



U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

February 24, 2006

MEMORANDUM

TO: ALL UNITED STATES ATTORNEYS

FROM: THE ACTING DEPUTY ATTORNEY GENERAL *PM*

SUBJECT: Counterterrorism Initiatives

"Our enemy seeks to destroy the American promise of liberty and prosperity. They stand in the way of peace and progress. So we have no higher calling than the protection of our fellow citizens."

— Attorney General Gonzales, February 15, 2006

The terrorist threat to our nation's security is very real. The leadership of al Qaeda has expressed repeatedly its desire to hit us again within the United States, and the whereabouts of terrorist operatives is a constant concern. This is why Attorney General Gonzales recently reaffirmed in a speech to all Department of Justice employees that the fight against terrorism is our highest priority. In particular, we know the terrorists are anxious to exploit weaknesses in our identification, immigration, critical infrastructure, and financial systems to facilitate potential attacks. Indeed, many individuals with clear ties to terrorism have been prosecuted for crimes of this nature, and seven of the 9/11 hijackers possessed fraudulent Virginia identification cards.

All of us can do more to strengthen the security of these systems and possibly prevent future terrorist crimes. Each U.S. Attorney's Office ("USAO") can make a difference in the War on Terror and has an obligation to implement programs that make our country safer. While not exhaustive, this memorandum contains some enforcement strategies that you may establish in order to fortify our defenses and make the terrorists' job more difficult. Many of you have implemented programs similar to these already, and I applaud your initiative, but now we must redouble our efforts in the War on Terror. Accordingly, I direct you to review these examples, identify specific initiatives that fit the circumstances of your district, and notify the Counterterrorism Section ("CTS") of the initiatives that you have implemented.

Combating Identification and Immigration Fraud

- The USAO, through the Anti-Terrorism Advisory Council ("ATAC") and relevant law enforcement agencies, may seek to strengthen the district's relationship with the State Department of Motor Vehicles ("DMV"). We have seen individuals successfully exploit identification systems through corrupt DMV employees. Federal law enforcement can work with the DMV officials to identify corruption and use federal resources to eliminate it.
- The USAO, through the ATAC and the Department of State, may seek to eradicate corruption in passport offices. As with driver's licenses and state identification cards, we have seen individuals fraudulently obtain U.S. passports, allowing these criminals more ability to blend into society without detection. Emphasis from the USAO on the integrity of the passport system and prosecution of violators will reduce passport fraud.
- Marriage fraud is a nationwide problem. Organized rings provide American women for marriage to alien men in exchange for a few hundred dollars. Abu Ali, convicted of terrorism offenses in EDVA, spoke of marrying an Anglo woman in order to blend in while he prepared to attack. The USAO may work with the Bureau of Customs and Immigration Enforcement ("ICE") to emphasize integrity in this process, analyze potential sham marriages that raise concerns, prosecute offenders, and deport the aliens.

Protecting Critical Infrastructure

- The USAO may, in conjunction with the appropriate federal, state, and local law enforcement agencies, initiate a review of all security or restricted area badge holders at the airports, train stations, etc., in the district. This is modeled after Operation Tarmac, in which many districts participated and achieved great results, and Operation Flytrap in the EDVA, in which review of all badge holders at Dulles and Reagan Airports yielded federal charges against 114 badge holders. CTS can provide any assistance you may need in starting or refining this initiative.
- The USAO, along with ICE, the Social Security Administration, and State DMV, may review all holders of commercial driver's licenses with endorsements for driving tankers, tractor-trailers, or hazardous materials in order to determine any discrepancies, such as use of fraudulent social security numbers. States that encompass multiple districts can coordinate with each other and the DMV to insure that each district examines the appropriate license holders. Several districts, including the WDMO and SDIN, have brought prosecutions based on this type of information. CTS also is available to assist in any way.