



# Office of the Attorney General

Washington, D.C. 20530

November 8, 2001

## MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM: THE ATTORNEY GENERAL *[Signature]*

SUBJECT: Prevention of Acts Threatening Public Safety and National Security

The inhumane acts of Tuesday, September 11 make evident that the central thrust of our campaign against terror must be proactive prevention and disruption, and not primarily reactive investigation and prosecution. We cannot wait for terrorists to strike to begin investigations and make arrests. We must prevent first and prosecute second.

Under the President's leadership, Congress has strengthened the tools available to law enforcement and national security personnel to prevent future terrorist attacks, to disrupt and destroy terrorist organizations, and to bring the perpetrators to justice. We must now put these tools to good use—not simply by deploying them, but by changing the manner in which we mobilize our resources to implement the President's vision of a coordinated, multi-front effort to prevent terror and to cripple terrorist networks before they do evil.

For this effort to succeed, the Department must shift its primary focus from investigating and prosecuting past crimes to identifying threats of future terrorist acts, preventing them from happening, and punishing would-be perpetrators for their plans of terror. I therefore direct you to take prompt action in three major areas:

1. Information Sharing. By memorandum dated September 21, 2001, I directed that information exposing a credible threat to the national security interests of the United States be shared with appropriate federal, state, and local officials so that any threatened attack can be disrupted and prevented. That directive remains one of the highest priorities for the Department. The President has since signed into law the USA Patriot Act of 2001, which permits even greater sharing of certain information, such as information derived from Title III interceptions, given before grand juries, or contained in criminal history databases. I hereby direct you to review further any such information under your control to determine whether it should be shared with appropriate Federal law enforcement, intelligence, protective, immigration, national defense, or national security personnel, in accordance with the new authority under section 203 and other provisions of the USA Patriot Act.

2. Information Analysis. Information is only as valuable as the uses to which it is put. Beyond collection and dissemination, information in your custody must be carefully and expertly

analyzed in order to assess its relevance and reliability in identifying threats or investigative leads. I hereby direct you to assess the intelligence analysis capacity of your component and, where deficient, to improve such capacity or, where warranted, institute procedures to ensure proper analysis by related components or agencies.

3. Coordination. The threat of terror transcends borders and organizational charts. The response to that threat must therefore be coordinated in conception and seamless in execution. I hereby direct you to take all steps necessary to ensure that your component coordinates efforts to prevent terrorism with all affected components within the Department and agencies within the Federal government. All information and action affecting state and local jurisdictions likewise should be coordinated with the appropriate officials. Beyond formal policies and procedures, you personally should instill a culture of cooperation throughout your component and an ethic of communication in all persons under your supervision. America found strength in the unifying spirit that spread throughout the Nation after September 11. That same unity will define our efforts to prevent future acts of terror.

Through concrete action in each of these three areas, together we will implement the Department's new emphasis on preventing, as well as prosecuting, terrorist acts. I direct that you provide to the Deputy Attorney General, by December 15, 2001, information concerning steps you have taken in each of these three areas. The Deputy Attorney General will report to me by December 31, 2001, of the Department's progress in implementing this directive. I further direct that you, in consultation with the Office of Legal Policy, review and where necessary revise your policies and procedures to ensure that prevention defines the Department's perspective on terror.

The work of the Department of Justice is to defend freedom through law. Now, more than ever, America calls on us to give her people freedom from fear, and I thank you for answering that call.