and Transfer Record, a central repository of all firearms and destructive devices in the United States that are required to be registered; e.g., a machinegun, a pipe bomb, a molotov cocktail, a remanufactured handgrenade. Ancillary to this is the provision that requires ATF to determine whether an explosive/incendiary device is not likely to be used as a weapon, and therefore excluded from the definition of a destructive device.

Q: What is ATF's current regulatory function as it pertains to explosives?

ATF's regulatory function as it pertains to explosives involves the licensing of

manufacturers, importers, users, and dealers of explosive materials, and the inspection of licensees and permittees as it relates to proper licensing, adequate recordkeeping, and required storage.

Q: In 1977, what legislation was proposed as it related to taggants?

Legislation proposed in 1977 as it related to taggants was introduced by the Senate as an amendment to section 841 of Title 18, United States Code. Legislation pertaining to taggants was again introduced in 1993, this time by the House as an amendment to 841 of Title 18, United States Code. (See attachment B.)

Q: What other countries are involved in tagging explosives?

Switzerland currently has a program that requires the use of taggants in commercial explosives. The use of taggants in all explosives produced in or imported into Switzerland has been mandated by law since 1981.

Q: In the taggant area, what would ATF like to do?

Attachment A reflects the budget history of the study performed regarding explosives tagging and control for the period FY-77 through FY-80. As can be seen, the total dollar amount of \$6,979,400 included the following areas: subcontracts, consultants and purchased services, Aerospace technical management and subcontracts, Aerospace in-house research and development, and finally, Aerospace technical support. The Aerospace Corporation of Washington, DC was the company awarded the Explosives Tagging and Control contract.

This \$7-million study called for the design, development, and engineering testing of operational systems for explosives tagging and control, including the ancillary equipment for detecting and identifying explosives both before and after detonation.

The issues currently before Congress, the Treasury Department, and the Bureau of ATF are essentially the same as they were in the late 1970's.

Preliminary inquiries with companies who developed taggant technology at that time reflect the fact that much of the technology has changed and that the resulting research and development of that technology as it relates to identification and detection taggants in explosives would have to be totally redone and retested.

In other areas, great strides have been made in the 15-20 years since some of these issues have been studied. In the area of detection taggants, a worldwide effort under the sponsorship of the International Civil Aviation Organization (ICAO) directed at placing a detection taggant in military and commercial plastic and sheet explosives (the explosives commonly used by terrorists) has been ongoing since 1989. In 1991, the United States was one of 100-odd nations signing a United Nations treaty to place a detection taggant in these products. Legislation in Congress to ratify the ICAO treaty is still pending.

Based upon the 1976-80 figures as seen in the attachment, ATF estimates that the current cost of a like study in today's dollars would be \$15 million. Additionally, this is based upon the fact that a new study would be far more comprehensive, to include detection taggants as well as those issues surrounding ammonium nitrate, explosives chemicals, and plastic explosives.

ATF recommends, however, that a preliminary assessment of detection and identification taggants be initiated immediately. This assessment, estimated to cost approximately \$30,000, would consist of a comprehensive 1-week technical briefing on the state of taggant technology. This briefing would include discussions on the current research and development in both detection and identification taggants for all types of explosive materials, including plastic explosives, blasting agents (ANFO), dynamite, and other high explosives, as well as black and smokeless powder, safety fuse, detonating cord, and initiating explosive detonators.

Represented at part of this briefing would be the Fertilizer Institute (re: ammonium nitrate) and the Institute of Makers of Explosives, from whom

current figures and analyses as to the "state of the industry" would be obtained. Others that ATF envisions participating in this technical briefing would be as follows:

1. Members of Under Secretary Ronald Noble's staff
2. ATF representatives, including:
 - Deputy Associate Director
Criminal Enforcement (Programs)
 - Deputy Associate Director
Regulatory Enforcement (Programs)
 - Chief, Arson and Explosives Division
 - Forensic Science Laboratory
 - Explosives Technology Branch
 - Office of Chief Counsel
3. Federal Aviation Administration
4. Department of Defense
Office of Special Technology (Technical Support Working Group)
5. Lawrence Livermore Laboratories
6. Naval EOD Technology Division

At the end of this briefing, informed decisions could then be made as to the feasibility and scope of additional studies. If funded, this meeting would be held within 2-3 weeks.

Explosives Taggant Initiative

Attachment A reflects the budget history of the study performed regarding explosives tagging and control for the period FY-77 through FY-80. As can be seen, the total dollar amount of \$6,979,400 included the following areas: subcontracts, consultants and purchased services, Aerospace technical management and subcontracts, Aerospace in-house research and development, and finally, Aerospace technical support. The Aerospace Corporation of Washington, DC was the company awarded the Explosives Tagging and Control contract.

