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MANUSCRIPT

RUBBLE, REFORM, AND RESILIENCE: HOW THE OKLAHOMA CITY BOMBING INFLUENCED U.S. COUNTERTERRORISM LAW

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I. INTRODUCTION

On the morning of April 19, 1995, Timothy McVeigh detonated a truck bomb outside of the Alfred P. Murrah Federal Building in downtown Oklahoma City. Thirty years later, the bombing remains the deadliest act of domestic terrorism in United States history, resulting in the deaths of 168 individuals—including nineteen children—and injuring hundreds more.¹

* Juris Doctor Candidate, Oklahoma City University School of Law, May 2026. I would like to thank my family and friends for their unwavering support throughout my law school journey. I would not be where I am today without the remarkable people who surround me. I am also grateful for the Oklahoma City University Law Review Board and its members for their belief in me and for their diligence and commitment in helping bring this piece to publication. Finally, I extend my deepest condolences to the individuals and families affected by the April 19, 1995 Oklahoma City Bombing and to the countless others across our nation who have suffered from acts of terrorism and political violence.

1. *Oklahoma City Bombing*, FBI, <https://www.fbi.gov/history/famous-cases/oklahoma-city-bombing> (on file with the Oklahoma City University Law Review) (last visited Oct. 26, 2025) [hereinafter *Oklahoma City Bombing*].

In the hours following the explosion, investigators confronted an unsettling reality. There was no integrated surveillance network, no real-time data fusion, and no rapid means of cross-jurisdictional coordination. Instead, the search for those responsible relied on manual record checks, fragmented intelligence channels, and at times, sheer chance. McVeigh's arrest came just ninety minutes after the explosion, not through a coordinated federal dragnet, but during a routine traffic stop on Interstate 35 by Oklahoma Highway Patrol Trooper Charles Hanger.² That arrest has come to symbolize both the extraordinary ability of individual officers and the systemic vulnerabilities of a nation unprepared for homegrown terrorism.

The Oklahoma City Bombing became a catalyst for national reflection. It revealed not only the devastating reach of domestic extremism but also the weaknesses in America's law enforcement and intelligence systems. For many, it marked the moment when the nation first confronted the reality that terrorism was not confined to foreign adversaries and could emerge from within. Yet the reforms lacked urgency and were incomplete. Six years later, the September 11 attacks demonstrated with even greater clarity how failures in coordination, intelligence sharing, and technological infrastructure could culminate into catastrophe on a far larger scale.

This Manuscript revisits the Oklahoma City investigation, known within the agencies as the "OKBOMB" investigation, and its aftermath to examine how America's counterterrorism framework has evolved over the past three decades. It examines the limitations of mid-1990s investigative tools, the government's failure to adequately anticipate the risks of domestic extremism, and the sweeping reforms that followed both the Oklahoma City Bombing and 9/11 attacks. Three decades later, domestic terrorism is once again surging. Between 2016 and 2021, the Federal Bureau of Investigation ("FBI") reported a 490% increase in open domestic-terrorism-related cases, growing from 1,535 to 9,049.³ The Department of Homeland Security ("DHS") likewise reported that between 2010 and 2021 it tracked 231 separate domestic terrorism

2. National Law Enforcement Officers Memorial Fund, *Officer of the Month Archive—October 2001*, NAT'L L. ENF'T OFFICERS MEM'L FUND (Mar. 10, 2015), <https://web.archive.org/web/20150310105507/http://www.nleomf.org/officers/month/otm-archive/officer-of-the-month-12.html> (on file with the Oklahoma City University Law Review).

3. GOV'T ACCOUNTABILITY OFF., DOMESTIC TERRORISM: FURTHER ACTIONS NEEDED TO STRENGTHEN FBI AND DHS COLLABORATION TO COUNTER THREATS 24 (Feb. 28, 2023), <https://www.gao.gov/products/gao-23-104720> [<https://perma.cc/5W73-NXPK>].

incidents.⁴ These numbers underscore a central concept: just as the nation's counterterrorism capabilities have evolved so too have the threats they are designed to confront.

As the nation marks the thirtieth anniversary of the Murrah Building Bombing, the lessons of that day remain urgent. Oklahoma City is not only a story of tragedy and resilience but also a case study on how law, technology, and policy adapt in response to evolving threats—and a warning that national security complacency risks repeating the very failures that made 1995 and 2001 possible.

II. THE “OKBOMB” INVESTIGATION: A MANHUNT IN THE ANALOG AGE

A. Routine Stops and Extraordinary Consequences

1. The Interstate-35 Traffic Stop

At approximately 10:20 a.m. on April 19, 1995—just seventy-five minutes after the bombing of the Alfred P. Murrah Federal Building—Oklahoma Highway Patrol Trooper Charlie Hanger was patrolling his usual stretch of Interstate 35 near Perry, Oklahoma, roughly thirty-five miles south of the Kansas border and about eighty miles north of Oklahoma City.⁵ Earlier that morning, Hanger was ordered toward Oklahoma City to assist with the bombing response, but he was recalled and instructed to remain in his assigned area.⁶ He turned back, resumed patrol, stopped to assist a broken-down motorist, and then continued north toward a report of another stranded driver.⁷ En route, Hanger passed a vehicle that caught his attention: a yellow 1977 Mercury Marquis with a primer patch on the left rear quarter panel and, most importantly, no rear license plate.⁸ Hanger slowed his patrol car, merged behind the Mercury, and initiated a stop.⁹ What began as a seemingly routine traffic stop would instead become one of the most consequential arrests in the history of

4. *Id.* at 24.

5. Transcript of Record, Vol. 63, at 6860:2-14, *United States v. Nichols* (D. Colo. 1997) (No. 96-CR-68), <https://law.utexas.edu/wp-content/uploads/sites/34/2019/04/N063P.pdf> [<https://perma.cc/76BY-QXYA>] (testimony of Trooper Charles “Charlie” J. Hanger).

6. *Id.* at 6861:8-6862:18.

7. *Id.* at 6864:19-6865:5.

8. *Id.* at 6865:6-14.

9. *Id.* at 6865:15-6866:25.

domestic terrorism in the United States.

As Hanger came to a stop behind the Mercury, the driver—later identified as Timothy McVeigh—stepped out of the vehicle without being instructed to do so.¹⁰ Trooper Hanger simultaneously exited his patrol car and met McVeigh near the trunk, where he explained the reason for the stop.¹¹ McVeigh, calmly and politely, stated that he had recently purchased the vehicle and had not yet obtained a proper tag or bill of sale.¹²

When Hanger asked for identification, McVeigh reached into his rear pocket for his wallet.¹³ As he did so, his windbreaker tightened just enough to reveal what Hanger believed to be a weapon.¹⁴ When ordered to unzip his jacket, McVeigh complied, calmly stating: “I have a gun.”¹⁵ Hanger ordered McVeigh to turn around and place his hands on his head as Hanger drew his own pistol, stuck it to the back of McVeigh’s head, and walked him to the trunk of the Mercury.¹⁶ Famously, at this point McVeigh remarked, “My weapon is loaded.”¹⁷ Without missing a beat, Hanger replied, “So is mine.”¹⁸ Hanger removed a Glock .45-caliber pistol loaded with Black Talon rounds, a spare magazine, and a knife from McVeigh’s belt.¹⁹

Before leaving, Hanger asked McVeigh if he wished to have his Mercury towed or left at the roadside.²⁰ McVeigh opted to leave it, and Hanger conducted a brief search of the Mercury with McVeigh’s consent.²¹ Inside the front seat, Hanger documented a blue ball cap, a sheet of lined paper, and a sealed white envelope.²² The trunk contained only a small toolbox and rags.²³ Hanger also recorded the vehicle identification number (“VIN”) and ran it for registration and stolen status, which returned no results in Oklahoma and Kansas.²⁴

The drive to the Noble County Jail was quiet with McVeigh

10. *Id.* at 6867:8-25.

