

STATEMENT OF
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ATTORNEY GENERAL OF THE UNITED STATES
BEFORE THE
UNITED STATES SENATE
COMMITTEE ON APPROPRIATIONS

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SENATE APPROPRIATIONS COMMITTEE
HEARING ON COUNTERTERRORISM

PUBLIC STATEMENT OF THE ATTORNEY GENERAL

Thank you, Mr. Chairman and members of the Committee. I have submitted a more detailed, classified statement to the Committee. I will briefly summarize some of the unclassified portions of that statement, and then would be happy to answer specific questions. However, since many of the details of our counterterrorism efforts are classified for security reasons, it will only be possible to address some of your questions in open session.

It is my privilege to appear before you today for the purpose of discussing with you our accomplishments over the past several years in the struggle against terrorism and the preparations that we are undertaking for combatting that scourge during the coming years.

The protection of our nation and its people from acts of domestic and international terrorism is among the greatest challenges faced by this Administration and one of the highest priorities of the Department of Justice. Over the past two decades, it has become clear that American citizens and interests abroad are the targets of choice of terrorists. More recently, it has become apparent in the wake of the World Trade Center bombing that we are not immune from international terrorist attacks on our own soil. Further, the risk of terrorism within our borders does not result solely from grievances imported from

overseas as, increasingly, acts of terrorism are planned by home-grown groups and perpetrated by disaffected citizens.

Whatever the origin or misguided motivation of the particular terrorist, the potential consequences of a single incident can be enormous. The magnitude of human suffering that flows from acts such as the bombings of Pan Am Flight 103 and the World Trade Center is incalculable. As weapons of mass destruction become more accessible, we face the potential of even more catastrophic acts. The nerve gas attack in the Tokyo subway was a grim warning of this potential.

The challenge that terrorism presents to a free society is that we must endeavor to hone our skills and techniques sharply enough to prevent terrorist acts while fully respecting the individual rights and liberties for which this nation stands. We have made much progress in the past several years, successfully preventing a number of potentially deadly terrorist attacks at home and abroad. We have demonstrated that our commitment is unflagging and our memory is long. But, much work remains to be done.

The Administration's comprehensive strategy for meeting the challenges presented by terrorism is detailed in the report that I submitted to you earlier this month, as well as in my classified statement. The framework for that strategy is contained in Presidential Decision Directive-39 (PDD-39), dated June 21, 1995. The PDD seeks to integrate the roles of all

pertinent federal agencies in a comprehensive, proactive program to prevent and punish terrorist acts.

The policy of our government in dealing with acts of terrorism, both at home and abroad, is straightforward.

- We will do everything possible to deter and prevent terrorist attacks.
- When acts of terrorism do occur, we will respond quickly and decisively, with the full panoply of options that we have available.
- We will work with our friends throughout the world to interdict terrorists and ensure their acts do not go unpunished.

Let me explain briefly some of the means by which we seek to accomplish these objectives.

Reducing Vulnerabilities Through Preparation

We seek to reduce our vulnerabilities to terrorist attack, both at home and abroad, by assessing the risks that terrorism poses to U.S. nationals, employees, and facilities, and by taking steps designed to prevent or minimize such risks. This is exemplified by the ongoing efforts of the Presidential Commission on Critical Infrastructure Protection. The Commission brings together key representatives from both government and the private sector to assess vulnerabilities and to propose comprehensive national policies and strategies. The Commission will complete its work and make its recommendations this fall.

Similarly, one of the FBI's recent initiatives has been the establishment of a Computer Investigations and Infrastructure Threat Assessment Center. The purpose of the Center is to identify the potential threat posed by terrorism to telecommunications and automated information systems, as well as to critical physical infrastructures. Working together with state and local authorities and the private sector, the FBI is endeavoring to develop ways to address those threats. The focus of these efforts will be refined consistent with the recommendations of the Presidential Commission.

Since terrorism prevention and response require the interaction of numerous agencies within the United States, effective coordination is critical. PDD-39 delineates the appropriate roles of federal agencies involved in addressing terrorism. Additionally, pursuant to the PDD, detailed coordination plans have been drafted to guide the deployment of resources in response to a threatened or actual terrorist incident. There are separate plans relating to overseas terrorist incidents and domestic terrorist incidents.

In addressing international terrorism, ongoing U.S. coordination efforts include bilateral and multilateral consultations and cooperation with foreign governments that share our objectives in countering terrorism. For example, we are working closely within the context of the P-8, recently renamed the Eight, to improve coordination and to develop tangible measures to assist in terrorism prevention and response. These

measures include the development and submission to the United Nations of a draft convention directed at terrorist bombings of government facilities, public transportation systems, and places of general public use. Additionally, the Eight is actively involved in exploring the development of a number of other measures including tougher international standards for bomb detection and airport security, and the means to facilitate lawful government access to encrypted communications.

Similarly, preparations relating to terrorist threats and acts within the United States involve the development of effective coordination with state and local authorities. For example, the FBI has created 13 joint terrorism task forces which integrate the federal, state, and local law enforcement authorities in the particular locality. Additional task forces are in the planning or developmental stage. Similarly, plans are underway to involve state and local authorities in the FBI's new counterterrorism center.

