

Post 9/11 Significant Milestones

The department has successfully worked with our many domestic and international partners to prevent, disrupt and prosecute terrorism in the two decades that followed the September 11th attacks. This work has been guided by the Constitution and our commitment to protecting individual rights and liberties.

Creation of the National Security Division

In 2006, Congress created the National Security Division (NSD), the first new Justice Department division in 49 years, to merge the department's primary national security components into a single division to more effectively combat national security threats. The division brought together the former Office of Intelligence Policy and Review, the Counterterrorism Section, and the Counterespionage Section (now renamed the Counterintelligence and Export Control Section) from separate parts of the department. Since it was first established, NSD has expanded to create the Office of Law and Policy, the Foreign Investment Review Section, the Executive Office and the Office of Justice for Victims of Overseas Terrorism. NSD's structure is designed to fuse the authorities and capabilities of the law enforcement and intelligence communities to strengthen the government's national security efforts. Since its inception, some of NSD's accomplishments include:

- Improved coordination between prosecutors and law enforcement agencies, on the one hand, and intelligence attorneys and the Intelligence Community, on the other, to strengthen the effectiveness of the nation's counterterrorism efforts.
- Developed and promoted a national counterterrorism enforcement program that has yielded prosecutions against hundreds of defendants as a result of collaboration with department leadership, the FBI, the intelligence community and the U.S. Attorneys' Offices.
- Re-organized and dramatically increased staffing for the Office of Intelligence (formerly the Office of Intelligence Policy and Review) with three new sections to handle the Foreign Intelligence Surveillance Act (FISA) workload, better coordinate FISA litigation and improve oversight of national security activities.
- Reviewed, processed and submitted thousands of FISA applications to the FISA Court on behalf of the government to ensure that intelligence community agencies have the legal authorities necessary to conduct intelligence operations.
- Created and staffed an Office of Law and Policy to harmonize national security legal and policy functions for the entire department, and to promote important national security priorities, such as providing advice and support on national security-related laws and policies, developing and advocating for appropriate legislation as needed, supporting

cyber security efforts, and working with the intelligence community on guidelines designed to protect privacy and civil liberties.

- Funded and staffed the Office of Justice for Victims of Overseas Terrorism.

Transformation of the FBI

Since 9/11, the FBI has undertaken the most significant transformation in its history. The bureau has restructured its operations in order to better detect, penetrate and dismantle terrorist enterprises as part of its larger cultural shift to a threat-based, intelligence-driven, national security organization.

Today, the FBI serves as a vital link between the intelligence and law enforcement communities, bringing the discipline of the criminal justice system to its intelligence activities in a manner that is consistent with American expectations and protections for privacy and civil liberties.

As part of this strategic shift, the FBI overhauled its counterterrorism operations, expanded its intelligence capabilities, modernized its business practices and technologies, and improved coordination with its partners.

One of the biggest changes at the FBI was the growth and evolution of the [FBI's Joint Terrorism Task Forces](#) (JTTFs). Currently, the FBI has approximately 200 JTTFs around the country, including the National Joint Terrorism Task Force (NJTTF) at FBI headquarters, which ensures information sharing among all JTTFs.

To read more about the evolution of the FBI, please see: [9/11 Attacks 20 Years Ago Shaped Today's FBI — FBI](#).

Increased Intelligence Authorities

Over the past 20 years, the department has worked closely with Congress and other federal agencies to strengthen the nation's laws against terrorism, update the legal authorities needed to detect and disrupt terror plots, and tear down walls hindering intelligence and law enforcement officials from gathering and sharing information critical to protecting the nation. Some of the most significant changes in this area include the following:

USA PATRIOT Act of 2001 and the USA PATRIOT Act Improvement and Reauthorization Act of 2005

These laws have helped law enforcement and intelligence agencies protect the nation in the following ways:

- Facilitate effective information sharing between law enforcement and the intelligence community.

- Allowed federal agents to better track sophisticated terrorists trained to evade detection, and provided national security investigators with tools comparable to those commonly used in criminal cases.
- Updated investigative tools to reflect new technologies and threats, and allowed authorities to obtain search warrants from a single court regardless of where terrorist-related activity occurred.
- Increased penalties for those who commit certain terrorist crimes and those who support them.
- The USA PATRIOT Act Improvement and Reauthorization Act added dozens of additional safeguards to protect privacy interests and civil liberties.

The Foreign Intelligence Surveillance Act (FISA) Amendments

In 2008, legislation was enacted that modernized the Foreign Intelligence Surveillance Act of 1978. The FISA Amendments Act of 2008, which passed with a bipartisan majority of Congress and broad support from the intelligence community, and was reauthorized by Congress in 2018, allows intelligence professionals to more quickly and effectively monitor terrorist communications, while protecting the civil liberties of Americans. Among other things, the law accomplishes the following:

- Ensures that the intelligence community has the tools it needs to determine who terrorists are communicating with, what they are saying and what they may be planning.
- Provides critical authorities that allow the intelligence community to acquire foreign intelligence information by targeting foreign persons reasonably believed to be outside the United States.
- Preserves and provides new civil liberties protections for Americans.
- Requires court orders to target Americans for foreign intelligence surveillance, no matter where they are, and requires court review of the procedures used to protect information about Americans.
- Provides critical liability protections for companies whose assistance is necessary to protect the country from terrorist threats.
- Provisions of the FISA Amendments Act have been reauthorized by Congress numerous times since initial passage.