11. *Id.* at 6868:24-6869:1.

12. *Id.* at 6869:2-15.

13. *Id.* at 6870:1-8.

14. *Id.* at 6870:8-11.

15. *Id.* at 6870:18-20.

16. *Id.* at 6870:21-6871:10.

17. *Id.* at 6871:13.

18. *Id.* at 6871:15.

19. *Id.* at 6871:23-6872:8, 6874:10-15.

20. *Id.* at 6884:6-7.

21. *Id.* at 6878:23-6879:5.

22. *Id.* at 6879:24-6880:2.

23. *Id.* at 6885:20-21.

24. *Id.* at 6879:6-18.

expressing no agitation or fear.²⁵ His only concern was how he could reclaim his pistol once released.²⁶ The following morning, during a routine sweep of his patrol unit, Hanger found a crumpled business card from Paulsen's Military Supply on the rear floorboard where McVeigh had been sitting.²⁷ On the back, McVeigh had written a note stating: "DAVE (TNT @ \$5 a stick. Need more.)."²⁸ Additionally, the card contained a phone number and a second note that said: "Call after 1 May see if I can get some more."²⁹ This seemingly insignificant scrap of paper would later become a key piece of evidence tying McVeigh to the bombing.

At the Noble County Jail, McVeigh was booked on state charges of transporting a loaded firearm in a motor vehicle, unlawfully carrying a weapon, failure to display a current number plate (tag), and failure to maintain proof of security (liability insurance).³⁰ His Michigan driver's license listing 3616 North Van Dyke Road, Decker, Michigan, was entered into the booking log—an address later linked to James Nichols, the brother of McVeigh's co-conspirator Terry Nichols.³¹ Initially silent when asked for next-of-kin, McVeigh finally agreed to list "James Nichols" after Hanger pressed him about the address.³² McVeigh's booking photograph captured him wearing a light T-shirt with Abraham Lincoln's portrait on the front and Thomas Jefferson's words on the back: "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants."³³ His clothes were seized, and he was issued jail attire.³⁴ Throughout the process, McVeigh remained calm and polite, showing no visible reaction even as television screens in the booking area replayed images of the devastation in Oklahoma City.³⁵

Though Hanger had no reason to suspect McVeigh's connection to the bombing at that moment, his diligence and meticulous enforcement of routine traffic laws kept the nation's most wanted domestic terrorist from escaping the state and delivered federal investigators their first crucial lead. What began as a seemingly ordinary license-plate violation on

25. *Id.* at 6886:18-25.

26. *Id.* at 6886:13-14.

27. *Id.* at 6887:9-6889:1.

28. *Id.* at 6889:4-5.

29. *Id.* at 6889:6-8.

30. *Id.* at 6892:17-25.

31. *Id.* at 6898:12-25.

32. *See id.* at 6899:13-18.

33. *Id.* at 6903:13-6904:8.

34. *Id.* at 6901:1-3.

35. *Id.* at 6892:6-8, 6894:1-7.

Interstate 35 became the first domino to fall in the OKBOMB investigation, a powerful testament to the precision and professionalism of law enforcement at its best.

2. Minutes from Freedom: The Race Against the Gavel

Following his arrest on April 19, 1995, Timothy McVeigh spent nearly two days in the Noble County Jail, not as the suspected bomber, but as an anonymous man held on charges stemming from the arrest by Trooper Hanger.³⁶ While the nation searched for answers, McVeigh sat quietly in a small-town jail cell, just hours away from release.

In the end, what kept him there was little more than courthouse happenstance. McVeigh's bail hearing—originally scheduled for Thursday, April 20—was pushed to the following morning because Judge Danny Allen was tied up with a prolonged divorce case, delaying his normal docket.³⁷ That brief, unforeseen postponement meant McVeigh remained in jail for one more night, still listed under his real name and entirely off the federal radar.

A second fluke unfolded on the morning of Friday, April 21. Judge Allen's son had missed the bus to a school band event, so Judge Allen had to personally drive him to the event before taking the bench.³⁸ By the time he returned to the courthouse, it was nearly 10:30 a.m., and

McVeigh was sitting outside the courtroom waiting for his case to be called.³⁹

That morning, Noble County Sheriff Jerry Cook was downstairs and had not yet seen McVeigh.⁴⁰ His office was located past a small lobby, and as he sat at his desk the phone rang.⁴¹ On the other end was Alcohol,

36. *See id.* at 6905:11-12.

37. ANDREW GUMBEL & ROGER G. CHARLES, *OKLAHOMA CITY: WHAT THE INVESTIGATION MISSED—AND WHY IT STILL MATTERS* 106-07 (1st ed. 2012).

38. Jordan Green, *Was Timothy McVeigh's Arrest Aided by 'Divine Intervention'?*, BLACKWELL J.-TRIB. (Nov. 9, 2022), <https://blackwelljournaltribune.com/articles/12597/view> [<https://perma.cc/V9A2-DFTB>].

39. Richard A. Serrano, *One of Ours: Timothy McVeigh and the Oklahoma City Bombing* ch. 1 (W.W. Norton & Co. ed. 1998), as reprinted in N.Y. TIMES, <https://archive.nytimes.com/www.nytimes.com/books/first/s/serrano-ours.html> [<https://perma.cc/53ES-XDJQ>].

40. *See id.*

41. *Id.*

Tobacco, Firearms and Explosives (“ATF”) Agent Mark Michalic, working with the bombing task force, who had just confirmed that a “highway patrol trooper in Noble County had run a criminal check on [a] ‘Timothy McVeigh’ about an hour and a half after the bombing.”⁴² Looking at a map, Michalic realized that Noble County was directly along the likely route from Oklahoma City to Kansas.⁴³ “Have you still got this guy?” Michalic asked.⁴⁴ Cook ran a finger down the daily inmate roster. Halfway down, the name jumped out at him. “Yes, he’s here,” Cook said.⁴⁵ “Michalic hardly believed the good news. ‘Hold on to him,’ [he] implored. ‘Don’t let him go!’”⁴⁶ “‘Spin that boy around and put him back in your hotel,’ Michalic said. Michalic put his hand over the receiver and told his colleagues: ‘We got him.’ The room erupted in cheers.”⁴⁷

Cook hung up and hurried upstairs to the office of District Attorney Mark Gibson to deliver the news.⁴⁸ Gibson didn’t believe him. “That’s BS,” Gibson said.⁴⁹ Yet Cook insisted it was true.⁵⁰ “You’re playing games with me Jerry,” responded Gibson.⁵¹ Cook persisted, “We’ve got the bomber. Federal agents are on their way here.”⁵² Gibson suddenly realized that McVeigh was about to be called before the judge and likely released.⁵³ He ordered Cook to pull McVeigh from the bench and return him to his cell immediately.⁵⁴ A fellow inmate later reflected: “They took him upstairs so fast . . . everybody kept saying he was the bomber.”⁵⁵

Within hours, FBI agents helicoptered into Perry, Oklahoma, and set up a security perimeter around the courthouse.⁵⁶ Sheriff Cook shut down the jail’s phone lines to prevent outside communication, and the building was soon filled with law enforcement.⁵⁷ Outside the word was spreading quickly and drawing a crowd of hundreds—many of them grieving friends

42. GUMBEL & CHARLES, *supra* note 37, at 126.

43. *Id.*

44. *Id.*

45. Serrano, *supra* note 39.

46. GUMBEL & CHARLES, *supra* note 37, at 126.

47. *Id.*

48. Serrano, *supra* note 39.

49. *Id.*

50. *Id.*

51. *Id.*

52. *Id.*

53. *Id.*

54. *Id.*

55. *Id.*

56. *Id.*

57. *Id.*

or family of the bombing victims.⁵⁸

The margin was razor-thin. Had the ATF call come even thirty minutes later, or had Judge Allen not been delayed, McVeigh would likely have walked out of the courthouse on bail. Instead, due to the quirks of the court's schedule and the swift arrival of law enforcement, he remained in custody when the agents arrived. Without that turn of events, the investigation and prosecution would have been far more difficult.