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Based upon the 1976-80 figures as seen in the attachment, ATF estimates that the current cost of a like study in today's dollars would be \$15 million. Additionally, this is based upon the fact that a new study would be far more comprehensive, to include detection taggants as well as those issues surrounding ammonium nitrate, explosives chemicals, and plastic explosives.

ATF recommends, however, that a preliminary assessment of detection and identification taggants be initiated immediately. This assessment, estimated to cost approximately \$30,000, would consist of a comprehensive 1-week technical briefing on the state of taggant technology. This briefing would include discussions on the current research and development in both detection and identification taggants for all types of explosive materials, including plastic explosives, blasting agents (ANFO), dynamite, and other high explosives, as well as black and smokeless powder, safety fuse, detonating cord, and initiating explosive detonators.

Represented at part of this briefing would be the Fertilizer Institute (re: ammonium nitrate) and the Institute of Makers of Explosives, from whom current figures and analyses as to the "state of the industry" would be obtained. Others that ATF envisions participating in this technical briefing would be as follows:

1. Members of Under Secretary Ronald Noble's staff
2. ATF representatives, including:
 - Deputy Associate Director
Criminal Enforcement (Programs)
 - Deputy Associate Director
Regulatory Enforcement (Programs)
 - Chief, Arson and Explosives Division
 - Forensic Science Laboratory
 - Explosives Technology Branch
 - Office of Chief Counsel
3. Federal Aviation Administration
4. Department of Defense
Office of Special Technology (Technical
Support Working Group)
5. Lawrence Livermore Laboratories
6. Naval EOD Technology Division

At the end of this briefing, informed decisions could then be made as to the feasibility and scope of additional studies. If funded, this meeting would be held within 2-3 weeks.

At a minimum, ATF estimates that an interim, limited study would be called for as a result of this meeting and could be contracted for in FY-95 at a cost of \$3 million. This study could then eliminate those areas that are not practical for taggant legislation and would then lead into the full-scale pilot program in FY-96 and FY-97 at a cost of potentially \$15 million.

EXPLOSIVES TAGGING & CONTROL : BUDGET HISTORY

	FY(77) 2860	FY(78) 3860	FY(79) 4860	(estim) FY(80) 5860	TOTAL	PERCENTAGE
Subcontracts, consultants & purchased services	308.6	926.7	1,236.2	498.4	2,969.9	42.55
Aerospace technical (1) management of subcontracts	155.1	362.4	411.9	338.7	1,268.1	18.17
Aerospace in-house research & development	265.1	655.8	683.9	589.7	2,194.5	31.44
Aerospace technical (2) support	70.7	163.4	178.0	134.8	546.9	7.84
Total	799.5	2,108.3	2,510.0	1,561.6	6,979.4	100.00

in thousands

(1) Includes Aerospace writing of reports on subcontractor activities and travel.

(2) includes monthly report and presentations, annual report, advisory committee support, answers to technical questions, symposium, general administration.

MAY-09-1995 01:44

P.09/09

TOTAL P.09

PRESIDENT
CHIEF JOHN T. WHETSEL
Choctaw Police Department
Choctaw, Oklahoma

IMMEDIATE PAST PRESIDENT
CHIEF SYLVESTER DAUGHTRY, JR.
Greensboro Police Department
Greensboro, North Carolina

FIRST VICE PRESIDENT
CHIEF DAVID G. WALCHAK
Concord Police Department
Concord, New Hampshire

SECOND VICE PRESIDENT
CHIEF DARRELL L. SANDERS
Frankfort Police Department
Frankfort, Illinois

THIRD VICE PRESIDENT
CHIEF BOBBY D. MOODY
Covington Police Department
Covington, Georgia

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CHIEF RONALD S. NEUBAUER
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Plano Police Department
Plano, Texas

INTERNATIONAL VICE PRESIDENT
CHIEF CONSTABLE
RONALD HADFIELD, QPM
West Midlands Police
Birmingham, England

TREASURER
ASSOCIATE COMMISSIONER
FOR ENFORCEMENT
G. H. (GIL) KLEINKNECHT
U.S. Immigration and
Naturalization Service
Washington, DC

GENERAL CHAIRMAN
DIVISION OF STATE ASSOCIATIONS OF
CHIEFS OF POLICE
CHIEF LESLIE A. SHARROCK
Moorhead Police Department
Moorhead, Minnesota

GENERAL CHAIRMAN
DIVISION OF STATE AND
PROVINCIAL POLICE
COMMISSIONER MAURICE J. HANNIGAN
California Highway Patrol
Sacramento, California

PARLIAMENTARIAN
DIRECTOR G.A. (JACK) PECORARO
Illinois Secretary of State Police
Springfield, Illinois

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

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EXECUTIVE DIRECTOR
DANIEL N. ROSENBLATT



DEPUTY EXECUTIVE DIRECTOR
EUGENE R. CROMARTIE

April 24, 1995

The Honorable William J. Clinton
President of the United States
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Clinton:

On behalf of the membership of the International Association of Chiefs of Police (IACP), I want you to know that the IACP supports, in principle, your call for greater powers to combat domestic terrorism. The recent events at the Alfred P. Murrah Federal Building in my home state of Oklahoma, demonstrate with horrifying clarity, the havoc and mayhem that can occur if terrorists remain undetected.

