

# Are we safer?

A report card on the war on terror.

BY DAVID COLE AND JULES LOBEL

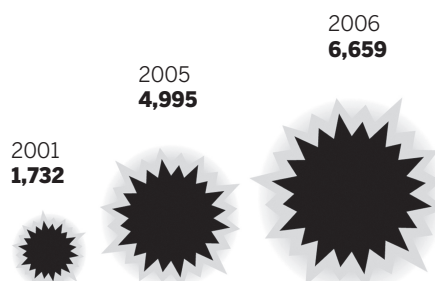
**W**E HAVE more than six years of experience with the Bush administration's war on terror, and there has not been another terrorist attack on U.S. soil. But can the administration take credit for that? Here's a report card on what the administration's counter-terrorism strategy has achieved, and what it has cost. The figures are drawn from official government sources, reliable news accounts, institutional reports and our own continuing review of data.

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## Worldwide

Number of terrorist attacks <sup>1</sup>



## In Iraq

Average daily number of insurgent attacks <sup>2</sup>



## At Home

Number of "terrorism or terrorism-related" convictions and guilty pleas (with an international connection) claimed by the Justice Department as of June 2006 <sup>3</sup> ..... **261**

Number of those cases actually involving attempted terrorist activity <sup>4</sup> ..... **2**

Minimum number of foreign nationals preventively detained in anti-terrorism initiatives in the U.S. in the first two years after 9/11 <sup>5</sup> ..... **5,191**

Number of those convicted of terrorist crimes today <sup>6</sup> ..... **0**

Number of U.S. foreign residents who complied with domestic registration program targeting immigrants from Arab and Muslim countries <sup>7</sup> ..... **83,519**

Number of those convicted of terrorist crimes today <sup>8</sup> ..... **0**

Number of foreign nationals the Justice Department claims to have deported in connection with 9/11 investigations <sup>9</sup> ..... **> 515**

Number of those deemed to be connected to terrorism <sup>10</sup> ..... **0**

Number of Al Qaeda cells discovered in the U.S. since 9/11 <sup>11</sup> ..... **0**

## Guantanamo and 'Black Sites'

Number of people detained at Guantanamo since Jan. 2002 <sup>12</sup> ..... **775**

Number of detainees released <sup>13</sup> ..... **470**

Number of detainees tried for any crimes <sup>14</sup> ..... **0**

Number of people estimated to have been detained in CIA "black sites" — secret prisons outside the U.S. <sup>15</sup> ..... **> 100**

Number of those detained who have been charged or convicted of any crime <sup>16</sup> ..... **0**



ILLUSTRATIONS BY PETER HOEY For The Times

## Sources

1. Rand Corp. and the Oklahoma City National Memorial Institute for the Prevention of Terrorism, Rand-MIPT Terrorism Knowledge Database, [www.tkb.org/AnalyticalTools.jsp](http://www.tkb.org/AnalyticalTools.jsp).

2. Brookings Institution, "Iraq Index," Oct. 29, 2007, [www.brookings.edu/iraqindex](http://www.brookings.edu/iraqindex).

3. Department of Justice, "Counterterrorism White Paper," June 22, 2006, <http://trac.syr.edu/tracreports/terrorism/169/include/terrorism.whitepaper.pdf>. This is the Justice Department's most comprehensive public account of its "terrorism and terrorism-related" convictions and pleas to date.

4. *Id.* The "Counterterrorism White Paper" identifies only two people convicted of an attempted terrorist act (with an international connection) since 2001: Richard Reid, the shoe bomber, and Gale Nettle, who pleaded guilty to attempting to bomb a federal building in Chicago. Only Reid is linked to Islamic terrorism.

Most of the government-claimed "terrorism or terrorism-related" convictions or pleas involved no terrorism charges, only such crimes as making false statements, immigration violations or credit card fraud. Most convictions or pleas that did involve terrorism charges are for providing "material support" to a group labeled terrorist, not for engaging in or even conspiring to engage in terrorist activity.

5. Dan Eggen and Susan Schmidt, "Count of Released Detainees Is Hard to Pin Down," Washington Post, Nov. 6, 2001. Reports a government statement that 1,182 "potential terror suspects" had been detained as of early November 2001.

Prepared statement of Michael T. Dougherty, director of operations, Bureau of Immigration and Customs Enforcement, before the House Judiciary Committee's subcommittee on Immigration, Border Security and Claims, Federal News Service, May 8, 2003. States that immigration officials detained 1,139 people in the Absconder Apprehension Initiative, directed at foreign nationals from Arab and Muslim countries who had outstanding deportation orders.

Department of Homeland Security fact sheet, "Changes to National Security Entry/Exit Registration System (NSEERS)," Dec. 1, 2003, [www.dhs.gov/xnews/releases/press\\_release\\_0305.shtm](http://www.dhs.gov/xnews/releases/press_release_0305.shtm). Cites 2,870 people detained as part of the registration program.

6. Department of Justice, "Counterterrorism White Paper," June 22, 2006. Our analysis of the cases reported in the white paper found no convictions of foreign nationals who were preventively detained in the first two years after 9/11. Most of those convicted were citizens or foreign nationals detained only after they were arrested and charged.

7. Department of Homeland Security fact sheet,

"Changes to National Security Entry/Exit Registration System (NSEERS)," Dec. 1, 2003.

8. Prepared statement of Carlina Tapia Ruano, first vice president, American Immigration Lawyers Assn., before the House Judiciary Committee oversight hearing on the reauthorization of the Patriot Act, June 10, 2005. [www.aiala.org/content/default.aspx?docid=16686](http://www.aiala.org/content/default.aspx?docid=16686). States that no one who registered was charged with a "terrorist-related" offense.

Department of Justice "Counterterrorism White Paper," June 22, 2006. Our review of all terrorism convictions identified in the white paper found that none of the defendants were subject to registration, according to government criteria.

9. Department of Justice, [www.lifeandliberty.gov/subs/a\\_terr.htm](http://www.lifeandliberty.gov/subs/a_terr.htm).

10. Department of Justice, Office of the Inspector General, "The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks," April 2003, released June 2, 2003. [www.usdoj.gov/oig/special/0306/full.pdf](http://www.usdoj.gov/oig/special/0306/full.pdf). States that the government's post-9/11 policy, called "hold until cleared," barred deportation of foreign nationals until the FBI cleared them of any connection to terrorism.

11. ABC News, "Secret FBI Report Questions Al

Qaeda Capabilities," March 9, 2005. Reports on a secret February 2005 FBI document that admitted the agency had found no Al Qaeda cells in the U.S. Department of Justice, "Counterterrorism White Paper," June 22, 2006. Includes no mention of Al Qaeda cells found in the U.S. Our research shows no record of the discovery of an Al Qaeda cell in the U.S. since June 2006.

12, 13. Department of Defense news release, Nov. 9, 2007. [www.defenselink.mil/releases/release.aspx?releaseid=11477](http://www.defenselink.mil/releases/release.aspx?releaseid=11477).

14. Although the government has established military tribunals to try detainees, because of continuing legal questions concerning the proceedings, no one has been successfully tried for any crime. One detainee, David Hicks, an Australian citizen, pleaded guilty to providing material support to a terrorist group, in return for being released to Australia.

15. Dana Priest, "CIA Holds Terror Suspects in Secret Prisons," Washington Post, Nov. 2, 2005. Reported "contours" of the CIA "black site" detention program based on "current and former U.S. intelligence officials and foreign sources."

16. In a speech on Sept. 6, 2006, President Bush announced that 14 of the "black site" detainees had been transferred to Guantanamo to face justice via military tribunals; so far none has been charged with any crime.