B. Following the Trail: From OKC to Junction City to Noble County

1. The Axle's VIN: The Needle in a Haystack

There are mixed reports regarding the discovery of the rear axle of the Ryder truck: some reports state it occurred as early as 11:30 a.m. the same day while other reports indicate it was not until the morning after, on April 20.⁵⁹ Either way, the discovery of the rear axle was one of the most critical pieces of physical evidence for the investigation. The axle was discovered a few blocks from the Alfred P. Murrah Federal Building, and despite the explosion's enormous force, it remained largely intact.⁶⁰

The axle bore a portion of the seventeen-character VIN stamped into its frame, a standardized sequence that is unique to every individual vehicle. A trace through the National Insurance Crime Bureau ("NICB") revealed the VIN was linked to a 1993 Ford truck registered to the Ryder rental truck company of Miami, Florida.⁶¹

Eventually, by contacting Ryder headquarters, the FBI was able to trace the VIN to Elliott's Body Shop in Junction City, Kansas, a small auto shop that frequently rented trucks to soldiers move into and out of Fort Riley.⁶² Eldon Elliott, the owner, told FBI Agent Scott Crabtree that a man identifying himself as "Robert Kling" had rented the truck in question a few days before the bombing.⁶³ Elliott specifically remembered the man because he thought it was odd that "Kling" had requested two additional rental days rather than the usual extra mileage that Elliott typically offered, and he also declined the optional insurance.⁶⁴

58. *Id.*

59. *Oklahoma City Bombing*, *supra* note 1.

60. GUMBEL & CHARLES, *supra* note 37, at 82-83.

61. *Id.*

62. *Id.* at 103.

63. *Id.*

64. *Id.* at 105.

Through a series of interviews with Elliott; the office manager, Vicki Beemer; and a store mechanic, Tom Kessinger, the FBI agents tried to gather as much information as possible on “Kling.”⁶⁵ Although agents had obtained a Social Security and driver’s license number from the body shop workers, they still lacked basic contact information such as a phone number, a copy of the license, or any clear memory of his appearance.⁶⁶ Worse still, when Agent Crabtree returned to his office to run a data search on “Robert Kling” he discovered all the information was fraudulent.⁶⁷ The investigation in Junction City would now depend entirely on the three witnesses’ ability to recall enough physical details to make an accurate sketch of the suspect.

Finally, after follow-up interviews, the sketch artist, Ray Rozycki, created a portrait of McVeigh that was “close enough.”⁶⁸ One witness later remarked, “Hell, you know . . . when the FBI tells you to point, you point.”⁶⁹

2. From “Robert Kling” to Timothy McVeigh: The Motel Breakthrough

With the information tied to the Ryder truck axle known to be fraudulent, agents had little choice but to rely on Rozycki’s sketches. Detectives from multiple agencies at Fort Riley spread out all across Junction City hoping to find someone who would recognize the unidentified man.⁷⁰ The OKBOMB investigation’s streak of good fortune continued when FBI Agent Mark Bouton and local Deputy Sheriff Garry Berges chose the Dreamland Motel as their first stop.⁷¹

At the Dreamland Motel, owner Lea McGown immediately recognized the sketch as one of her recent guests, Timothy McVeigh.⁷² She confirmed that McVeigh stayed at the motel over Easter weekend with

65. *Id.* at 81-82.

66. *Id.* at 103-06.

67. *Id.* at 104.

68. *Id.* at 106.

69. *Id.*

70. *Id.* at 107.

71. *Id.*

72. *Id.* at 108.

the Ryder truck.⁷³ The best part—he stayed under his real name and used the same address listed on both his fake driver’s license and the Noble County booking information.⁷⁴ This overlooked detail was essential; without it, tying McVeigh to the alias “Robert Kling” might have taken days or may have never occurred at all. In an interview with author Gerald Posner, McGown explained:

[I]n her years managing a motel frequented by prostitutes, she learned how to spot men registering under false names. “People are so used to signing their own name,” she said, “that when they go to sign a phony name, they almost always go to write, and then look up for a moment as if to remember the new name they want to use. That’s what McVeigh did, and when he looked up, I started talking to him, and it threw him.”⁷⁵

Suspicious of McVeigh, McGown intentionally put him in Room 25 of the Dreamland Motel directly beside her office so she could “keep an eye on him.”⁷⁶ Later, a pizza deliveryman in Junction City told FBI investigators he delivered a pizza that evening to the occupant of Room 25—“Bob Kling”—further corroborating the link between the alias and McVeigh.⁷⁷

Taken together, the rental at Elliott’s Body Shop, McVeigh’s registration at the Dreamland Motel, and the pizza delivery call from Room 25 formed a chain of evidence linking the alias to his true identity. McGown’s recognition of McVeigh, not “Robert Kling,” placed him squarely in the investigative frame. Luckily, as discussed above, by the time this identification was confirmed, McVeigh was still in custody in the Noble County Jail.

73. *Id.* at 109.

74. Ted Ottley, *License Tag Snag, in Timothy McVeigh & Terry Nichols: Oklahoma Bombing*, TRUTV (Aug. 29, 2011), https://web.archive.org/web/20110829095824/http://www.trutv.com/library/crime/serial_killers/notorious/mcveigh/snag_2.html (on file with the Oklahoma City University Law Review).

75. James Collins, *Oklahoma City: The Weight of Evidence*, TIME, Apr. 28, 1997, <https://content.time.com/time/subscriber/article/0,33009,986240-5,00.html> [https://perma.cc/4HGW-K4RV].

76. GUMBEL & CHARLES, *supra* note 37, at 108.

77. *The Oklahoma City Bombing and the Trial of Timothy McVeigh*, FAMOUS TRIALS, <https://famous-trials.com/oklacity/730-home> [https://perma.cc/M4AD-WQ4H] (last visited Oct. 17, 2025).

3. The Hail Mary Query: NCIC's Offline Footprints

On the evening of April 20, 1995, just over twenty-four hours after the Oklahoma City Bombing, FBI Special Agent Walt Lamar initiated a bold but uncertain move: he requested an “offline” search of the FBI’s National Crime Information Center (“NCIC”), a rarely used forensic tool of the analog era.⁷⁸ An “online” search was routinely used among law enforcement agents; this essentially allowed agents to check a suspect’s criminal record in real time.⁷⁹ Conversely, an “offline” search required contacting the NCIC offices in Clarksburg, West Virginia, where technicians manually searched reel upon reel of magnetic tape for vehicle or criminal record checks, a tedious and time-consuming task.⁸⁰ Lamar reasoned that if McVeigh had ever been pulled over or identified, an NCIC trace might exist.⁸¹ Even though the request was marked top priority, it still took several hours for the NCIC to return results.⁸²

After several anxious hours, the offline NCIC search produced a result: at approximately 10:20 a.m. on April 19, Trooper Charlie Hanger had run a criminal-history check on Timothy McVeigh during a traffic stop.⁸³ Investigators quickly contacted Hanger who confirmed the encounter and met them at the arrest scene, where McVeigh’s Mercury remained untouched.⁸⁴ The NCIC discovery energized the investigation. ATF Agent Mark Michalic reportedly exclaimed: “Holy f***! He’s sittin’ in jail!” before contacting Sheriff Jerry Cook.⁸⁵

The NCIC discovery was nothing short of a forensic miracle, made possible only because Trooper Hanger had entered McVeigh’s name into the system after the traffic stop. Without that query, there would have been no digital footprint to trace. Had the ATF waited even thirty more minutes to place its call, McVeigh likely would have posted bail and disappeared into the country, just as the nationwide manhunt was gaining momentum.

