

# Clinton Administration Counter Terrorism Initiative

## I. Actions Already Announced by the President

### (1) Pass the Omnibus Counter-Terrorism Act of 1995

- This bill would provide clear Federal criminal jurisdiction for any international terrorist attack that might occur in the United States; provide Federal criminal jurisdiction over terrorists who use the United States as the place from which to plan terrorist attacks overseas; provide a workable mechanism, utilizing United States District Judges appointed by the Chief Justice, to deport expeditiously alien terrorists without risking the disclosure of national security information or techniques; provide a new mechanism for preventing fundraising in the United States that supports international terrorist activities overseas; and would implement an international treaty requiring the insertion of a chemical agent into plastic explosives when manufactured to make them detectable.

### (2) Provide more tools to federal law enforcement agencies fighting terrorism

- **Amend the Fair Credit Reporting Act to Ease access to financial and credit reports in anti-terrorism cases.** This legislation provides for disclosures by consumer reporting agencies to the FBI for counterintelligence and counterterrorism purposes. The FBI has no mechanism for obtaining credit reports for lead purposes in counterterrorism cases. These reports are available to used car dealers and other merchants. The FBI currently has authority under the Right to Financial Privacy Act of 1978 to obtain similar records pursuant to a "National Security Letter" signed by a high-ranking FBI official. The same procedures and safeguards would apply to credit records under this proposal.
- **Amend the Posse Comitatus Act to permit military participation in crime-fighting involving weapons of mass destruction.** This proposal would amend Federal Laws, which severely limit the role of the military in domestic law enforcement, to permit military participation in criminal cases involving chemical, biological, and other weapons of mass destruction; areas in which the military has specialized expertise.
- **Amend the Electronic Communications Privacy Act of 1968 to constitutionally enhance use of electronic surveillance to fight terrorism.** This proposal would: permit any federal felony to be used as a basis for an electronic surveillance order; ease restrictions on the use, in American court proceedings, of information from electronic surveillance conducted by foreign governments; forbid suppression of electronic evidence unless law enforcement acted in bad faith in obtaining the evidence; authorize emergency electronic surveillance in situations involving threats by domestic terrorist organizations, authorize roving wiretaps where it is not practical to specify the number of the phone to be tapped, such as where a target uses multiple pay phones; allow the FBI to obtain records of local telephone calls, without the need for a court order, as they can now obtain records of long-distance calls; and require telephone companies and/or service providers to preserve evidence until a court order could be obtained. None of these changes would alter the requirement for probable cause prior to engaging in electronic surveillance.