The IACP membership and I realize that you have not had time to finalize your domestic terrorism proposals, which we assume would, at the very least, include giving the FBI easier access to infiltrate suspected terrorist groups. We await the development of those proposals and hope they will be amended into the Omnibus Counterterrorism Act of 1995, currently being considered by both houses of Congress.

If you feel the IACP can be of assistance in these matters, please do not hesitate to contact us. No one wants to experience a repeat of the Oklahoma City tragedy, and the best method to prevent a recurrence is to anticipate that a recurrence is possible and to give law enforcement the necessary tools to detect fanatical groups or individuals long before they have the chance to act.

Sincerely,

A handwritten signature of John T. Whetsel in dark ink, written in a cursive style.

John T. Whetsel
IACP President

Chief of Police
Choctaw, Oklahoma

cc: Senator Orrin G. Hatch
Congressman Henry J. Hyde

102ND ANNUAL
IACP CONFERENCE
OCTOBER 14-19, 1995
MIAMI, FLORIDA



PRESIDENTIAL LETTERS AND MESSAGES

FAX COVER SHEET

TO: JOSE CERDA
Domestic Policy Council
6-ES68 / 6-3028 (FAX)

FROM: Maureen F. Lewis
Presidential Letters and Messages
456-5516/456-2806
Room 93, OEOB

Request For: ☐ Draft
☒ Information
☐ Clearance
☐ Other - See Below

Date: 24 April 1995

Date Needed: _____

Number of pages including cover: 4

Joe -
I'd appreciate it if you could take a look at this letter which just arrived in Presidential Letters. As it eerily predicts the relative potential of paramilitary/militia groups, I was wondering if you had any advice as to special handling, etc. I can use POTH comments re: the Admin's anti-terrorist initiatives, etc, but I'd be grateful for your counsel before drafting a response.
Thanks.
Maureen Lewis

PL

106873

MUSSELSHELL COUNTY ATTORNEY

P.O. Box 248
Roundup, Montana 59072

John Bohlman
County Attorney
(406) 323-2230

March 27, 1985

The Honorable President Bill Clinton
Office of the President of the United States
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Clinton:

*Unreliable
in O.R.M.
from analysis
on 4-14-85*

Even though I was elected to my position as the Republican candidate, I have been considering for some time that I should write to you and encourage you to stick to your convictions while facing the Republican majority in the House and Senate. I do not see myself at all aligned with the Republicans in Washington nor the Republican majority that now controls Montana's government. However, recent escalation of anti-government activities here in Montana has caused me to write to you out of concern for the safety of my community, other communities in Montana, and elected officials in Montana. Further, the same escalation of anti-government activities here seems to be occurring all over the West and the Mid-West. Please turn your attention to these domestic activities as ignoring them will only embolden those who are promoting violent resistance to government.

On March 3rd I became personally involved in a confrontation when five activists were arrested at the Musselshell County Jail when it appeared they were attempting to free two other activists or to take back guns, gold, and other items that were being held following the arrests only an hour or two earlier of the first two. As the evidence has been examined, the criminal charges may be amended to rather minor charges. I believe that at least some of the men arrested were preparing to commit a major crime, but proving it is another matter. We had information that a district court judge, county prosecutor, and/or county sheriff were to be kidnapped, tried, and executed on video tape by a group known in Montana as the "Freemen." However, without the FBI revealing details about the source of that tip, the attempt will go unprosecuted and it appears that the U.S. Attorney's office here is not going to verify the tip and how it was gained.

I believe the activity level of the anti-government groups in Montana is increasing and confrontations with government officials and law enforcement are becoming more and more likely to result in deaths. As a county prosecutor, I and the county sheriff are the first line of resistance to the "Freemen." That group particularly targets county government officials and district court judges as traitors who are to be executed. The group is also extremely racist and their version of law combines the Magna Charta, *The Bible*, old English common-law, and a 19th century state constitution. They also apply different aspects of the Federal Constitution to varying classes of citizenship as identified by the group. The other danger is the rising

aggressiveness of the various militia groups in Montana and around the nation. During the week following the arrests of the seven men in Roundup, Montana, I received phone calls from all over our nation threatening me and declaring that I had violated the Constitution by arresting these "great patriots." I was repeatedly put on notice that I was a traitor and seditionist and that I should be aware that the penalty for treason is death by hanging. One of the men was militia leader John Trochmann who has been on radio stations around the country pitching a distorted version of the events surrounding his arrest and using this event to denounce our state and federal governments. Our county sheriff's office received even more harassing phone calls and threats than did my office as the sheriff's phone number was distributed by the militia groups on the internet with instructions to harass his office.

