



**Combating Terrorism:
The 9/11 Commission Recommendations and
The National Strategies**

Statement of

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Christopher Shays, Chairman

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Mr. Chairman and distinguished Members of the Committee, thank you for the opportunity to represent the Congressional Research Service at today's hearing. We were requested to examine the 9/11 Commission recommendations as they relate to the goals, objectives, and initiatives of the 2002 *National Strategy for Homeland Security* and the 2003 *National Strategy for Combating Terrorism*.

It is important to stress that the 9/11 Commission report incorporates many of the central elements of the *National Strategy for Homeland Security* and the *National Strategy for Combat Terrorism*. The Commission report additionally recommends changes in roles and responsibilities of executive agencies and Congress.

I will begin my testimony by summarizing areas of agreement and overlap in the three documents, with some caveats concerning their shared assumptions, strategies, and goals. After providing highlights of the reports to permit comparison, I will discuss certain terrorism issues and their potential impact on strategic decisions. After my prepared comments, I would be pleased to answer questions or provide further information.

Thirteen consistent central themes common to both strategies and the 9/11 Commission Report include:

- A need for both protective and preemptive action;
- A need to help foreign nations fight terrorism;
- A need for timely and actionable intelligence and warning;
- A need for integration of information sharing among governments, across the federal government, and state and local levels;
- A need for effective law enforcement activity to support policy;
- A need for law enforcement and intelligence coordination --domestic and foreign;

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- A need to remove barriers to cooperation between governmental agencies-- domestic and foreign;
- A need for an informed citizenry--at home and abroad;
- A need to target, monitor, and attack terrorist financing;
- A need to track and apprehend terrorists;
- A need to combat fraudulent travel documents;
- A need to better secure borders, including ports;
- A need for risk analysis to assess threats and help prioritize use of resources.

Meeting these objectives would likely benefit our efforts to combat terrorism and other criminal activities. However, a major issue facing our country concerns not only what our options are to achieve these ends, which these three reports have identified very well, but also whether the objectives are feasible, cost-effective, and achievable in an acceptable time frame.

Also of importance is whether our strategies will mitigate the root causes of terrorism: the indoctrination of young people in religious schools and mosques towards militancy and fanaticism; desperate social and political conditions where parents are willing to sacrifice their own children for financial gains for the family and where young people have no opportunities; the lack of cross-cultural sensitivity and mutual respect among diverse nations; and the perception in much of the Islamic world that the West is their enemy. We must ask ourselves whether our international anti-terror policies are effective in societies incredibly different from our own: societies where loss of face may be perceived as worse than death, or where religious doctrine governs all aspects of life, or where signed agreements are viewed not as contracts, but rather merely as a basis for negotiations.

We might also consider to what degree our national strategies and the 9/11 Commission's recommendations focus on the "the last war" and not the war of today --or the war of tomorrow. For example, the Commission, as its first recommendation, stresses the need for identifying and prioritizing terrorist sanctuaries with a focus on failed states. Some assert, however, that terrorists are increasingly using politically stable home countries-- including western democracies-- for sanctuary where they blend into local communities, where their training camps are in civilian housing complexes, and where their bomb factories are in private residences. Although a number of the Commission's recommendations fall within the category of preventing the growth of Islamic extremism, none addresses directly the issue of confronting incitement to terrorism when promoted, countenanced, or facilitated by the action -- or inaction -- of nation states.

Terrorists are quick to change, and the world in which both *we* and *they* operate is rapidly changing as well – spurred by an unprecedented growth in technology and an expanding globally interdependent economy. We have all too vividly seen how terrorists demonstrate flexibility in strategy, organizational structures, recruitment of personnel, and tactics – especially in use of technology, and funds utilization and sources. To be successful in combating terrorism, the major challenge may not be in creating new organizational arrangements, for just as old structures may be outdated today, new organizational structures and arrangements may be outdated tomorrow. The challenge may be to establish policies and institutional arrangements that can similarly adapt to change rapidly. Some also question whether the push to reform organizations and implement new policies and programs is a runaway train, gathering momentum but not under control, with increasing impact on civil liberties.

National Strategies for Combating Terrorism and for Homeland Defense

On July 16, 2002, the White House released the *National Strategy for Homeland Security* and on February 14, 2003, the White House released the *National Strategy for Combating Terrorism*. Both the *National Strategy for Homeland Security* and the *National Strategy for Combating Terrorism* are designed to complement other elements of the National Security Strategy, including sub-strategies for controlling weapons of mass destruction, cyberspace and critical infrastructure protection, and drug control.