This moment underscored both the power and limitations of analog-era law enforcement. In 1995, investigators relied on fragmented data systems, paper records, and manual coordination between field offices and

78. GUMBEL & CHARLES, *supra* note 37, at 120.

79. *Id.*

80. *Id.*

81. *Id.*

82. *Id.*

83. Transcript of Record, *supra* note 5, at 6875:3-19.

84. *Id.* at 6905:11-25, 6906:1.

85. GUMBEL & CHARLES, *supra* note 37, at 126.

headquarters. The NCIC's offline searches were rarely used and often took hours, as technicians manually sorted through magnetic reels. In McVeigh's case, that slow process ultimately could have made the difference between capture and escape.

III. INVESTIGATIVE TECHNOLOGY: EVOLUTION FROM ANALOG TO DIGITAL

The OKBOMB investigation in 1995 highlights a period when law enforcement depended on faxes, magnetic tapes, and manual cross-jurisdictional coordination. This section compares those limited capabilities of the late 1990s with modern investigative techniques.

A. The Evolution of the NCIC: From Hours to Seconds

The NCIC discovery was nothing short of a forensic miracle. In 1995, investigators relied on fragmented data systems, analog records, and manual coordination between field offices and headquarters. If not for other contributing delays, the slow and labor-intensive process of offline NCIC searches could have easily allowed McVeigh to escape.

In 1999, the FBI introduced NCIC 2000, a major upgrade to the system that first launched in 1967.⁸⁶ The upgrade enhanced the capabilities of existing NCIC files and incorporated a wide range of additional databases.⁸⁷

According to the Office of Justice Programs release guide:

The system is now twenty-seven years old and is difficult to maintain and modify; therefore, the FBI with the help of the NCIC Advisory Policy Board (APB) planned the upgrade of the current system. The new system, which will be called NCIC 2000, will provide all current NCIC services, and in addition to these services will provide mug shot, fingerprint, image storage and retrieval, improved data quality and system security, and easier data

86. *NCIC Celebrates 40 Years*, FBI (Jan. 18, 2007), <https://web.archive.org/web/20250212214842/https://archives.fbi.gov/archives/news/pressrel/press-releases/ncic-celebrates-40-years> (on file with the Oklahoma City University Law Review).

87. *Id.*

access.⁸⁸

Today, the NCIC is integrated into the FBI's Criminal Justice Information Services system, allowing rapid digital queries that link vehicle stops, biometric records, and nationwide warrants in near real time.⁸⁹ Field agents no longer need to initiate separate "offline" requests, as historical data is preserved digitally and can be retrieved instantly.⁹⁰ In addition, mobile devices allow patrol officers to run queries directly from their vehicles—complete with fingerprint scans, facial recognition, and GPS integration.⁹¹

Compared to the NCIC search for Timothy McVeigh in 1995, which took nearly nine hours, the same search today would take only minutes. The timing of McVeigh's arrest underscores its significance—as Agent Michalic later stated, "If everything worked as usual, [McVeigh] would have been gone Thursday, and I think God was working in that, too. He was here until Friday morning and that's when everybody started looking for him."⁹² Under normal circumstances, the lengthy NCIC search would have taken too long and McVeigh could have potentially disappeared forever.

Even with modern advancements, the 1995 NCIC hit remains a pivotal reminder that diligence, intuition, and even outdated tools, when applied effectively, can outmaneuver the odds. McVeigh's arrest, despite his near escape, hinged on one trooper's procedural thoroughness and the persistence of investigators who knew where to look.

B. From Forensic Sketches to Digital Recognition

Although efforts to automate facial recognition date back to the 1960s,

88. FBI, NATIONAL CRIME INFORMATION CENTER (NCIC) 2000 USER PLANNING GUIDE, U.S. DEP'T JUST.: OFF. JUST. PROGRAMS 2 (June 1994), <https://www.ojp.gov/pdffiles1/Digitization/153904NCJRS.pdf> [<https://perma.cc/8QZD-UU5C>].

89. *See id.*

90. *See id.*

91. *National Crime Information Center (NCIC)*, FBI: L. ENF'T RES., <https://le.fbi.gov/informational-tools/ncic> (on file with the Oklahoma City University Law Review) (last visited Oct. 23, 2025).

92. Nolan Clay, *Former Agent Remembers Finding Oklahoma City Bomber Timothy McVeigh*, OKLAHOMAN (Sep. 14, 2014), <https://www.oklahoman.com/story/news/columns/2014/09/14/former-agent-remembers-finding-oklahoma-city-bomber-timothy-mcveigh/60799314007/> [<https://perma.cc/92T8-LEXL>].

the field did not advance significantly until decades later.⁹³ In 1996, the National Institute of Justice (“NIJ”) began funding research into facial-detection and recognition capabilities.⁹⁴ The pilot program that launched in 2002 tested simple identification methods in a single correctional facility.⁹⁵ In 2011, Michigan State University received a grant to develop software capable of matching forensic sketches—like those used in McVeigh’s investigation—to large face-image databases.⁹⁶ The project aimed to create a “case-lead generating product” by optimizing the “facial features in sketches of suspects drawn by law enforcement sketch artists, for automated face recognition applications.”⁹⁷ The research remains ongoing, with continuous improvements.⁹⁸ By 2018, tests showed the algorithms experienced failure (i.e., a false positive or a false negative) on NIST-provided data inputs only 0.2% of the time, compared with the 4% failure rate in 2014—an improvement by a factor of twenty.⁹⁹

Building on the NIJ’s initiatives, the FBI has significantly expanded its facial recognition capabilities to generate investigative leads.¹⁰⁰ Today, the FBI’s Next Generation Identification system stores more than fifty-two million facial images, enabling one-to-many matches across booking photographs, DMV databases, and passport records.¹⁰¹ Available data indicates that the FBI’s Facial Recognition Search (“FRS”) has shown significant improvement in recent years.¹⁰² As of July 2025, the average

93. *The Evolution of Facial Recognition Technology*, FACIT DATA SYS. (Nov. 4, 2024), <https://facit.ai/insights/evolution-of-facial-recognition-technology> [https://perma.cc/YW63-T8W3].

94. *History of NIJ Support for Face Recognition Technology*, NAT’L INST. JUST. (Mar. 5, 2020), <https://nij.ojp.gov/topics/articles/history-nij-support-face-recognition-technology> [https://perma.cc/X5DE-YV6Z].

95. *Id.*

96. *Id.*

97. *Id.*

98. *See id.*

99. *Id.*

100. *Next Generation Identification (NGI)*, FBI: L. ENF’T RES., <https://le.fbi.gov/science-and-lab/biometrics-and-fingerprints/biometrics/next-generation-identification-ngi> (on file with the Oklahoma City University Law Review) (last visited Oct. 23, 2025).