In Garfield County, bounties were posted by the Freemen for various public officials and those officials were to be executed by hanging. In Ravalli County, Calvin Greenup has declared the separation of himself and about twenty followers from the jurisdiction of the state or federal government. Here in my own county two men for whom there are state and federal warrants of arrest, Rodney Skurdal and Leroy Schweitzer, sit smugly in a log home and continue to harass and threaten public officials and direct the activities of other Freemen. They can do this because federal law enforcement agencies are directed to not take confrontational action due to the Randy Weaver and Waco incidents. The property of Rodney Skurdal was "seized" by the IRS for non-payment of taxes and put up for sale without the eviction of the extremely well armed residents so of course no one has bought it and the government has effectively done nothing to collect the debt owed. Meanwhile, I live and work in a community that is in continual danger because these two men whom I consider terrorists are sitting outside of town directing anti-government activities. Judge Langston of Ravalli County has received faintly disguised death threats from the director of the North America Volunteer Militia. These groups are also promoting and selling bogus money orders which they claim must be accepted as payment of debts. Rodney Skurdal, the Freeman who lives in Musselshell County whom I referred to above, recently issued the \$20,000,000 worth of bogus money orders which were deposited in a bank in Cascade Montana by that town's mayor. I have seen advertisements from outside of Montana that offer to sell money orders worth \$20,000,000 for \$350.00 of regular currency. Since these same people declare that regular currency has no value. It is odd that they accept it as payment for their bogus money orders.

I believe that federal crimes are being committed with impunity when these threats flow from state to state and with the advertising, creation, and sale of these money orders. Further, at what point is treason or sedition committed? The more the federal and local law enforcement agencies behave with a "hands-off" attitude, the more bold and daring these groups become. What also troubles me is that the current Republican majority in Washington and in Montana seem to be creating a fertile environment for these groups.

Amongst its own membership, the Militia of Montana promotes white racial purity and has no regards for any minority group not within their own definition of which people should be allowed to live and inhabit this country. Although I consider myself conservative in matters of social spending and services, I find that the only voice of reason in Montana regarding the anti-government/hate groups activities is the Montana Human Rights Network. I should also compliment Attorney General Joe Mazurek whose stand is courageously independent of the non-committal position of our Governor. I realize that Marc Racicot is extremely popular in this state, but I hope he comes to realize that his political future could nose dive when elected officials in this state start dying at the hands of Freemen or the more radical elements of the

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militia movements. Personally, I think we will have a confrontation that ends in gunfire before the end of this year.

On March 24, 1995, I received a phone call from Lee Kerr in Hysham. Lee is also a county attorney. He called me to ask whether there was a state task force to which he could turn for assistance and intelligence regarding "Freemen" in his county. I had to inform him that a week earlier I had discussed the need for this with Governor Racicot and was told that I was overreacting. County Prosecutor Lee Kerr told me that both he and the District Judge had purchased handguns the previous week and had been to the shooting range to practice. Further, they had given office space in their courthouse to a deputy so that they would have more security. This is a situation which requires centralized state involvement, as well as a well directed and uniform federal involvement. No single county can financially deal with making the arrests that are warranted when these individuals commit state crime. In Darby, Montana, there is a standoff involving anti-government activist Calvin Greenup. Recently a helicopter from the Idaho National Guard strayed over the Greenup ranch and Calvin Greenup called his followers who arrived prepared to shoot down the helicopter. Although I am glad no one was injured, if the helicopter had returned and been fired upon, perhaps then our state and national government would pull their heads out of the sand.

Here in Roundup, I am receiving calls from business owners who feel threatened and intimidated by Freemen who openly wear guns into the businesses. I am working on how to let each business choose whether they will allow such behavior without violating the rights bestowed by our State and Federal constitutions. Our schools and every public building in this community are implementing increased security measures. Children are frightened because they hear what adults are saying. Our local hardware store has been selling guns hand over fist, and even the pawn shops in Billings are commenting on the number of sales of guns they are making to Musselshell County residents. I have been told that the UPS delivery of guns and ammunition in Garfield County is extreme.

In closing, I want to say that I believe many areas of our state are becoming very volatile. The state and federal legislatures could do a great service toward the safety of law-abiding citizens by not promoting laws that comply with the agenda of the radical right, and by providing for a way for local law enforcement to get assistance in arresting those extremists who have committed crimes and who embolden others to commit crimes by showing that county law enforcement cannot enforce the laws of the state. The federal government is also responsible for this problem in that federal laws are being broken even more blatantly than local laws because it is clear that the federal law enforcement agencies have been completely crippled by the Waco and Randy Weaver incidents. As more and more tax protesters go unpunished and keep their property by threatening violence, others will believe that they too can refuse to pay taxes. Further, the rhetoric claiming that taxes are illegal will gain legitimacy if the federal government continues to let these people hold onto their assets and go unpunished.