Common to both strategies is the overarching concept of “defense in depth” which projects a series of concentric perimeters within and outside the land mass of the United States. The outermost circle consists of diplomatic, military, intelligence, and law enforcement organizations, operating mostly overseas. A primary goal of these organizations is to help preempt attacks on the U.S. homeland. In the both strategies, organizations such as the Customs Service, Immigration and Naturalization Service, and the Coast Guard – all of which are now incorporated into the Department of Homeland Security – constitute the next ring, which focuses on U.S. borders and the goods and people that cross them. The next ring includes federal, state, and local law enforcement, as well as first responders and the National Guard. These operate for the most part within U.S. borders and are responsible for protecting towns and cities. Private citizens, who are being asked to report suspicious activity and take preventive action to reduce vulnerability to perilous situations, are part of this ring also. The final ring includes the private sector and federal agencies that play a key role in safeguarding the facilities that comprise critical physical infrastructures (e.g., transportation, financial, telecommunications, and energy systems among others).

Within this context of defense in depth, the *National Strategy for Homeland Security* focuses inwards – on threats beginning at our borders – or slightly beyond. The *National Strategy for Combating Terrorism* focuses outwards – from our borders and beyond.

The strategic objectives of the *National Strategy for Homeland Security* in order of priority are:

- Prevent terrorist attacks within the United States;
- Reduce America’s vulnerability to terrorism; and
- Minimize the damage and recover from attacks that do occur.

The strategic objectives of the *National Strategy for Combating Terrorism* are:

- Stop terrorist attacks against the United States, its citizens, its interests, and U.S. friends and allies around the world;
- Create an international environment inhospitable to terrorists and their supporters.

The *National Strategy for Combating Terrorism* is founded on four pillars – defeating, denying, diminishing, and defending:

- Defeat terrorists (with help from allies) by attacking their sanctuaries; leadership; command, control, and communications; material support; and finances.
- Deny terrorists state sponsorship, support, and sanctuary/safehavens.
- Diminish underlying conditions that terrorists exploit, by fostering economic, social, and political development, market-based economies, good governance, and the rule of law.
- Defend U.S. citizens and interests at home and abroad to include protection of physical and cyber infrastructures

In today’s technologically connected and economically interwoven world, traditional divisions between what is domestic activity and what is international activity are eroding. As the lines between international and national terrorism groups and activities increasingly dovetail and overlap, effective anti-terror strategies will arguably need to do the same. For example, effective law enforcement, information sharing, increased use of science and technology, and international cooperation are important components of both the *National Strategy for Combating Terrorism* and the *National Strategy for Homeland Security*.

Involvement of the public is an important component of both strategies as well. Abroad, winning the public’s hearts and minds is an important *National Strategy for Combating Terrorism* goal. At home, the focus is on the public as a force multiplier for effective emergency response efforts and on the public as a

watchdog for terrorist activity. A major difference between the *National Strategy for Combating Terrorism* and the *National Strategy for Homeland Security* is the push for involvement of the private sector in enhancing national security – a central *domestic* homeland security strategy component, but one that is arguably downplayed or overlooked in our *international* strategy.

Comprehensive national anti-terror strategic plans will need to address many issues. Included at the *international level* are the appropriate roles for military force, law enforcement, intelligence, diplomacy, economic development, education, promotion of social and political equality, and nation and institution building. *Tactically*, in the short term, how does one employ the wide portfolio of tools available to policymakers to reduce pressing and immediate threats? *Strategically*, in the long term, how does one win “hearts and minds”? In addition, most experts agree that we need the cooperation of other countries to succeed. How does one both maximize international “buy-in” and national effectiveness?

On the *domestic level*, the primary focus of strategy is to thwart, or minimize the impact, of terrorist attacks within the United States. This includes reducing America’s vulnerability – especially the vulnerability of America’s critical infrastructure to terrorist attack. Included as well is development of a robust system to respond to, recover from, and generally minimize the damage from terrorist attacks. These elements are addressed in the *National Strategy for Homeland Security*.

