More for Congressional Anti-Terror To-Do List

by James Jay Carafano, Ph.D.

The foiling of the London terror plot to bomb a dozen transatlantic flights simultaneously reminds us that law enforcement has a critical role to play in combating terrorism. In the United States, however, too much emphasis has been placed on preparing to respond to terrorist acts and not enough on enhancing the ability of law enforcement to uncover and disrupt attacks on U.S. citizens. Congress has neglected to establish a strong legal authority for information sharing and data mining among law enforcement agencies. These tools would help thwart homegrown terrorist strikes such as those planned by the London cell.

Shortfalls in Counterterrorism Tools

Enhanced information analysis capabilities are critical for counterterrorism operations. Yet, the furor over the Pentagon's Total Information Awareness (TIA) initiative, which would have examined the application of data mining and other information technologies to fighting terror, has had a chilling effect on the willingness of law enforcement agencies to adopt these tools. For example, the Transportation Security Agency's (TSA) CAPPS II and Secure Flight programs, which would have screened domestic air flight manifests for suspected terrorists, have been hamstrung by a stream of complaints from civil liberties groups.

The failure of law enforcement to exploit data mining and similar technologies fully should be a serious concern. Often, the challenge in investigations is making sense of the information available.

The right data analysis tools can assist an investigator by allowing for more effective and efficient searches of government databases; displaying links among various pieces of information; and applying algorithms to selected data to find patterns. Data analysis helps investigators sort through the deluge of information and organize what is relevant into a complete picture.

These technologies are mature and already available. There are legitimate concerns about data protection, individual privacy, and civil liberties, and there are also worries about the accuracy of the data in the databases that these systems use. Congress can address these concerns.

What Congress Should Do

Congress should promote the adoption of these neglected law enforcement tools. It should establish federal guidelines for the use of these technologies as a way to allay civil liberties concerns. States and localities should be encouraged to establish regional systems to share information and data analysis capabilities. Congress should also authorize and allocate funds to allow federal agencies to pay for the services used in support of federal counterterrorism investiga-

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tions that are approved by the relevant Joint Terrorism Task Force (JTTF) or similar federally sponsored programs.

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