Sincerely,



John Bohlman

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

April 26, 1995

PRESS BRIEFING

BY

UNDER SECRETARY OF THE TREASURY FOR ENFORCEMENT RON NOBLE,
DEPUTY ATTORNEY GENERAL JAMIE GORELICK,
AND DEPUTY ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY BRUCE REED

The Briefing Room

6:25 P.M. EDT

MS. GLYNN: Deputy Attorney General Jamie Gorelick, Deputy Assistant to the President for Domestic Policy Bruce Reed and Under Secretary of the Treasury for Enforcement Ron Noble.

DEPUTY ATTORNEY GENERAL GORELICK: I'm going to brief you on the President's announcement today on the remainder of the legislative package. The President announced, as you know, several elements of the legislative package on Sunday. We've been working at the Justice Department and the Department of Treasury with the White House in the development of additional legislative proposals reflecting cooperation throughout the administration and with the leadership.

The steps that we are taking are: one, to hire and seek the funding to hire approximately 1,000 new agents, prosecutors and other federal law enforcement and support personnel to investigate, deter and prosecute terrorist activity. That, combined with the establishment of a domestic terrorism center, coordinated by the FBI, coordinated with other law enforcement agencies, including the ATF and state and local law enforcement, and working collaboratively with our intelligence agencies are the two most significant things that we can do to address the kind of tragic event that we had in Oklahoma City, and to prevent similar occurrences in the future.

The remainder of the legislation is programmatic. We would seek the passage of legislation within a year to require within a year the inclusion of taggants in standards explosive device raw materials, and that would permit the tracing of materials after an explosion.

We would also require the Bureau of Alcohol, Tobacco and Firearms to study and report on the tagging of explosives and explosive materials for the purpose of identification and detection, to determine whether common chemicals used to manufacture explosives can be rendered inert, and whether controls can be imposed on precursor chemicals that are used to manufacture explosives.

We would also seek to amend the Posse Comitatus Act, which is what constrains the use of the military in law enforcement efforts. Right now, the Posse Comitatus Act contains a provision which allows the military to help law enforcement in the event of a potential use by a criminal of nuclear matter. We would like the same help and assistance with regard to chemical weapons and with regard to biological warfare weapons.

They have the expertise. This is not the sort of assistance from the military that the act was designed to prevent, and we would like to make that explicit. And we would be seeking certain amendments to the Electronic Communications Privacy Act which

MORE

would, consistent with the Constitution, fully consistent with the Constitution and the warrant requirements of the Constitution, enhance the use of electronic surveillance to fight terrorism.

With respect to prosecution, we would seek the amendment of federal law to criminalize the use of all chemical weapons to include all forms of chemical weapons. Right now, we have the ability to attack the use of chemical weapons in gaseous form, but not in solid form. And so if you had a solid tablet, you could not use your chemical weapons prohibitions to prosecute that.

We would make it illegal to possess explosives knowing they are stolen. We have this power with respect to firearms; we do not have it with respect to explosives. We would extend the statute of limitations from three to five years to be consistent with the remainder of similar criminal law provisions to the registration requirements for destructive devices, including explosives and incendiary bombs.

We would provide the Secretary of the Treasury authority to direct the use of Department of Treasury aircraft to support emergency law enforcement situations, and we would amend our reward authority to reduce restrictions on making rewards. Right now, while the State Department, in an international terrorist incident can post a very significant bond, we are limited to a reward -- I'm sorry -- we can post an only limited amount -- half a million dollars, and Treasury is similarly limited. We would like to have those limits increased.

With regard to penalties, we would increase the penalty for anyone convicted of transferring either a firearm or an explosive device, knowing that it will be used to commit a crime of violence or a drug-trafficking crime. That is a very significant improvement in the criminal law for us. And we would amend the law to provide enhanced penalties to protect all federal employees against terrorist attacks.

Right now, there are provisions that would create enhanced penalties for terrorist attacks on some federal employees, but not others. That is, generally speaking, the package. I can go into greater detail for any of you who would like me to.

Q With regard to the 1,000 new personnel -- how big an increase would that be in proportion to what you have already doing that kind of work, and two, how does it break down -- FBI, ATF --

DEPUTY ATTORNEY GENERAL GORELICK: I don't have the breakdown for you, but I can tell you that it would be a substantial increase in the number of personnel that we have in the domestic terrorism area right now.

Q Number?

DEPUTY ATTORNEY GENERAL GORELICK: I can get that number for you. It would be a substantial increase in the numbers. What I have to find out is what I can disclose to you about how many people we now have in it; that's part of a classified annex to our budget.

Q It's all new people that you're talking about?

DEPUTY ATTORNEY GENERAL GORELICK: Yes.