As currently implemented, our domestic strategy also involves a substantial role for the collection, analysis, and exploitation of intelligence on domestic terrorist groups as well as transnational terrorist groups operating within the United States. The FBI is reportedly in the midst of a substantial re-invention of its intelligence program – to move it from a law enforcement approach to an intelligence approach that is more proactive and preventative. Moreover, since 9/11, other government entities are increasingly seeking to bridge potential gaps between intelligence on domestic and transnational terrorist groups and activities. For example, the Department of Homeland Security (DHS) Directorate of Information Analysis and Infrastructure Protection (DHS-IAIP) is responsible for mapping the foreign terrorist threat onto its assessment of vulnerabilities of U.S. critical national infrastructure. In addition, the Terrorist Threat Integration Center (TTIC) and the National Counterterrorism Center (NCTC) are integrating foreign and domestic intelligence as well.

The 9/11 Commission Report

On July 22, 2004, the National Commission on Terrorist Attacks Upon the United States [“9/11 Commission”] issued its final report. Included are forty-one recommendations for changing the way the government is organized to combat terrorism and for prioritizing its efforts. Many of the Commission’s recommendations are consistent with elements of the Administration’s *National Strategy for Combating Terrorism* and *National Strategy for Homeland Defense* such

as diplomacy and counter-proliferation efforts, preemption, intelligence and information fusion, winning hearts and minds – including not only public diplomacy, but also policies that encourage development and more open societies, law enforcement cooperation, and defending the homeland by protecting borders and critical infrastructures, tracking terrorists and their financing, and helping foreign nations combat terrorism.

The 9/11 Commission in its report stated the belief that the 9/11 attacks revealed four kinds of failures: “in imagination, policy, capabilities, and management”. The Commission’s recommendations generally fall into six categories: (1) preemption (attacking terrorists and combating the growth of Islamic terrorism and radical Islamist ideologies that support terrorism); (2) protecting against and preparing for attacks; (3) coordination and unity of operational planning, intelligence and sharing of information; (4) enhancing, through centralization, congressional effectiveness of intelligence and counter-terrorism oversight, authorization, and appropriations; (5) centralizing congressional oversight and review of homeland security activities; and (6) increasing FBI, DOD, and DHS capacity to assess terrorist threats and improving their concomitant response strategies and capabilities. The report specifically recommends confronting openly problems in the U.S.- Saudi relationship, read by some to include such issues as terrorist financing and the issue of ideological indoctrination and incitement. The report also recommends sustaining aid to Pakistan and Afghanistan, which are perceived to be vital geo-strategic allies in the global war on terror.

Prominent in the report are specific recommendations calling for (1) creation of a more unified congressional committee structure for oversight, authorization, and appropriations involving intelligence and counterterrorism (e.g., a joint committee or separate committees in each chamber – possibly combining authorizing and appropriating authorities); (2) creation of a single principal point of congressional oversight and review for homeland security; (3) creation of a position of National Intelligence Director (NID) in the Executive Office of the President; and (4) creation of a National Counterterrorism Center as proposed by the Commission. The National Intelligence Director would exercise some degree of control of intelligence agencies across the federal government, propose and execute a unified intelligence budget, and serve as principal intelligence adviser to the President. The National Counterterrorism Center, in the view of the Commission, would be the central office for intelligence analysis, and coordination, yet not execution of overall counterterrorism operations.

Mirroring Commission recommendations, on August 2, 2004, President Bush urged Congress to create the position of a National Intelligence Director – a position separate from that of CIA Director – to be appointed by the President with the advice and consent of the Senate, and to serve at the pleasure of the President. The Director would serve as the President’s principal intelligence advisor, overseeing and coordinating the foreign and domestic activities of the intelligence community. The President also established a National Counterterrorism Center – a move envisioned as building on the analytical work of the Terrorist Threat Integration Center. The new center is envisioned as serving as a central knowledge bank for information about known and suspected terrorists and would be charged with coordinating and

monitoring counter-terrorism plans and activities of all government agencies, and preparing the daily terrorism threat report for the President and senior officials. On August 27, 2004, President Bush signed four Executive Orders (EOs) and a Directive, designed to strengthen and reorganize intelligence, counterterrorism, and civil liberties functions in the government along the lines recommended by the 9/11 Commission. The orders, among other things, grant powers to the Director of Central Intelligence commensurate with a role envisioned for a future national intelligence director and establish a national counterterrorism center.

Some, however, are concerned that a newly created National Intelligence Director (NID), as an integral part of the President's team, might be more vulnerable to political pressure. Central to this debate is a desire to maintain the independence of objective intelligence from administration policy goals. As the proposed National Intelligence Director would have access to both domestic and foreign intelligence, another concern voiced is the overall power wielded by the proposed position and its potential for abuse.

