



Senator Feinstein Seeks Update on Compilation of Terrorist “Watchlist” April 9, 2004

Washington, DC – *In a letter sent to the White House today, U.S. Senator Dianne Feinstein (D-Calif.) requested an update on the Bush Administration’s efforts to create a “watchlist” of known and suspected terrorists.*

The letter, addressed to General John A. Gordon, the President’s Homeland Security Advisor, was also sent to Attorney General John Ashcroft, Secretary of Homeland Security Tom Ridge, Director of Central Intelligence George Tenet, and Director of the Federal Bureau of Investigation Robert Mueller.

The full text of the letter follows:

“I write to ask that you provide to me a description of steps being taken, and progress made, in creating a central database of known and suspected terrorists, often called a ‘watchlist.’ I write to you because such an effort transcends boundaries between agencies and departments, and requires the type of oversight that I believe must be provided by you and the President.

In the aftermath of September 11, 2001, it became clear to me, and many of my colleagues, that our nation lacked an essential tool to defend against terrorists: a comprehensive, centralized list of known and suspected terrorists. Instead, we found that we had many databases maintained by multiple agencies and departments. These databases varied in accuracy and completeness, and were often incompatible in format and substance.

As a result, Congress passed legislation establishing the ‘Terrorist Identification Classification System,’ known as ‘TICS.’ This legislation required the Director of Central Intelligence (DCI) to do two things:

- ‘[E]stablish and maintain a list of individuals who are known or suspected international terrorists, and organizations that are known or suspected international terrorist organizations,’ and
- ‘[E]nsure that pertinent information on the list is shared with the departments, agencies, and organizations [described in the legislation].’

This legislation marked a departure from previous practice, in that it required not only a centralized list of terrorists, but set a standard for inclusion: ‘known or suspected.’ Running so-called ‘name traces’ against huge databases, which was the common technique for identifying

terrorists before September 11th, is a valuable method, but does not serve well in many contexts, including border and airline security – the new legislation mandated a new approach requiring that analytic judgment be applied to the creation and maintenance of this watchlist.

The TICS legislation also required the DCI to provide two reports to Congress. The first, due March 1, 2003 was to focus on information-sharing using the TICS system. The second, due on November 27, 2003, was a general report on the status of the system. Neither report has been provided to Congress.

On September 16, 2003, the Administration announced the creation of the ‘Terrorist Screening Center.’ The announcement made no mention of the existing directive in law to establish the TICS system, and appears to focus on the technical problem of integrating multiple databases, rather than the core analytic problem of ensuring that the content of databases is valuable.

It is my firm belief that the safety of our nation, and the effectiveness of our offensive actions against terrorists, rests in part on knowing who the terrorists are. The accuracy, completeness and dissemination of such information, whether called a ‘watchlist,’ or TICS, or the Terrorist Screening Center, is a key to stopping attacks before they happen.

For instance, last week I received a briefing from Undersecretary Asa Hutchinson of the Department of Homeland Security and Richard Falkenrath of your office, on efforts to secure our borders. It became clear during that conversation that the success of programs such as US-VISIT and passport biometrics, all of which are designed to accurately identify travelers and then compare them against our knowledge of terrorists, are doomed to fail unless that knowledge is contained in an effective terrorist watchlist.

I would greatly appreciate if you could advise me, as soon as practicable, how this problem is being addressed. I would hope your response would include: (1) a description of the relationship between the TICS program and the Terrorist Screening Center; (2) your account of whether there is a central, single, U.S. government list of known and suspected terrorists, and if so, what is it called; and (3) your assessment of how accurate and complete is the list (or lists) now being used.

I look forward to your reply.”

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