

Statement of Robert S. Mueller III
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National Commission on Terrorist Attacks Upon the United States
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Thank you Chairman Kean, Vice Chair Hamilton and members of the Commission for the opportunity to address you this afternoon. You have been given an extremely important mission: to help America understand what happened on September 11th and to help us learn from that experience to improve our ability to prevent future acts of terrorism.

The FBI recognizes the importance of your work, and my colleagues and I have made every effort to be responsive to your requests. I have appreciated your critique and feedback on the efforts we are making to improve the FBI. I look forward to receiving your recommendations on how we can continue to improve.

Let me take a moment before addressing the specifics of the FBI's reform efforts to reflect on the loss we suffered on September 11, 2001. I wish to acknowledge the pain and anguish of the friends and families of those we lost that day, and I want to assure you that we in the FBI are committed to doing everything in our power to ensure that America never suffers such a loss again.

Like so many in this country, the FBI lost colleagues that day. John O'Neill was a retired counterterrorism investigator who had just started a new job as head of security for the World Trade Center. Lenny Hatton was a Special Agent assigned to the New York Field Office. Lenny was driving to work when he saw the towers ablaze, rushed to the scene and helped to evacuate the buildings. He was last seen helping one person out the door and then heading back upstairs to help another.

It is the memory of the thousands like John and Lenny who died that day that inspires the men and women of the FBI and fuels our resolve to defeat terrorism.

The terrorist threat of today presents complex challenges. Today's terrorists operate seamlessly across borders and continents, aided by sophisticated communications technologies; they finance their operations with elaborate funding schemes; and they patiently and methodically plan and prepare their attacks.

To meet and defeat this threat, the FBI must have several critical capabilities:

First, we must be intelligence-driven. To defeat the terrorists, we must be able to develop intelligence about their plans and use that intelligence to disrupt those plans.

We must be global. We must continue our efforts to develop our overseas operations, our partnerships with foreign services and our knowledge and expertise about foreign cultures and our terrorist adversaries overseas.

We must have networked information technology systems. We need the capacity to

manage and share our information effectively.

Finally, we must remain accountable under the Constitution and the rule of law. We must respect civil liberties as we seek to protect the American people.

This is the vision the FBI has been striving towards each day since September 11th. It is also the vision that guided Director Freeh and the Bureau throughout the last decade. Director Freeh and his colleagues took a number of important steps to build a preventive capacity within the Bureau. With their complex investigations of various terrorist plots and attacks, they developed extensive intelligence and an expertise about international terrorism that is the foundation of our efforts today. With their doubling of Legal Attache offices around the world, they developed the overseas network and relationships that are so critical to the war against international terrorism.

Prior to September 11, 2001, however, various walls existed that prevented the realization of that vision. Legal walls -- real and perceived -- prevented the integration of intelligence and criminal tools in terrorism investigations. Cultural walls -- real and perceived -- continued to hamper coordination between the FBI, the CIA and other members of the Intelligence Community. Operational walls -- real and perceived -- between the FBI and our partners in state and local law enforcement continued to be a challenge. Since the September 11th attacks, we and our partners have been breaking down each of these walls.

The legal walls between intelligence and law enforcement operations that handicapped us before 9/11 have been eliminated. The PATRIOT Act, the Attorney General's intelligence sharing procedures and the opinion from the Foreign Intelligence Surveillance Court of Review tore down the legal impediments to coordination and information-sharing between criminal investigators and intelligence agents. We can now fully coordinate operations within the Bureau and with the Intelligence Community. We can also deploy the full range of investigative tools -- both criminal processes like search warrants and grand jury subpoenas and intelligence authorities like FISA wiretap warrants - - to identify, investigate and neutralize terrorist threats. With these changes, we in the Bureau can finally take full operational advantage of our dual role as both a law enforcement and an intelligence agency.

We are eliminating the wall that historically stood between us and the CIA. The FBI and the CIA started exchanging senior personnel in 1996, and we have worked hard to build on that effort. Today, we and the CIA are integrated at virtually every level of our operations. From my daily meetings with George Tenet and with CIA officials at my twice daily threat briefings, to our joint efforts in transnational investigations, to our coordinated threat analysis at the Terrorist Threat Integration Center, we and the CIA have enhanced our interaction at every level. This integration will be further enhanced later this year when

our Counterterrorism Division co-locates with the CIA's Counter Terrorist Center and the Terrorist Threat Integration Center at a new facility in Virginia.

We have also worked hard to break down the walls that have, at times, hampered coordination with our 750,000 partners in state and local law enforcement. We have more than doubled the number of Joint Terrorism Task Forces (JTTFs) since 9/11. We have processed thousands of security clearances to permit law enforcement officers to share freely in our investigative information. We have created and refined new information sharing systems that electronically link us with our domestic partners. And, we have brought on an experienced police chief from North Carolina to serve as our State and Local Law Enforcement Coordinator.