101. Jennifer Lynch, *FBI Plans to have 52 Million Photos in its NGI Face Recognition Database by Next Year*, ELEC. FRONTIER FOUND. (Apr. 14, 2014), <https://www.eff.org/deeplinks/2014/04/fbi-plans-have-52-million-photos-its-ngi-face-recognition-database-next-year> (on file with the Oklahoma City University Law Review).

102. *See* FBI, SEPTEMBER 2025 NEXT GENERATION IDENTIFICATION (NGI) SYSTEM FACT SHEET 6 (2025), <https://le.fbi.gov/file-repository/ngi-system-fact-sheet.pdf/view> (on file with the Oklahoma City University Law Review).

response time for an FRS query is under thirty minutes—a striking contrast to 1995, when the simple NCIC database query required nearly nine hours.¹⁰³

In the OKBOMB investigation, forensic sketches played a central, if not decisive, role in identifying and locating Timothy McVeigh. Yet the process was tedious and heavily dependent on the witnesses' ability to recall the facial features of a customer they had seen approximately a week earlier.

Complementing these advances is the widespread availability of surveillance and closed-circuit television ("CCTV") security cameras.¹⁰⁴ One study estimates that Americans today are recorded an average of 238 times per week, or thirty-four times per day.¹⁰⁵ In New York City, for example, the Domain Awareness System integrates more than 9,000 CCTV cameras and approximately 500 automated license-plate readers.¹⁰⁶ The system consolidates billions of plate reads, millions of 9-1-1 calls, arrests, and warrant records, delivering information to officers through real-time dashboards.¹⁰⁷ Such systems can instantly alert investigators when a suspect vehicle passes a plate reader or when a facial match appears on public surveillance footage.¹⁰⁸

It is almost certain that, regardless of caution, McVeigh would have been captured on camera had his attack occurred in 2025. Surveillance systems would have recorded him near the Alfred P. Murrah Federal Building, as well as at Elliott's Body Shop, the Dreamland Motel, and along his route from Junction City to Oklahoma City. Now these images could potentially be accessible to the FBI in less than thirty minutes, dramatically reducing the window of opportunity for a suspect to escape into the dark.

Advances in the NCIC and facial recognition represent only part of the broader technological transformation of the past three decades. More complex tools, such as drones and unmanned aerial vehicles equipped with

103. *Id.*

104. Bryan Johnston, *A Brief History of Surveillance Cameras*, DEEP SENTINEL (July 18, 2022), <https://www.deepsentinel.com/blogs/home-security/history-of-surveillance-cameras/?srsltid=AfmBOoo1rb80wRmEdZYLNXIRItwZDtPgqFx9TJd4u37> [https://perma.cc/EZ68-E9EB].

105. *Id.*

106. Angel Diaz, *New York City Police Department Surveillance Technology*, BRENNAN CTR. JUST. (Oct. 4, 2019), <https://www.brennancenter.org/our-work/research-reports/new-york-city-police-department-surveillance-technology> [https://perma.cc/T9G8-ERP7].

107. *Id.*

108. *See id.*

thermal imaging and live video feeds, are now increasingly used by local, state, and federal agencies across U.S. cities to supplement ground patrols.¹⁰⁹

C. From Chance to Certainty: McVeigh in a Modern Context

The impact is unmistakable: what once hinged on procedural delays and investigative luck is now managed with data-driven precision. Officers today receive real-time alerts when a booking photo or surveillance capture matches a known alias. Facial recognition, license-plate analytics, mobile NCIC access, and even drone surveillance

converge to eliminate the delays that once nearly enabled McVeigh's escape.

In 1995, McVeigh's narrow avoidance of release turned on two unpredictable factors: the judge's delayed docket and the time-consuming offline NCIC query. Had either shifted by mere hours, he might well have walked free before federal authorities intervened. By contrast, in 2025, those same investigative steps would occur in parallel. Even the mere act of booking McVeigh would generate automated alerts if his identity matched known suspect information. Surveillance footage from traffic cameras, license-plate tracking, nearby CCTV coverage, and facial recognition crossmatch would piece together his movements within moments.

Ultimately, the OKBOMB investigation demonstrates how contemporary technology has transformed what once required hours or even days of human labor and fortuity into actionable intelligence produced within hours or even minutes. In McVeigh's case, no misstep or stroke of luck would have been necessary. Modern systems would have gathered an extensive amount of surveillance and data on him throughout every stage of the plan—even if he had attempted to evade detection.

IV. CONFRONTING FAILURES, BUILDING REFORMS

A. Warning Signs Ignored: Oklahoma City's Missed Intelligence

109. Thomas Tracy, *NYPD to Start Drone as First Responder Program, Allowing UAVs to Respond to Scenes of Shootings*, POLICE1 (May 20, 2024, at 10:19 CST), <https://www.police1.com/tech-pulse/nypd-to-start-drone-as-first-responder-program-allowing-uavs-to-respond-to-scenes-of-shootings> [https://perma.cc/D7PV-7TXW].

Almost three decades after the Oklahoma City Bombing, questions still linger not only about who may have helped plan the attack, but also about how many warning signs were lost amid interagency mistrust and poor information sharing. As *The Guardian* reflected on the bombing's twentieth anniversary, "the most striking thing . . . is not how much we've learned . . . but rather how much we still do not know."¹¹⁰

Subsequent investigations revealed that both the FBI and the ATF were closely monitoring far-right militias in 1995, yet cooperation

between the two agencies remained frayed.¹¹¹ This failure was rooted partly in the institutional fallout from Waco and Ruby Ridge:

In 1995, the FBI and the Bureau of Alcohol, Tobacco and Firearms (ATF) were both monitoring the radical far right, *but trust between the two was at rock bottom* following a disastrous ATF raid two years earlier on a religious compound outside Waco, Texas, and an ensuing FBI-led siege that ended with the place burning to the ground.¹¹²

It was later revealed that the ATF maintained a federal informant who "warn[ed] that white separatists in Oklahoma [were] threatening 'assassinations, bombings and mass shootings' [and the] FBI secretly interview[ed] a witness familiar with a plot to blow up the Alfred P. Murrah Federal Building."¹¹³ Fearing a repeat of the Waco incident, the ATF chose to withdraw the informant rather than act on the information or share it with the FBI.¹¹⁴ In a 2010 interview, John Magaw, the acting ATF Director in 1995, admitted: "[I]f the informant had been kept on, the bomb plot may have been thwarted."¹¹⁵

Shortly after the bombing carried out by McVeigh, the ATF informant

110. Andrew Gumbel, *Oklahoma City Bombing: 20 Years Later, Key Questions Remain Unanswered*, *GUARDIAN* (Apr. 13, 2015, at 07:00 EDT), <https://www.theguardian.com/us-news/2015/apr/13/oklahoma-city-bombing-20-years-later-key-questions-remain-unanswered> [<https://perma.cc/GCT4-3N79>].

111. *Id.*

112. *Id.* (emphasis added).

113. Associated Press, *What Feds Knew Before Okla. Bombing*, *CBS NEWS* (Feb. 13, 2003, at 05:20 EST), <https://www.cbsnews.com/news/what-feds-knew-before-okla-bombing/> [<https://perma.cc/6DZB-7H7R>].