Issues Regarding the National Terrorism and Homeland Security Strategies and the 9/11 Commission Report

Given the potential access by terrorists to weapons of mass destruction, designing effective responses to terrorism may well be the greatest challenge facing governments today. Bedeviling policymakers is how to combat effectively this growing global phenomenon with sufficient intelligence support and at a sustainable level of economic, social, and political cost. Inherent in this policy debate are two overarching issues: (1) how to ensure protection of civil liberties while enhancing security, and (2) how to deal with the seemingly unending costs of enhancing security. Critical to both these issues is the development of a methodology to measure the adequacy of antiterrorism efforts, an issue addressed in the *National Strategy for Homeland Security*, which would have agencies create benchmarks by which to evaluate progress and allocate future resources.

In this regard, some raise concern that creation of positions or structures in government where domestic and foreign intelligence are coordinated or fused – such as the 9/11 Commission's proposed National Intelligence Director and National Counter-Terrorism Center – will result in encroachments on civil liberties. Clearly as a nation, they say, the United States does not seek to defend freedom abroad and ignore it at home. On the other hand, others counter that providing security in today's increasingly borderless world is a basic responsibility of governments to their citizenry. Without intelligence gathering and analysis that can adequately detect an increasingly intertwined continuum of threats of both foreign and domestic origin, they say, policymakers may find themselves at a major disadvantage in implementing strategies to counter such threats.

Concern also exists over the potential for seemingly limitless economic costs of security associated with homeland defense. The issue is part of a broader question

– is the nation overreacting by overprioritizing terrorism? To what degree does America’s expenditure of unending energy and billions of dollars constitute a follow-on victory for Al Qaeda by weakening our economy and relatively open, unregulated lifestyle? No sizeable nation can afford the cost of fortifying every square inch of its territory from terror attacks, so as the 9/11 Commission recommends, both strategy and implementation policies must wisely prioritize allocation of resources for counterterrorism and homeland defense.

Complicating these efforts, governments and terrorists may be fighting “different” wars. Policymakers often view success against terrorism in terms of minimizing physical damage – death, injury, and destruction of property – and concentrate their energy and resources in this area. On the other hand, terrorists, while seeking physical damage, may also view success in abstract or ideological terms. For example, what is the impact of an action on recruitment? How does it affect government policies or the stability of the government in power? What is the impact of an act of terrorism on the economy of a nation or on global economic networks? What is the impact on behavioral patterns of a target population? Might public opinion pressure a government to pursue policies that appease terror, or alternatively that provoke an attack that could spark a wider sectarian conflict sought by terrorists? A question arises, how long can democratic governments pursue policies that pressure terrorists if such policies are seen as bringing on terrorist retaliation? Breaking or weakening this political will is likely to be a central terrorist goal.

Some well thought out strategies promote holding the line on terrorism or setting it back. But a potential flaw in formalized strategies such as the *National Strategy for Homeland Security* and the *National Strategy for Combating Terrorism* is that the strategy may rigidly dictate the response instead of the threat dictating the response – as the threat is often rapidly evolving. Arguably, terrorists today can change strategy, technology, weaponry, organizational structures, tactics, personnel, and funding with minimal constraints. Thus, one option for policymakers charged with combating terrorism is to design flexibility and agility into strategies, organizational structures, and funding utilization.

While strategies or changes in governmental organizational structures such as those recommended for the intelligence community by the 9/11 Commission may accelerate success against global terrorism, other human resource factors are equally critical. Many experts see strong national leadership and high quality rank-and-file personnel using advanced technology as being central. Hence, one potential pitfall of relying on strategies and reforms involving restructuring of government organizations is that a focus on implementing strategies or administrative changes may overshadow other important factors such as quality of personnel and technology. In particular, this human resource factor may warrant more attention in an environment where organizations may feel pressed to find personnel to fill a plethora of newly created counter-terror related positions. In this context, the question arises, to what extent were the “failures” surrounding 9/11 “human” rather than “organizational” failures?

Few question the 9/11 Commission Report's overarching premise that U.S. counter-terrorism structure, strategy, and implementation are important, but there are various disparate views on its recommendations. At the crux of the policy debate is whether it is necessary to act immediately, especially in the heat of an election year, on complex issues vital to national security. Some argue that in the critical times that we as a nation threatened by terrorism find ourselves in today, full individual and organizational efforts should be focused on combating the threat of terrorism and not be diverted by a need to adapt to new organizational structures, responsibilities, and roles.