This coordination has been the hallmark of our operations since September 11th. A good example is the case involving the Lackawanna terrorist cell in upstate New York. Every one of our partners played a significant role in that case -- from the police officers who helped to identify, investigate and surveil the cell members, to the diplomatic and Intelligence Community personnel who handled the investigations and liaison overseas, to the federal agents and prosecutors who conducted the grand jury investigation leading to the arrests and indictment.

Removing these walls has been part of a comprehensive plan to strengthen the ability of the FBI to predict and prevent terrorism. We developed this plan immediately after the September 11th attacks. With the participation and strong support of the Attorney General and the Department of Justice, we have been steadily and methodically implementing it ever since.

This plan encompasses many areas of organizational change -- from re-engineering business practices to overhauling our information technology systems. Since you have a detailed description of the plan in the written report we submitted on Monday, I will not repeat it here today. If I may, however, I would like to take a moment to highlight several of the fundamental steps we have taken since 9/11.

1. Prioritization

Our first step was to establish the priorities to meet our post-9/11 mission. Starting that morning, protecting the United States from another terrorist attack became our overriding priority. We formalized that with a new set of priorities that direct the actions of every FBI program and office. Every FBI manager understands that he or she must devote whatever resources are necessary to address the terrorism priority, and that no terrorism lead can go unaddressed.

2. Mobilization

The next step was to mobilize our resources to implement these new priorities. Starting soon after the attacks, we shifted substantial manpower and resources to the counterterrorism mission. We also established a number of operational units that give us new or improved counterterrorism capabilities -- such as the 24/7 Counterterrorism Watch Center, the Document Exploitation Unit, and the new Terrorism Financing Operation Section.

3. Centralization

We then centralized coordination of our counterterrorism program. Unlike before, when investigations were managed primarily by individual field offices, the Counterterrorism Division at Headquarters now has the authority and the responsibility to direct and coordinate counterterrorism investigations throughout the country. This fundamental change has improved our ability to coordinate our operations here and abroad, and it has clearly established accountability at Headquarters for the development and success of our Counterterrorism Program.

4. Coordination

As I noted earlier, another critical element of our plan since September 11th has been the increased coordination with our law enforcement and intelligence partners. We understand that we cannot defeat terrorism alone, and we are working hard to enhance coordination and information sharing with all of our partners, including the Department of Homeland Security which plays a central role in the protection of our nation's borders and infrastructure. This coordination is critical to every area of our operations.

As you pointed out in your second staff statement, this coordination is particularly critical when we face a transnational threat from Al Qaeda or another terrorist group that operates internationally. In that situation, we need to be completely aligned with the CIA, with foreign services, and with other agencies that have operations or information relating to that transnational threat.

We have learned much about how we and other agencies coordinated the investigation of Khalid al Mihdhar and Nawaf al Hazmi in 2000 and 2001. As your staff statement explained, our efforts to investigate and locate al Mihdhar and al Hazmi were complicated because some felt that they could not coordinate or share certain information with others.

Because of our improved coordination since 9/11, I believe that that investigation would proceed differently if it were to occur today.

- \$ Because we coordinate much more closely and regularly with the CIA and NSA, we would likely be aware of -- and involved in -- the search for the two men much earlier in the process.
- \$ Because the legal wall between intelligence and law enforcement operations has been eliminated, FBI and CIA personnel would be able to share all information about these two men and their possible travel to the United States.
- \$ Because the CIA now briefs me and my top executives each morning and CIA and DHS officials attend my twice-daily threat briefings, information about the threat posed by these two men could quickly reach -- and get the attention of -- the highest levels of the FBI, and the government.

5. Intelligence Integration

The last crucial element of our transformation has been to develop our strategic analytic capacity, while at the same time integrating intelligence processes into all of our investigative operations. We needed to dramatically expand our ability to convert our investigative information into strategic intelligence that could guide our operations. Initially we concentrated our efforts on the 9/11 investigation and the Counterterrorism Division. We then developed step-by-step from there.

Our first step was to deploy 25 CIA analyst detailees to the Counterterrorism Division, along with dozens of FBI analysts from other divisions, to improve our ability to analyze the masses of data generated in our post-9/11 investigations. We then established a formal analyst training program and started to develop the permanent analyst position and career track within the Counterterrorism Division.

The next step of this effort was to establish an official Intelligence program to manage the intelligence process throughout the Bureau. To oversee this effort, I appointed Maureen Baginski -- a 25-year analyst and executive from the NSA -- to serve as the Bureau's first Executive Assistant Director for Intelligence. Thanks to the efforts of Maureen and her colleagues in the Office of Intelligence, we have made substantial progress since her appointment last May.