114. Gumbel, *supra* note 110.

115. *Id.*

told the FBI that members of Elohim City had specifically discussed targeting federal buildings in Oklahoma for “destruction through bombings.”¹¹⁶ The informant further reported that compound members were particularly interested in April 19 as it was the second anniversary of the deadly conclusion of the Waco siege.¹¹⁷

Although U.S. government agencies possessed this information prior to the bombing, no warnings were issued to federal building managers, state and local law enforcement, or even shared between the agencies themselves.¹¹⁸ Documents confirm that at least two federal law enforcement agencies had information suggesting that nearby white supremacists were considering attacks on government buildings.¹¹⁹ As former law enforcement official Robert Sanders summarized after reviewing the documents: “It is the lack of coordination - intelligence going one way, and then going into a black hole.”¹²⁰

This is not to suggest that the ATF and the FBI were responsible for the bombing itself. Rather, the period represents a sobering reflection that should have prompted immediate reform in 1995. It should have been an urgent wake-up call that national security would only reach its full potential if agencies cooperated and shared information. Unfortunately, that lesson was not fully absorbed. Six years later, failures of communication and coordination again contributed to the tragedy of September 11.¹²¹

Oklahoma City thus became a foundational case in the broader narrative of reform, not because it prompted immediate change, but because it embodied the warning signs: when signals are not transmitted across institutional boundaries, national security becomes vulnerable and inevitably breaks down.

B. Reactive to Proactive: The FBI's Counterterrorism Transformation

In the aftermath of the Oklahoma City Bombing, the FBI began to reconceptualize its approach to domestic threats—shifting from a *reactive*, case-by-case model toward a more *proactive*, intelligence-led framework.

116. Associated Press, *supra* note 113.

117. *Id.*

118. *Id.*

119. *Id.*

120. *Id.*

121. *Id.*

In the late 1990s, prompted by the scale of the OKBOMB investigation and the rising concern of militia and “lone-wolf” threats, the FBI had to act.¹²² In an interview with the BBC News, the editor of the Southern Poverty Legal Center’s *Intelligence Report*, Mark Potok, said: “To meet this new threat, the country dramatically stepped up its counter-terrorism efforts. Oklahoma City changed the landscape in American law enforcement, no doubt about it.”¹²³ Potok continued, “The FBI hired 500 new agents to investigate domestic terrorism. Virtually every state and federal law enforcement agency formed a domestic terrorism unit.”¹²⁴ Subsequently, after September 11, the FBI elevated counterterrorism and counterintelligence to its “highest priority,” ensuring sustained focus and resources.¹²⁵

The events of September 11 marked a decisive turning point. Under Director Robert Mueller’s leadership, the FBI institutionalized the Joint Terrorism Task Force (“JTTF”) structure, mandating that every field office establish a task force, bringing federal, state, and local personnel into unified investigative teams.¹²⁶ What began in 1980 with a single JTTF in New York expanded to nearly 200 nationwide by the early 2020s, comprising over 4,000 participants from hundreds of agencies.¹²⁷ These teams became the FBI’s operational nucleus for preventing and responding to both domestic and international extremist threats.

In parallel with the JTTFs, the DHS and state and local governments

122. Kevin Anderson, *The Enemy Within*, BBC NEWS (June 7, 2001, at 07:16 GMT), <https://web.archive.org/web/20120210125747/http://news.bbc.co.uk/2/hi/americas/1374356.stm> (on file with the Oklahoma City University Law Review).

123. *Id.*

124. *Id.*

125. *Ten Years After 9/11: Are We Safer?: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affs.*, 112th Cong. 1 (2011) (statement of Robert S. Mueller III, Director, FBI), <https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/TestimonyMueller20110913.pdf> [<https://perma.cc/SZ7S-4G2F>].

126. *Celebrating 45 Years of FBI Joint Terrorism Task Forces*, FBI (Apr. 21, 2025), <https://www.fbi.gov/news/stories/celebrating-45-years-of-fbi-joint-terrorism-task-forces> (on file with the Oklahoma City University Law Review) [hereinafter *Celebrating 45 Years of JTTF*].

127. *Joint Terrorism Task Forces*, FBI, <https://www.fbi.gov/investigate/terrorism/joint-terrorism-task-forces> (on file with the Oklahoma City University Law Review) (last visited Oct. 23, 2025) [hereinafter *JTTF*]; *The FBI’s Counterterrorism Division Turns 25*, FBI (Nov. 21, 2024), <https://www.fbi.gov/news/stories/the-fbis-counterterrorism-division-turns-25> (on file with the Oklahoma City University Law Review) [hereinafter *Counterterrorism Division*].

developed fusion centers to improve intelligence sharing.¹²⁸ These centers often work hand-in-hand with the JTTFs, exchanging threat data that has led to multiple terrorism-related arrests.¹²⁹ The JTTFs have disrupted numerous domestic terrorism plots and mitigated real-time threats.¹³⁰ The FBI attributes its enhanced analytical capabilities to an

increased number of agents and field offices, as well as strengthened interagency collaboration.¹³¹

In short, in the years after Oklahoma City, and decisively after September 11, the FBI reorganized itself from a reactive law-enforcement body into a proactive, intelligence-driven force equipped to confront both foreign and domestic terrorism.

C. The USA PATRIOT Act of 2001: Redefining Domestic Terrorism

Although the USA PATRIOT Act (“Patriot Act”) did not arise directly from the Oklahoma City Bombing, the attack shaped the legislative environment that motivated congressional action. In February of 1995, the Omnibus Counterterrorism Act of 1995 (“OCA”) was introduced in the Senate; however, this was not taken seriously enough and stalled in committee.¹³² Just eight days after the bombing, on April 27, 1995, the Antiterrorism and Effective Death Penalty Act of 1996 (“AEDPA”) was introduced.¹³³ However, AEDPA, just like the OCA, remained stalled for almost a year before becoming enacted in April of 1996.¹³⁴ AEDPA was intended to “deter terrorism, provide justice for victims, provide for an effective death penalty, and for other purposes.”¹³⁵ The most notable changes enacted by AEDPA were made to the law of habeas corpus, which significantly limited the ability of state prisoners to challenge their convictions in federal court through statute of limitation provisions and

128. *Fusion Centers and Joint Terrorism Task Forces*, DEP’T HOMELAND SEC., <https://www.dhs.gov/fusion-centers-and-joint-terrorism-task-forces> [https://perma.cc/5DJK-7EKF] (last visited Oct. 23, 2025).

129. *Id.*

130. *JTTF*, *supra* note 127.

131. *Counterterrorism Division*, *supra* note 127.

132. S. 390, 104th Cong. (1995); S. 761, 104th Cong. (1995).

133. S. 735, 104th Cong. (1995) (enacted).

134. Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1214.

135. *Id.*

narrowly construed grounds for when a claim would be successful.¹³⁶

In sharp contrast, following the al-Qaeda 9/11 attacks, Congress enacted the Patriot Act just forty-five days later.¹³⁷ The speed of passage reflected both the scale of the crisis and a conscious effort to avoid repeating the protracted AEDPA debate. Counterterrorism had become a top legislative priority.

One of the Patriot Act's most enduring legacies was Section 802, which for the first time provided a statutory definition of "domestic terrorism," now codified at 18 U.S.C. § 2331(5):

- (5) the term "domestic terrorism" means activities that—
 - (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
 - (B) appear to be intended—
 - (i) to intimidate or coerce a civilian population;
 - (ii) to influence the policy of a government by intimidation or coercion; or
 - (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
 - (C) occur primarily within the territorial jurisdiction of the United States.¹³⁸

This provision stands in sharp contrast to international terrorism, which is codified as a standalone federal crime under 18 U.S.C. § 2332.¹³⁹ Domestic terrorism, by comparison, remains only a definitional category: it clarifies conduct but does not itself establish a prosecutable offense.¹⁴⁰

136. *Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA)*, CORNELL L. SCH.: LEGAL INFO. INST. (June 2022), [https://www.law.cornell.edu/wex/antiterrorism_and_effective_death_penalty_act_of_1996_\(aedpa\)](https://www.law.cornell.edu/wex/antiterrorism_and_effective_death_penalty_act_of_1996_(aedpa)) [<https://perma.cc/759C-WYSR>].

137. Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, Pub. L. No. 107-56, 115 Stat. 272.

138. 18 U.S.C. § 2331(5).

139. *Id.* § 2332b.

140. *See, e.g., United States v. McVeigh*, 153 F.3d 1166, 1176 (10th Cir. 1998) (charging McVeigh with: "one count of conspiracy to use a weapon of mass destruction in violation of 18 U.S.C. § 2332a and 18 U.S.C. § 2(a) & (b); one count of use of a weapon of mass destruction in violation of 18 U.S.C. § 2332a and 18 U.S.C. § 2(a) & (b); one count

As McVeigh's prosecution illustrated, domestic terrorists must be charged under other statutes, such as killing federal officers or employees, found under 18 U.S.C. § 1114, or destruction of federal property by explosives resulting in death, found under 18 U.S.C. § 844(f)(1)(2).¹⁴¹ Critics argue that creating a distinct domestic terrorism offense would provide clarity, deterrence, and legitimacy.¹⁴² Opponents warn that such a statute risks politicization, enabling the government to criminalize ideologies rather than specific acts of violence.¹⁴³

Beyond definition, the Patriot Act also transformed investigatory tools, filling gaps exposed in both the Oklahoma City Bombing and September 11 attacks. It expanded the use of roving wiretaps, broadened "material support" statutes to cover tangible and intangible aid to terrorist causes, and enhanced access to personal and financial records.¹⁴⁴ These changes aligned with the emerging technological capabilities discussed in the previous section.

From its inception, however, the Patriot Act provoked controversy. The American Civil Liberties Union ("ACLU") and other critics cautioned that the law was rushed through Congress with minimal debate and conferred sweeping surveillance powers susceptible to secrecy and abuse.¹⁴⁵ As the ACLU observed, "The law amounted to an overnight revision of the nation's surveillance [framework], that vastly expanded the government's authority to spy on its own citizens, while simultaneously reducing the checks and balances on those powers."¹⁴⁶ Yet nearly twenty-five years later, the Act remains central to U.S. counterterrorism law. Most

of destruction by explosives in violation of 18 U.S.C. § 844(f) and 18 U.S.C. § 2(a) & (b); and eight counts of first-degree murder in violation of 18 U.S.C. §§ 1111 & 1114 and 18 U.S.C. § 2(a) & (b).").

141. 18 U.S.C. § 1114(a); 18 U.S.C. § 844(f)(1); see also Greg Myre, *Why the Government Can't Bring Terrorism Charges in Charlottesville*, NPR (Aug. 14, 2017), <https://www.npr.org/2017/08/14/543462676/why-the-govt-cant-bring-terrorism-charges-in-charlottesville> [<https://perma.cc/3P5X-QUUX>] (discussing that the USA PATRIOT Act does not define "domestic terrorism," such that federal prosecutors could not charge suspect in the killing of several counterprotesters).

142. See Harvard L. Rev., *Responding to Domestic Terrorism: A Crisis of Legitimacy*, 136 HARV. L. REV. 1914, 1935 (2023).

143. Myre, *supra* note 141.

144. See Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, Pub. L. No. 107-56, 114 Stat. 282, 285, 377.

145. *End Mass Surveillance Under the Patriot Act*, ACLU, <https://www.aclu.org/end-mass-surveillance-under-the-patriot-act> [<https://perma.cc/M7J6-2493>] (last visited Oct. 27, 2025).

146. *Id.*

of its key provisions, which were originally subject to sunset clauses, have been renewed repeatedly or made permanent, embedding the Patriot Act's framework as a defining legacy of the post-September 11 era.¹⁴⁷

D. The Homeland Security Act of 2002: The Birth of the Department of Homeland Security

Passed in the immediate aftermath of September 11, the Homeland Security Act of 2002 established the DHS, merging twenty-two organizations into a unified cabinet-level department.¹⁴⁸ DHS was created for a clear purpose: to prevent terrorist attacks, reduce the nation's vulnerability to such attacks, and minimize damage while assisting in recovery efforts.¹⁴⁹ As President George W. Bush explained:

The changing nature of the threats facing America requires a new government structure to protect against invisible enemies that can strike with a wide variety of weapons. Today no one single government agency has homeland security as its primary mission. *In fact, responsibilities for homeland security are dispersed among more than 100 different government organizations.* America needs a single, unified homeland security structure that will improve protection against today's threats and be flexible enough to help meet the unknown threats of the future.¹⁵⁰

This merging marked the largest federal reorganization since the Department of Defense was created in 1947.¹⁵¹ It includes many of the

147. *PATRIOT Act*, EPIC, <https://epic.org/issues/surveillance-oversight/patriot-act/> (on file with the Oklahoma City University Law Review) (last visited Oct. 27, 2025).

148. *Creation of the Department of Homeland Security*, DEP'T HOMELAND SEC., <https://www.dhs.gov/creation-department-homeland-security> [<https://perma.cc/Q6NW-9YDM>] (last visited Oct. 17, 2025).

149. *Homeland Security Act (2002)*, IMMIGR. HIST., <https://immigrationhistory.org/item/homeland-security-act/> [<https://perma.cc/TWZ9-NZTN>] (last visited Oct. 17, 2025).

150. DEP'T HOMELAND SEC., PROPOSAL TO CREATE THE DEPARTMENT OF HOMELAND SECURITY 2 (June 2002), https://www.dhs.gov/sites/default/files/publications/book_0.pdf [<https://perma.cc/RL2H-DGG4>].

151. *Creation of the Department of Homeland Security*, EBSCO RSCH. STARTERS (2022), <https://www.ebsco.com/research-starters/political-science/creation-department-homeland-security> [<https://perma.cc/4R9U-8YX7>].

organizations that exercise the powers of the Patriot Act.¹⁵²

The reorganization directly addressed the fragmentation revealed in both Oklahoma City and September 11 when federal, state, and local agencies operated in silos, missing critical leads and communication opportunities.¹⁵³ By housing border control, intelligence, and emergency preparedness under one roof, Congress intended DHS to streamline coordination, accelerate information flow, and provide a single point of accountability for homeland defense.¹⁵⁴

Yet in its early years, DHS frequently struggled with internal rivalries and organizational growing pains. *The New Yorker* characterized the department as “gawky and formless,” hampered by competing agendas among the Pentagon, CIA, and FBI.¹⁵⁵ The Act itself contained contradictions. For example, while it identified the DHS’s first responsibility as *preventing* terrorist attacks in the United States, the law’s language made clear that the investigation and prosecution of terrorism authority remained with the FBI and limited the DHS to only an analytical and advisory role in intelligence activities.¹⁵⁶ As then Secretary of DHS Tom Ridge reportedly reflected, creating the DHS was like “build[ing] an airplane while getting shot at,” meaning it was a rushed response in a crisis, lacking any thorough or strategic long-term planning.¹⁵⁷

By its twentieth anniversary in 2023, the DHS had matured into the third-largest cabinet agency, employing more than 260,000 personnel and interacting more directly with the public than any other federal department.¹⁵⁸ Still, the department’s creation highlighted a core truth: structural consolidation alone could not guarantee seamless integration.

152. *Id.*

153. *Fusion Centers’ Support of National Strategies and Guidance*, DEP’T HOMELAND SEC., <https://www.dhs.gov/topic/fusion-centers-support-national-strategies-and-guidance> (last visited Oct. 27, 2025).