The USA Freedom Act of 2015

The USA Freedom Act of 2015 was intended to enhance privacy and civil liberties in connection with necessary surveillance activities, while still empowering the government's use of critical FISA authorities. Among other provisions, the USA Freedom Act:

- Prohibits bulk collection under Section 215 and other authorities.
- Authorizes the Foreign Intelligence Surveillance Court to appoint amicus curiae in applications presenting a novel or significant interpretation of law.
- Requires publication of significant FISC opinions or summaries where consistent with national security.
- Codifies other transparency reporting requirements.

Protecting the Privacy and Civil Liberties of Americans

As the nation's primary law enforcement agency, the Justice Department strives to be a model for ensuring that Americans' privacy and civil liberties are forcefully protected in all the department's national security efforts. As our efforts to combat national security threats have expended in recent years, so too has the department enhanced oversight of its national security activities. The department's Civil Rights Division remains the nation's preeminent civil rights law enforcement agency.

The department's commitment to civil rights has never been stronger and protecting the rights of the Muslim and Arab-American communities, and other communities, is a critical part of that commitment. Below are some of the advances the Justice Department has made since 9/11:

- The department has worked to improve and modernize guidelines governing how the intelligence community collects, retains and disseminates U.S. person information, and to strengthen oversight and audit mechanisms.
- The Civil Rights Division and U.S. Attorneys' Offices have brought federal hate crime charges in more than 50 post-9/11 backlash cases. Department attorneys have also coordinated with state and local prosecutors in numerous non-federal criminal prosecutions, in many cases providing substantial assistance.
- The Civil Rights Division has also worked to ensure that Muslims are free to practice their religion without facing illegal barriers or discrimination. Using its authority under the Religious Land Use and Institutionalized Persons Act, the division has taken action in a number of jurisdictions around the country to ensure that land use and zoning decisions are not used to illegally prevent Muslim communities from building places of worship.

- The department appointed its first Chief Privacy and Civil Liberties Officer in 2006, and subsequently created the Office of Privacy and Civil Liberties to support the duties and responsibilities of the Chief Privacy and Civil Liberties Officer. The principal mission of the Office of Privacy and Civil Liberties is to protect the privacy and civil liberties of the American people through review, oversight and coordination of the department's privacy operations.
- The National Security Division has continued to refine and enhance its oversight of the FBI's national security activities, and in many cases, those of other intelligence community agencies, to ensure adherence to the nation's laws, rules and regulations, including privacy interests and civil liberties.

Creation of the Anti-Terrorism Advisory Council

Following the September 11, 2001 terrorist attacks, the department directed the formation or expansion of terrorism task forces and councils (with members from many federal, state, and local agencies and private industry) that coordinate and integrate intelligence and law enforcement functions to prevent future acts of terrorism.

The Anti-Terrorism Advisory Council Program in each United States Attorney's Office was established to serve as a conduit for information sharing between federal and state authorities, a coordinating body for carrying out the anti-terrorism plan and an organizational structure for responding to any future terrorist incidents in that district. Sharing information and providing training to state and local law enforcement officers is especially important because the number of these officers is far greater than the number of federal agents and they are more likely to come across individuals planning terrorist actions.

Domestic Terrorism

The Department of Justice is prioritizing the detection, the disruption, and deterrence of the threat of domestic terrorism and violent extremism in all its forms:

- The FBI has increased the domestic threat information it provides to our state, local, tribal, and territorial partners; is enhancing training provided to these important partners; and continues to work closely with them in our Joint Terrorism Task Forces.
- Through the Anti-Terrorism Advisory Councils that we have established in every U.S. Attorney's Office across the country, we are strengthening our domestic terrorism-related prosecutorial resources and expertise.
- Our Civil Rights and National Security Divisions are working more closely than ever in determining whether a given investigation should be handled as a hate crime, an incident

of domestic terrorism, or both. This will ensure that we consider all appropriate criminal offenses and that, whenever we encounter domestic terrorism, we treat it for what it is.

- Through a directive we issued earlier this year, we are ensuring that we carefully track investigations and cases with a domestic terrorism nexus.
- The department's grant-making components are dedicating additional resources to helping states, localities, and others focus on the threat. The Office of Community Oriented Policing Services, for example, has started prioritizing grants to local law enforcement agencies committed to community-based approaches to combating racially motivated violence and domestic terrorism.
- In June 2021, Attorney General Garland announced that the department would reinvigorate and convene the Domestic Terrorism Executive Committee (DTEC) as part of the first ever, whole of government, comprehensive National Strategy for Countering Domestic Terrorism. The DTEC promotes collaboration, communication, and information-sharing among federal offices and law enforcement agencies regarding the threat of domestic terrorism.

Growth of the Office of Justice for Victims of Overseas Terrorism

[The Office of Justice for Victims of Overseas Terrorism](#) was established on May 6, 2005, to advocate for U.S. citizen victims of overseas terrorism and their families in foreign criminal justice systems. OVT's mission is to support U.S. victims of terrorism overseas by helping them navigate foreign criminal justice systems and by advocating for their voices to be heard around the world. OVT accomplishes its mission by assisting U.S. victims when cases are handled in foreign criminal justice systems. The office advocates for U.S. victims to obtain information, to be present during foreign terrorism prosecutions, and to have a voice during the proceedings. OVT further engages in policy advocacy on overseas terrorism victims' issues both within the U.S. Government and throughout the world.