I have directed that the FBI implement a comprehensive effort to coordinate with state and local law enforcement, owners and operators of critical infrastructure, and state and local emergency managers, in order to prevent and respond to terrorist activities. I have asked that clear lines of communication be established so that the relevant information can quickly and accurately be exchanged among these officials. I have further directed that the FBI coordinate with these officials to identify potentially vulnerable facilities, critical infrastructures, and

special events, and to collaborate with these officials to develop plans to prevent and respond to terrorist attacks.

Since the ability to mount an effective response to a terrorist incident requires multiple agencies to interrelate smoothly under extreme pressure, training is also a key element of the U.S. strategy to reduce this nation's vulnerability to terrorism. To that end, the federal agencies involved in responding to extraterritorial acts of terrorism regularly engage in realistic training exercises which include after action evaluations designed to identify weaknesses and to facilitate their correction. Training relating to acts of terrorism occurring within the United States recognizes the important role of state and local agencies.

Current planning and training efforts relating to terrorism focus particular attention on addressing incidents involving weapons of mass destruction. For example, the FBI and DOD are spearheading an initiative, in coordination with the Department of Energy, FEMA, and other federal agencies, to provide WMD training to state and local emergency responders. This initiative will train emergency responders in 120 cities throughout the United States, with the initial nine cities due to receive training before the end of the current fiscal year. Similarly, the FBI and DOD are undertaking a three-year initiative which will involve training and assistance to foreign law enforcement officials, prosecutors, and judges in addressing nuclear, chemical, and biological trafficking and proliferation.

Prevention of Terrorist Acts

The U.S. seeks to deter terrorism through broad public dissemination of a clear message, including that we will not make concessions to terrorists; we will vigorously apply our criminal statutes to those that commit acts of terrorism anywhere in the world; and we will endeavor to apprehend terrorists wherever they seek refuge. Simply put, we will not allow terrorism to serve as a viable means to fulfill social or political objectives.

Similarly, the U.S. seeks to prevent terrorist acts by isolating nations which sponsor or support terrorism. Pursuant to its legislative authority, the State Department currently has seven nations designated as sponsors of terrorism--Iran, Iraq, Libya, Sudan, Syria, Cuba, and North Korea. Such designations trigger a series of economic sanctions.

Further, the prevention of terrorism involves the coordination of U.S. intelligence and investigative capabilities to detect and react effectively to incipient terrorist threats. Making effective use of intelligence product, the objective includes involving the FBI in the investigation of terrorist plots as early in the chain of conspiratorial events as possible. In this way, the terrorist plot can not only be disrupted but the conspirators can also be apprehended, preventing them from recycling their terrorist plans for use at some unknown future time and place.

Overseas, the integrated efforts of pertinent U.S. agencies, working in coordination with their foreign counterparts, resulted

in the disruption of a plot to bomb a dozen U.S. commercial jumbo jets flying Asian-Pacific routes, the arrests of three of the plotters in distant countries, and the conviction of those defendants in U.S. federal court. Within the United States, investigative efforts resulted in the arrests of Sheik Omar Abdel Rahman and a number of his followers before they could carry out a deadly plot to bomb buildings, tunnels, and a bridge in Manhattan. Prevention of these two terrorist plots alone averted the death or serious injury of tens of thousands of Americans.

Response to Terrorist Acts

While our paramount objective is to prevent terrorist acts, thereby sparing innocent people from their tragic consequences, it will not always be possible to prevent terrorist acts. When such acts occur, the pertinent U.S. agencies seek to utilize their painstaking planning and training to respond in a highly coordinated and effective manner.

As mentioned previously, there are separate deployment plans depending on whether the terrorist act occurs overseas or within the United States. Although the FBI is the lead federal investigative agency regardless of the place where the terrorist act occurs, the State Department is the lead agency for overall management of the U.S. response to terrorism overseas. In contrast, within the U.S., the FBI is in charge of the overall federal response. In either case, the resources of all pertinent federal agencies are available as needed under plans which are

Congress is, of course, an integral part of the dynamic process by which the counterterrorism program continues to be improved and perfected. The new counterterrorism funding provided in the final days of the 104th Congress has permitted the development of a more comprehensive response to terrorist attacks including those involving nuclear, biological, or chemical weapons.

The Committee has provided significant support in our efforts to counter and investigate acts of terrorism. Your foresight made available \$545 million in counterterrorism resources in the 1995 Oklahoma City Supplemental, the 1996 Counterterrorism Amendment, and the 1997 Counterterrorism Enhancement. These resources provided over 2,000 new positions, including over 600 additional FBI Agents and nearly 90 Assistant U.S. Attorneys. A substantial portion of the Department's 1998 request includes annualization resources critical to fully-fund the important enhancements initiated in 1997. Our 1998 request also includes a limited number of enhancements, including funds aimed to bolster the Criminal Division and U.S. Attorneys' investigative and prosecutorial activities.

Much progress has been made during the past few years in preparing the United States to prevent acts of terrorism and to respond to those terrorist threats that do arise. However, many challenges remain including, most significantly, those relating to weapons of mass destruction and infrastructure protection. Accordingly, while the PDD-39 strategy has placed U.S. counter-

terrorism efforts on course, we continue to work on a priority basis with the other counterterrorism components of our government and with like-minded foreign governments to maximize our ability to address this area of critical concern.