154. *Id.*

155. William Finnegan, Comment, *Homeland Insecurity*, NEW YORKER (Jan. 31, 2005), <https://www.newyorker.com/magazine/2005/02/07/homeland-insecurity> [<https://perma.cc/YJF8-PYP5>].

156. See Jeffrey B. Ritter & Angela Y. Ball, *Homeland Security Bulletin*, KIRKPATRICK & LOCKHART LLP (Mar. 2003), https://web.archive.org/web/20110616195635/http://www.martindale.com/members/Article_Atachment.aspx?od=66596&id=8822&filename=asr-8824.pdf (on file with the Oklahoma City University Law Review).

157. Paul Rosenzweig, *Rethinking the Homeland Security Enterprise*, PAUL ROSENZWEIG ESQ. (Jan. 12, 2022), <https://www.paulrosenzweigesq.com/rethinking-the-homeland-security-enterprise/> [<https://perma.cc/YJ39-XTGZ>].

158. *Priorities*, DEP’T HOMELAND SEC., <https://www.dhs.gov/archive/priorities> [<https://perma.cc/MKM7-NZD4>] (last visited Oct. 24, 2025).

The true leap toward interagency cooperation came two years later with the Intelligence Reform and Terrorism Prevention Act of 2004 (“IRTPA”) and its creation of the Information Sharing Environment (“ISE”), finally beginning to achieve the connectivity that tragedies like Oklahoma City had shown was essential.¹⁵⁹

E. The Intelligence Reform and Terrorism Prevention Act: Building the Information-Sharing Environment

Passed in December 2004, the IRTPA sought to unify the fragmented intelligence apparatus whose shortcomings had been exposed in both the Oklahoma City Bombing and the September 11 attacks.¹⁶⁰

At the heart of the reform was the creation of the Office of the Director of National Intelligence, tasked with supervising all U.S. intelligence agencies and overcoming dangerous siloing.¹⁶¹ Alongside it, the National Counterterrorism Center (“NCTC”) was established to unify foreign and domestic analysis into a single strategic nexus—a direct institutional response to the fragmentation that had previously hampered counterterrorism efforts.¹⁶²

Perhaps IRTPA’s most important provision was its mandate to create the ISE.¹⁶³ The Act required the President “to establish a secure information sharing environment (ISE) for the sharing of intelligence and related information in a manner consistent with national security and the protection of privacy and civil liberties, incorporating specified attributes.”¹⁶⁴ As described in its founding vision, “[t]he ISE supports five communities—intelligence, law enforcement, defense, homeland security, and foreign affairs—by . . . aligning policies, standards, and systems to ensure that those . . . combating terrorism have . . . timely and accurate information.”¹⁶⁵

159. Intelligence Reform and Terrorism Prevention Act of 2004, S. 2845, 108th Cong. (2004) (codified at 6 U.S.C. § 485).

160. *The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA)*, U.S. DEP’T JUST.: BUREAU JUST. ASSISTANCE, <https://bja.ojp.gov/program/it/privacy-civil-liberties/authorities/statutes/1282> [<https://perma.cc/L9BC-ZZJT>] (last visited Oct. 24, 2025).

161. *Id.*

162. *Id.*

163. *Intelligence Reform and Terrorism Prevention Act of 2004*, S. 2845, 108th Cong. (2004) (codified at 6 U.S.C. § 485).

164. *Id.* § 1016 (codified at 6 U.S.C. § 485).

165. BUREAU OF JUST. ASSISTANCE, U.S. DEP’T OF JUST., *BASILINE CAPABILITIES FOR STATE AND MAJOR URBAN AREA FUSION CENTERS: A SUPPLEMENT TO THE FUSION CENTER*

It rests on partnerships spanning federal, state, local, and tribal governments; the private sector; and foreign allies.¹⁶⁶

In the wake of IRTPA, fusion centers emerged. State and regional hubs, where local, state, federal, and private-sector intelligence converge, connected community-level alerts to national priority tracks.¹⁶⁷

As of 2025, more than eighty such centers operate across the United States bridging communications between frontline officers and nationwide intelligence databases, capabilities unimaginable in 1995.¹⁶⁸ They rely heavily on integration through the Nationwide Suspicious Activity Reporting Initiative, another IRTPA-era tool designed to quickly channel local observations into national intelligence narratives.¹⁶⁹

V. CONCLUSION

Thirty years after the Oklahoma City Bombing and more than two decades after September 11, the United States has made remarkable progress in confronting both domestic and foreign terrorism. New institutions, doctrines, and legal frameworks shaped by tragedy have strengthened our ability to detect, disrupt, and respond to threats before they reach our streets. Advances in technology have been central to this success, providing investigators with tools unimaginable in 1995.

Yet technology is a double-edged sword. The same innovations that allow intelligence agencies to map extremist networks also give violent actors new ways to recruit, radicalize, and conceal their plans. Terrorism adapts to each generation's capabilities, ensuring that the threat never fully disappears. As former FBI Director Christopher Wray observed, "[t]errorism today—including domestic terrorism—moves at the speed of social media," creating challenges for law enforcement that never

GUIDELINES 2 (Sep. 2008).

166. *Id.*

167. *Fusion Centers' Support of National Strategies and Guidance*, DEP'T HOMELAND SEC. (June 12, 2025), <https://www.dhs.gov/topic/fusion-centers-support-national-strategies-and-guidance> [<https://perma.cc/26GK-9HY5>].

168. *Id.*

169. *Nationwide Suspicious Activity Reporting Initiative (NSI)*, DEP'T HOMELAND SEC., <https://www.dhs.gov/nationwide-sar-initiative-nsi> [<https://perma.cc/M3ZJ-HF6B>] (last visited Oct. 27, 2025).

existed in 1995.¹⁷⁰ Progress, therefore, must never be mistaken for permanence.

The danger of complacency remains acute. The lessons of 1995 and 2001 remind us that vigilance must extend beyond policy reforms or technological leaps. Sometimes, it comes down to the judgment and courage of a single individual. Trooper Charles Hanger's routine traffic stop on April 19, 1995, led to McVeigh's arrest within hours of the bombing, a reminder that even the most sophisticated counterterrorism systems cannot replace the value of human initiative and presence.

The legacy of the Oklahoma City Bombing is thus twofold: it exposed systemic weaknesses that spurred lasting reform, and it underscored that no system, however advanced, can ever be the final safeguard. As Wray reflected on meeting the families of victims, the Oklahoma City Bombing continues to define the FBI's purpose: "There's somebody who knows the FBI through how we responded to that attack and how we dealt with the victims and their families."¹⁷¹ That perspective is a reminder that counterterrorism is ultimately about protecting the American people. Agencies are not faceless systems; they are composed of fellow Americans working each day to defend their neighbors, friends, and country.

As the nation reflects on the thirtieth anniversary of that dark day, the message is clear: stay vigilant, continue innovating, and never assume that past successes guarantee future safety. From the rubble of Oklahoma City rose not only a rebuilt city, but also a powerful symbol of resilience. This is the story of a community, a state, and a nation that refuses to be defined or silenced by tragedy. Time and again, America shows that we do not merely endure adversity; we transform it into strength. Oklahoma City proves that when tested, we emerge stronger, more united, and more determined than ever to safeguard our people and our principles. America's spirit, like Oklahoma's, remains unbreakable.

170. Garrett M. Graff, *25 Years After Oklahoma City, Domestic Terrorism Is on the Rise*, WIRED (Apr. 19, 2020, at 07:00 AM), <https://www.wired.com/story/oklahoma-city-bombing-christopher-wray/> [<https://perma.cc/3FBA-GE77>].

171. *Id.*