Q These are all new -- and on the Posse Comitatus -- could you talk about -- specifically, what would the power be? To do what?

DEPUTY ATTORNEY GENERAL GORELICK: Well, right now, we can go to the military services for advice with respect to chemical weapons or biological weapons. But if we have someone who had a cache of chemical weapons and we were trying to take those away, we were trying to disarm that person, we could only get advice from the military; we could not use their considerable expertise, their talent, their equipment, their personnel, to help take those chemical weapons safely. And that is the precise kind of assistance that we would want to have in a circumstance like that. We do not have that expertise --

Q Seize and disarm?

DEPUTY ATTORNEY GENERAL GORELICK: -- helping to seize, helping to protect an area, helping to protect personnel -- law enforcement personnel who are involved in an operation -- that kind of thing.

Q Which of these proposals might have prevented the Oklahoma incident?

DEPUTY ATTORNEY GENERAL GORELICK: Well, it's very hard to say because of the early stage of this investigation. And I might say, though, that the things that clearly would help us in future similar situations would be more resources and the greatest possible coordination in the sharing of information and intelligence.

Q Let me ask you a question --

DEPUTY ATTORNEY GENERAL GORELICK: I'm sorry, Ron?

UNDER SECRETARY NOBLE: Tagging of explosives will help apprehend the people --

DEPUTY ATTORNEY GENERAL GORELICK: Ron Noble suggests, and I agree with him, that tagging of explosives would help us in the detection of -- both in the detection and in the investigative aspect where you have an explosion like this.

Q Well, aren't explosives tagged now? I thought under current law you use taggants, and if the reports were accurate, the fertilizer and the fuel oil that was used in this bomb, they wouldn't have that. But I thought explosive material had to have taggants under present law.

DEPUTY ATTORNEY GENERAL GORELICK: No, that is not correct. And one of the studies that the BATF would use, would undertake, would be to determine whether you could put taggants in something like a fertilizer, or whether you could render it inert in some way to attack the use of common materials.

Q Would the taggants, would those be included in gunpowder, and if so, won't that sort of send the gun control opponents ballistic?

DEPUTY ATTORNEY GENERAL GORELICK: You're looking at -- go ahead.

UNDER SECRETARY NOBLE: To follow up one point first, and then I'll answer yours. For a charge like that which occurred in Oklahoma City usually require preliminary charges of smaller order where you would use explosives that could be detected and traced. And, again, the taggants would help even if you were to use the fertilizer for the major part of the explosion.

And your question?

Q Was whether or not the taggants would be included in gunpowder, and won't that --

UNDER SECRETARY NOBLE: Right now we're just focusing on explosives. That's what we're focusing on right now.

Q This was a major issue with the NRA a couple of years ago, opposing taggants which I thought had been, after some airplane bombings, had been required.

UNDER SECRETARY NOBLE: It's not required.

Q Will you seek to rewrite or relax attorney general guidelines that dictate how the FBI can go about launching preliminary investigations or full investigations?

DEPUTY ATTORNEY GENERAL GORELICK: The guidelines have been in place for 20 years. They were adopted after the Church Committee reported on abuses by the FBI of their investigatory powers. We take them very, very seriously. Every single attorney general has reissued them in some form and they have not changed very much over the years at all. So we would take any change in them as a very serious matter. And as the President has just discussed with the leadership, he wants to consult fully with them on whether any changes would be necessary. We believe that we have considerable authority right now, and we would like to discuss very carefully any changes that might be taken in the guidelines.

Q Can we follow up on that? Is that to say that there is no proposal to change the standard of requiring a reasonable suspicion of criminal evidence before you trigger investigation?

DEPUTY ATTORNEY GENERAL GORELICK: That is not quite an accurate articulation of the guidelines. The guidelines are quite complex and lengthy, and I can go into them with you. You may have an intelligence investigation, you can have a preliminary -- you can follow leads, you can have a preliminary investigation all before you have a fully predicated criminal investigation. So there is quite a bit that we can do.

But to answer your question directly, there is no pending proposal by this administration to change the guidelines. We are looking at them very seriously, and we will consider any ideas that others may have about changing them. We have not put a proposal on the table.

Q Was there a proposal in an earlier package about contributions to suspected terrorist organizations even their legal aspects, such as a hospital or day care centers, or --

DEPUTY ATTORNEY GENERAL GORELICK: In the counterterrorism bill that is pending in the House and Senate as to which there will be a hearing tomorrow, there is a proposal for the licensing of certain groups when there is a finding that a group may have an affiliation with a foreign terrorist organization. And that would limit the ability of such a group to fundraise unless the organization could show that the proceeds of that fundraising would not go to terrorist activities.

Q I'm sorry, was that part of the President's proposal?

DEPUTY ATTORNEY GENERAL GORELICK: That is part of the President's proposal, yes.

