

MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT
OF JUSTICE AND THE DEPARTMENT OF STATE REGARDING THE
CREATION OF A JOINT TASK FORCE ON U.S. CITIZEN VICTIMS OF
TERRORISM ABROAD

It is hereby agreed by the Department of Justice and the Department of State as follows:

I. AUTHORITY

This Memorandum of Understanding (MOU) is entered into pursuant to section 126 of the Department of Justice Appropriations Act, 2005 Pub. L. No., 108-447, Div. B, Title I (Dec. 8, 2004) and in furtherance of the ends specified in the Conference Report accompanying that Act, H.R. Conf. Rep. No. 108-792, at 780 (Nov. 20, 2004).

II. ESTABLISHMENT OF TASK FORCE

There is hereby established a task force to be called the "Joint Task Force on U. S. Citizen Victims of Terrorism Abroad." The acronym for the Task Force shall be the "VTA" Task Force (Victims of Terrorism Abroad.)

III. MEMBERSHIP OF THE TASK FORCE

A. Department of Justice: The Task Force will consist of an appropriate representative from each of the following entities within the Department of Justice:

- (1) National Security Division, Office of Justice for Victims of Overseas Terrorism (OJVOT;)
- (2) National Security Division, Counterterrorism Section (CTS;)
- (3) Office of Justice Programs, Office for Victims of Crime (OVC;)
- (4) Federal Bureau of Investigation, Counterterrorism Division; and
- (5) Federal Bureau of Investigation, Office of Victim Assistance (OVA;)

as well as any other appropriate component(s), as determined by the Department of Justice in light of facts and circumstances relating to the specific terrorist incident.

B. Department of State: The Task Force will consist of appropriate representatives from the following entities within the Department of State:

- (1) Bureau of Consular Affairs, Overseas Citizen Services;
- (2) Office of the Coordinator for Counterterrorism;
- (3) Bureau of Diplomatic Security; and
- (4) Bureau of Human Resources, Office of Casualty Assistance

as well as any other appropriate component(s), as determined by the Department of State in light of the facts and circumstances relating to the particular terrorist incident.

III. Purpose of the VTA Task Force

The purpose of the Task Force shall be to ensure the efficient and productive U.S. government response to U.S. Citizen victims of any terrorist attack abroad, which begins with the initial crisis response and includes continuing support and assistance to U.S. Citizen victims during any investigation and prosecution related to the attack.

IV. Goals of the VTA Task Force

A) Priority: To ensure that the U.S. government response to U.S. Citizen victims of terrorist attacks abroad continues to be a high priority within our agencies.

B) Coordination: To coordinate the U.S. government response to U.S. Citizen victims of terrorist attacks abroad, especially in attacks involving multiple victims, to ensure efficiency, prevent redundancy, and provide victims with timely, compassionate assistance.

C) Victims' Rights and Services: To ensure that victims receive the rights and services mandated by Federal law, including:

- (1) Information and crisis intervention services in a timely manner in the immediate aftermath of a terrorist attack;

(2) Information on available assistance, including the International Terrorism Victims Expense Reimbursement Program (ITVERP,) and other forms of financial assistance and mental health counseling; and
(3) Information on the status of the investigation and any related criminal justice proceedings including notice of all public court proceedings in prosecutions taking place in a United States District Court.

V. Meetings

A. Regular Meetings: The VTA Task Force members shall participate in regular meetings either in person or by telephonic conference call. Such meetings will be organized by OJVOT.

B. Emergency Meetings: The VTA Task Force will meet as necessary to ensure an appropriate response to any incident of terrorism abroad in which there are U.S. Citizen victims. In extraordinary circumstances, the Task Force will meet after its initial response to an incident, and beyond the regular meetings described in section A above. In situations where the Department of State Operations Center establishes a task force in response to a major terrorist attack, the VTA Task Force will work in close coordination with the task force organized by the Department of State Operations Center. An example of a major terrorist attack is the London subway and bus bombings on July 7, 2005.

C. Subcommittee Meetings: In appropriate cases, the VTA Task Force will establish subcommittees to address projects, complex issues or particular matters. The subcommittees will meet as needed to address matters, and will report to the full VTA Task Force as appropriate during the regular meetings described in section A above. The subcommittees shall consist exclusively of members of the Task Force or their designees.

VI. Ongoing Information Sharing

In the event of a terrorist attack victimizing U.S. Citizens abroad, including those in which a U.S. Citizen was not the direct target of the attack, the Task Force will use the following procedures to ensure the prompt and inclusive sharing of relevant information among relevant offices:

A. Task force members will contact each other via email, telephone or secure communications to ensure that all components are aware of the initial report regarding the terrorist incident and arrange further communications as may be necessary and appropriate under the circumstances up to and including the scheduling of an emergency meeting by teleconference or in person;

B. If no communications regarding the incident are ongoing, the terrorist incident will be placed on the agenda for the next regular meeting of the Task Force, to ensure that both Departments are conducting appropriate follow-up. In matters in which it is unclear whether a U.S. Citizen has been victimized or the incident in question was a terrorist attack, the VTA Task Force will attempt to answer these questions in a timely fashion. Communications among the relevant offices will be coordinated by OJVOT.

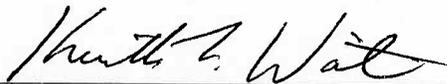
C. The members of the VTA Task Force agree to share information as necessary to carry out the Task Force's purposes, including victim lists and contact information, except as prohibited by the Privacy Act or other applicable law. The VTA Task Force members agree to establish a policy regarding the sharing of victim lists and contact information at the first regularly scheduled Task Force meeting.

VII. Files and Records

Files and records of the VTA Task Force's meetings and activities shall be maintained by OJVOT.

VIII. Nonlitigability and Other Limitations

This MOU is not intended to create any enforceable legal rights or private rights of action. This MOU is not intended to (1) modify any existing applicable legal right or provision; (2) create or modify any funding provision or allocation; or (3) modify any existing victim notification or other operational protocols.



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September 27, 2007
Date

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9/27/07

Date