

Terrorist finance tracking program



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Running Head: TERROIST TRACKING September 10th Terrorist Finance

Tracking Program The Terrorist Finance Tracking Program is a useful investigative tool for fighting terrorism. The European adaption of this program too effect on August 1st 2010. The utilization of this tool on an international level is aimed to prevent future terrorist attacks and ensure the safety of all citizens living in both the United States of America and Europe. The Terrorist Finance Tracking Program was created in the United States in regards to the September 11th 2001 terrorist attack. This program utilizes a different methodology to fight terrorism. The United States government can use financial information in order to prosecute individuals that support terrorism through financial means. According to Terrorist Finance Tracking Program: Fact Sheet (2006), The United States “ Treasury department is uniquely positioned to track terrorist money flows and assist in the broader US Government effects to uncover terrorist cells and map terrorist networks here at home and around the world” (PP. 4).

In order to ensure the success of this program utilizes SWIFT. According to Legal Authorities Underlying the Terrorist Finance Tracking Program (n. d.). “ SWIFT-a Belgium-based company with U. S. offices that operates a worldwide messaging system used to transmit bank transaction information-seeking information on suspected international terrorists” (PP. 6). The United States government uses subpoenas in order to view this information. Based upon the terms of the subpoenas the United States government is allowed to view this information only in regards to suspected terrorist investigations. The information obtained by SWIFT is legally obtained in accordance with The International Emergency Economic Powers Act. The International Emergency Economic Powers Act was established in 1977. The President

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only during a time of national emergency may put forth this act in order to investigate financial transfers by means of banks and other relevant financial transactions in regards to a foreign individual suspected of being associated or being a terrorist. In regards to the September 11th 2001 terrorist attacks former United States president George W. Bush issued executive order 13224 declaring an international emergency as future terrorist attacks were suspected. Subpoenas issued are in compliance with the United States Constitution's fourth amendment as investigations of potential terrorists and relevant documents to terrorism are obtainable through subpoenas issued by Congress. In addition neither The Foreign Intelligence Surveillance Act nor the Right to Financial Privacy Act are in violated through the utilization of subpoenas. According to Legal Authorities Underlying the Terrorist Finance Tracking Program (n. d.).

The SWIFT data is produced pursuant to a subpoena for records. Treasury is not engaged in “ electronic surveillance” it is not acquiring any radio or wire communication and there does not exist a legitimate expectation of privacy with respect to financial records (PP 7).

Prior to 2010 the servers used by SWIFT were located on grounds in the United States. This gave the United States jurisdiction over SWIFT. However, in 2009 some servers were re-located on European grounds. This moved caused for the enactment of the new Swift deal in which the United States needed European consent for the utilization of this information (EU adopts terrorist finance tracking program, 2010). The utilization of The Terrorist Finance Tracking Program in conjunction with SWIFT has led to over 1, 550 leads on European territory (Terrorist Finance Tracking Program: Question and Answers, n. d.). In addition information acquired through this program “
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helped European investigators track down suspects in the 2006 al-Qaeda-directed plot to blow up flights between EU (Europe) and the United States” (European Commission, 2010, PP. 12).

Based upon these facts The Terrorist Financing Program is a beneficial program in order to ensure the safety of all people. Although some may perceive this information as a violation of freedoms, no freedoms given under The United States Constitution allow for mass destruction of property and the taking of innocent lives. In conjunction with Europe the United States seek to ensure the safety of all individuals on international levels.

References

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