Q I want to ask you -- there's been a lot of copycats and false alarms all over the country, scaring people, emptying

buildings. Are you all considering stronger criminal action against people that are doing this if you catch them?

DEPUTY ATTORNEY GENERAL GORELICK: Let me tell you --we are pursuing every single threat against federal buildings. We have emptied out more buildings in the past two weeks than I think we ever have probably -- in last week, than we ever have in the history of this country. We are taking every step to protect our employees, but we will take every possible step and pursue all means to get those who are our threatening our employees and disrupting the work of this a nation and frightening the American people.

Q What are the penalties if you catch these people?

DEPUTY ATTORNEY GENERAL GORELICK: There are ample penalties, and I can lay them out for you. But we have ample authority to punish those who are threatening our people.

Q Has every one of these been a false alarm? Every one of the building emptyings been a false alarm?

DEPUTY ATTORNEY GENERAL GORELICK: Yes, every one of the building -- every one the building threats so far has been a false alarm, but we -- some of them have had a significant level of credibility, and we have taken those very seriously.

Q Did you consult with, or have you gotten any feedback from the civil liberties community on, particularly, the electronic surveillance changes that you've proposed?

DEPUTY ATTORNEY GENERAL GORELICK: We have been hearing from the civil liberties community. The Attorney General is committed to ensuring that any changes that we propose are fully consistent with the Constitution, are fully consistent with our Constitutional rights, and we will want very carefully to work with those who are concerned about our civil liberties.

We believe that the steps that I have outlined today and that the President announced earlier are fully protective of our Constitutional rights.

Q I am wondering -- on this number five among the items the President has already announced, the presidential decision directive, what will fall in under that, and what do you expect more that the President can direct that's beyond legislative proposals?

DEPUTY ATTORNEY GENERAL GORELICK: The presidential decision directive under consideration right now is in the classified form. Generically, it would divide up responsibilities among federal agencies for the mission of combatting foreign and domestic terrorism, and make sure that the lines of communication and authority are clear.

Q Is there a due date on that?

UNDER SECRETARY NOBLE: There will be.

DEPUTY ATTORNEY GENERAL GORELICK: This is something that is moving along very quickly. It has been somewhat delayed by the fact that those of us in law enforcement who have responsibilities, who would have responsibilities under the presidential decision directive, also have operational responsibilities, and we have asked for a little more time to participate in this decision-making process.

Q Would the electronic surveillance changes permit wire taps without court order?

DEPUTY ATTORNEY GENERAL GORELICK: No.

Q So the conditions would be the same?

DEPUTY ATTORNEY GENERAL GORELICK: That is correct. And that is a critically important point, that we are maintaining in every instance the warrant requirement for electronic surveillance.

Q How soon would you start hiring the new agents, and how long would it take to get to 1,000?

DEPUTY ATTORNEY GENERAL GORELICK: It depends on how quickly we get the funding. If the funding is approved for 1995, we could begin immediately; if it is for 1996, we would begin in the new fiscal year, and that would take, yet again, some additional time to hire. This is part of the dialogue with the leadership about the nature of the funding package and the resources that would be applied to this.

Q And we're talking about \$1.5 billion dollars over five years?

DEPUTY ATTORNEY GENERAL GORELICK: Pardon me?

Q How much money are we talking about over five years?

DEPUTY ATTORNEY GENERAL GORELICK: -- \$1.5 billion over five years.

Q Of the agents that you have assigned to anti-terrorist activities now -- and this seems to be a ballpark figure -- is there a percentage breakdown between those assigned to domestic, and those assigned to foreign, and how would the added agents -- those among the 1,000 how much of that changes?

DEPUTY ATTORNEY GENERAL GORELICK: There is a breakdown. It is currently classified, and I will have to get back to you on what I can tell you about that.

Q Would all of the new agents be for domestic terrorism, as you implied, or would they be --

DEPUTY ATTORNEY GENERAL GORELICK: That was our intention; to put these resources into the domestic terrorism arena. But as you know, the two are interrelated, and in fact, over the years, within the FBI, we have moved personnel from one to the other, depending on the nature of the threat as assessed. So I would say, in general, they would going to both, or -- focus right now is in the domestic terrorism arena.

Q What direction has that movement then -- just as a follow-up --

DEPUTY ATTORNEY GENERAL GORELICK: I'm sorry, pardon me?

Q I was just saying, in what direction has that movement been?

DEPUTY ATTORNEY GENERAL GORELICK: Back and forth. And that is, it has gone in both directions.

Q Can you give us a ballpark -- you said it's classified, but can you give us a ballpark of what kind of percentage this is increase? I mean --

DEPUTY ATTORNEY GENERAL GORELICK: No. All I can do is characterize the increase as very substantial.

Q Have staffing shortages been a problem in pursuing terrorism leads before? Could you describe what sort of difficulties we've had up until now?