At issue here is the pace at which refinement, or restructuring, of the intelligence community should proceed at a time when the nation perceives itself at war with terror. Some question to what degree major organizational changes might reduce operational efficiency in the short term and how this compares to any long-term benefits inherent in more dramatic reform.

But if not now, when? Is it realistic to expect the gravity of terrorist threats to the nation and the world to diminish substantially in the immediate future? Many suggest that not enough has been accomplished since 9/11 to keep pace with the rising threat of international terrorism, and given the gravity of the threat, changes in organizational structure, strategy, and tactics – long overdue – must be implemented without delay. Yet others see the Commission's recommendations simply as fine-tuning, or "piggy-backing," on efforts already being implemented by the Bush Administration in keeping with its *National Strategy for Homeland Security* and its *National Strategy for Combating Terrorism*.

Overall, the 9/11 Commission recommendations share many features of the Administration's *National Strategy for Combating Terrorism*. The theme of using a portfolio of "all elements of national power" resounds in both documents. Both documents emphasize the core importance of timely and actionable intelligence. Both emphasize a need for pre-emptive strategy, for attacking terrorists and their organizations, for international cooperation, for foreign economic assistance, for winning hearts and minds, for strengthening counter-proliferation efforts, for attacking terrorist financing, for denying sanctuaries, and for border security. Pursuit of government policies that draw potential recruits away from terrorist agendas is a core recommendation of the 9/11 Commission report.

A number of the Commission's recommendations falls within the category of preventing the growth of Islamist extremism and both the 2003 *National Strategy for Combating Terrorism* and the 9/11 Commission Report to a large degree equate the terrorist threat with Al Qaeda and affiliated groups. However, a valid question is the degree to which, if at all, such a single-minded approach detracts attention from individuals or groups with other motivations that may soon appear on the horizon.

Central to a global strategy for combating terrorism is defining the threat and understanding who the enemy is. "Terrorism" as a generic concept is too vague and amorphous to design a strategy against. Moreover, terrorism, though often perceived as the enemy, is perhaps better characterized as a tactic or a *process*. An important point made by the 9/11 Commission is that the strategic threat faced by the United States and its allies is from an enemy consisting of certain groups with a specific

ideology and with stated objectives. In the words of the Commission: “The enemy goes beyond al Qaeda to include the radical ideological movement, inspired in part by al Qaeda, that has spawned other terrorist groups and violence. Thus our strategy must match our means to two ends: dismantling the al Qaeda network and, in the long term, prevailing over the ideology that contributes to Islamist terrorism.”

A related issue involves the potential impact of globalization on promoting terrorism or deterring it. Globalization breeds rapid change, frequently leading to uncertainty and disruption, especially in traditional societies. Such uncertainty can beget a sense of helplessness and alienation, leading to anxiety, resentment, anger and aggression, feelings exploited by terrorist recruiters. On the other hand, globalization can raise standards of living and provide access to knowledge for the masses, thereby arguably making it more difficult for terrorists to recruit the uninformed.

Important in combating criminal or terrorist networks is identifying and exploiting weak links. Often an opponent’s weak link may be his greatest strength. In the case of Al Qaeda, it may be that the network’s weakest link is its ideology. Yet arguably, we are doing little to enhance the legitimacy of more moderate alternatives in Islam. Moreover, some critics contend that because we support regimes that may be viewed by their populations as authoritarian and corrupt, we are doing little to meet the needs and aspirations of the people on whom we might have an effect.

Finally, although the 2003 *National Strategy for Combating Terrorism* and the 9/11 Commission both support the use of foreign assistance as a means of taking away fertile breeding ground for the nurturing of terrorist groups, any correlation between standard of living levels and terrorism is open to serious debate. Nevertheless, there is a growing recognition in U.S. anti-terrorism strategy that poverty can breed ignorance and despair and that despair can be exploited to support terrorist goals.

Mr. Chairman, this concludes my formal remarks, and I welcome your questions and comments. Thank you.

The 9/11 Commission Recommendations and The National Strategies

Common Themes

- both protective and preemptive action
- help foreign nations fight terrorism
- timely and actionable intelligence and warning
- integration of information sharing
- effective law enforcement
- law enforcement and intelligence coordination
- remove barriers to inter-governmental cooperation
- an informed citizenry
- terrorist financing
- track and apprehend terrorists
- combat fraudulent travel documents
- better secure borders, including ports

- risk analysis

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