- \$ We have developed and are in the process of executing Concepts of Operations governing all aspects of the intelligence process -- from the identification of intelligence requirements to the methodology for intelligence assessment to the drafting and formatting of intelligence products.
- \$ We have established a Requirements and Collection Management Unit to identify intelligence gaps and develop collection strategies to fill those gaps.
- \$ We have established Field Intelligence Groups in the field offices, whose members review investigative information -- not only for use in investigations

in that field office -- but to disseminate it throughout the Bureau and ultimately to our law enforcement and Intelligence Community partners.

\$ We are accelerating the hiring and training of analytical personnel, and developing career paths for analysts that are commensurate with their importance to the mission of the FBI.

With these changes in place, the Intelligence Program is established and growing. We are now turning to the last structural step in our effort to build an intelligence capacity. Just last month, I authorized new procedures governing the recruitment, training, career paths and evaluation of our Special Agents -- all of which are focused on developing intelligence expertise among our agent population.

The most far-reaching of these changes will be the new agent career path, which will guarantee that agents get experience in intelligence investigations and with intelligence processes. Under this plan, new agents will spend an initial period familiarizing themselves with all aspects of the Bureau, including intelligence collection and analysis, and then go on to specialize in counterterrorism, intelligence or another operational program. A central part of this initiative will be an Intelligence Officer Certification program that will be available to both analysts and agents. That program will be modeled after -- and have the same training and experience requirements as -- the existing programs in the Intelligence Community.

Conclusion

Those are some of the highlights of our plan for organizational reform. To get a sense for the pace and number of changes since 9/11, I would refer you to the time-line chart displayed on the easel. This time-line plots out almost 50 significant new counterterrorism-related capabilities or components we have established over the past 31 months. From the founding of the Counterterrorism Watch Center on 9/11 to the directive establishing the intelligence career track last month, this time line shows a steady pace of change and innovation.

Many have asked whether all these changes have succeeded in turning us into the agency we need to be. These are valid questions.

To the question of whether the FBI now has a fully-matured intelligence apparatus in place, the answer is that we have laid the structural foundation, and are developing the intelligence personnel and the capacities at a steady pace.

To the question of whether the FBI and its partners now enjoy seamless coordination, the answer is that we are communicating and integrating our operations like never before.

To the question of whether the FBI is making progress, the answer is that we clearly are. While we still have much work to do, the Bureau is moving steadily in the right direction.

Our efforts over the past 31 months have produced meaningful and measurable results. Working with our partners here and abroad, we have disrupted and detained supporters of Al Qaeda from Lackawanna, New York, to Portland, Oregon; we have participated in the detention of much of Al Qaeda's leadership; and we have seized millions of dollars in terrorist financing.

We have also seen measurable accomplishments within the FBI. While it is always difficult to quantify the extent of organizational change, it is worth spending a minute with the next chart on the easel. Here, we have plotted a number of measures that reflect, in one way or another, our evolution into a prevention-based intelligence agency. As you see, it is a series of bar graphs showing numerical comparisons between September 11, 2001 and now. Starting on the left, you can see how we have increased the numbers of agents, analysts and translators assigned to counterterrorism, as well as the total personnel assigned to the 84 Joint Terrorism Task Forces around the country. We have increased the number of counterterrorism agents from 1344 to 2835; counterterrorism analysts from 218 to 406; linguists from 555 to 1204; and JTTF personnel from 912 to 4249. The first two charts on the bottom line show the increase in the number of intelligence bulletins and reports issued since 9/11. We have gone from no intelligence bulletins in 2001 to 115 since 9/11; and from no intelligence reports to 2648. Finally, the last two charts show an increase of 85% in the number of Foreign Intelligence Surveillance Act warrants we have obtained and an increase of 91% in the number of counterterrorism sources we have developed -- both important measures of our increasing focus on developing intelligence against our terrorist adversaries.

Each of these increased measures reflects hard work and dedication on the part of the men and women of the FBI. They have embraced and implemented these counterterrorism and intelligence reforms, while continuing to shoulder the responsibility to protect America. And, they have carried out the pressing mandate to prevent further terrorism, while continuing to work in strict fidelity to the Constitution and the rule of law.

The men and women of the FBI have served admirably because they believe it is their duty to protect the citizens of the United States, to secure freedom, and to preserve justice for all Americans. I want to take this opportunity to thank them and their families for their sacrifices and for their service to America.

I look forward to continuing our cooperation with the Commission, and to reviewing the findings in your final report.

I would be happy to answer any questions you might have.