DEPUTY ATTORNEY GENERAL GORELICK: I would say that we have not identified staffing shortages. On the other hand, if you apply more resources in this area, I think you will get more investigative results. And we believe that this is a fruitful area for more resources.

Q Just for a perspective, can you compare this investigation with the 1,000 new you're asking, and with any other investigation that involved hundreds of agents?

DEPUTY ATTORNEY GENERAL GORELICK: This investigation is the most substantial investigation I think any of us have seen. It involves hundreds and hundreds of FBI agents, hundreds and hundreds of BATF agents. It involves almost -- well I won't count the number, but many, many U.S. Attorney offices around the country, a significant number of people in the Oklahoma Attorney's office and a degree of cooperation that is simply extraordinary. This experience is one that we have taken to heart in assessing what additional resources we may need in the future.

Q Could you clarify the \$1.5 billion over five years? Is that just for the new agents and prosecutors, or is that for the whole package?

DEPUTY ATTORNEY GENERAL GORELICK: That's for the whole package, and it includes -- that includes the assistance to Oklahoma City; it includes the costs of our resources across the government to address the Oklahoma City bombing; it includes the costs of the initiatives, including funding the digital telephony; it includes a wide range of needs, including the initiatives -- paying for the initiatives that the President outlined today.

Bruce, do you want to add to that?

DEPUTY ASSISTANT REED: No.

Q But not the new building?

DEPUTY ATTORNEY GENERAL GORELICK: Not the new building.

Q Secretary Noble, I'm sorry, could you just tell us the status of the Treasury Security Review and when it's likely to come over to the President, and what it says?

UNDER SECRETARY NOBLE: It'll be coming over to the President very soon. And I can only tell you, just to comfort you and other Americans, that all interim steps that have been required to be taken, have been taken. So there's nothing being held up because the review has not yet been finalized. Okay? We're going through a process of not only completing it, but trying to de-classify it so that we can have the public report come out fairly quickly after the classified report.

Q Was it amended in the wake of Oklahoma City? Was the reviewed changed in any way?

UNDER SECRETARY NOBLE: No. No, we have been thinking about the problem of Oklahoma City since the review began. So we were not surprised that sort of threat could occur in the most general fashion, but we, of course, had no information about Oklahoma City specifically.

Thank you.

Q For Secretary Noble, a few months -- a few weeks back that the House gave extended search and seizure authority to everybody except ATF, there have been the newspaper ads by the NRA, now you may have been the targets of this explosion. I mean, what's the sentiment over at your shop right now? I mean, people must be pretty shaken, I mean --

UNDER SECRETARY NOBLE: Well, I think the target of this criminal act was the entire federal government, a federal building that embraced 550 employees. There were only 14 ATF employees, so we view it as an attack on the American people, generally. With regard to our view or feelings about ATF, as my colleague Deputy Attorney General Jamie Gorelick has already said, we have ATF personnel investigating this case, tracking down every lead, side by side with the FBI, so we're very proud of the very hard work they do. We find it unfortunate that anyone would criticize federal law enforcement officials that are sworn to uphold the law that members of Congress pass and the President signed. Thank you.

Q Just a technical question. The 1,000 employees, is some of that to staff the new domestic counterterrorism center that the President --

DEPUTY ATTORNEY GENERAL GORELICK: Yes. Yes, indeed.

Q And how many people does that center --

DEPUTY ATTORNEY GENERAL GORELICK: I can get that number for you.

THE PRESS: Thank you.

END

6:50 P.M. EDT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

April 25, 1995

REMARKS BY THE PRESIDENT
IN PHOTO OPPORTUNITY WITH CONGRESSIONAL LEADERS

The Cabinet Room

5:09 P.M. EDT

THE PRESIDENT: I asked the leaders of Congress from both parties to come to the White House today because I know that we have a shared commitment to do everything we possibly can to stamp out the kind of vicious behavior we saw in Oklahoma City. Everyone here is determined to do that, and I want us to work together to get the job done.

On Sunday, I announced the first series of steps we must take to combat terrorism in America. Today, I'm announcing further measures, grounded in common sense and steeled with force. These measures will strengthen law enforcement and sharpen their ability to crack down on terrorists wherever they're from, be it at home or abroad. This will arm them with investigative tools, increased enforcement and tougher penalties.

I say, again: Justice in this case must be swift, certain and severe. And for anyone who dares to sow terror on American land, justice must be swift, certain and severe. We must move on with law enforcement measures quickly, we must move so that we can prevent this kind of thing from happening again. We cannot allow our entire country to be subjected to the horror that the people of Oklahoma City endured. We can prevent it, and must do everything we can to prevent it. I know that we would do this together without regard to party, and I'm looking forward to this discussion of it.

Q Civil libertarians are worried there may be some ability by law enforcement agencies to abuse the power that you may be given.

THE PRESIDENT: I think we can strike the right balance. We've got to do more to protect the American people.

END

5:10 P.M. EDT