

TESTIMONY

Combating Terrorism

The 9/11 Commission Recommendations and the National Strategies

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Before the Committee on Government Reform
Subcommittee on National Security, Emerging Threats, and International Relations
United States House of Representatives

September 22, 2004

Chairman Shays, and other members of the Committee, thank you for inviting me to testify today on the various national strategy documents and the 9/11 Commission Report recommendations.¹

My comments today are informed, in part, by a two-part scenario exercise recently developed and conducted at the RAND Corporation. The first part of the exercise attempted to simulate a debate among Jihadist leaders about their future strategic goals and attack operations. The objective was to have people think like the Jihadists. In the second part of the exercise, participants assessed how the *National Strategy for Combating Terrorism* prepares the country to contend with possible next moves of the Jihadist movement. Exercise participants included RAND staff from a variety of

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¹ According to the Office of Management and Budget annual report to Congress on combating terrorism, the documents guiding national strategy include: *National Strategy for Combating Terrorism*, February 2003; *The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets*, February 2003; *The National Strategy to Secure Cyberspace*, February 2003; *National Strategy to Combat Weapons of Mass Destruction*, December 2002; *National Strategy for Homeland Security*, July 2002. Office of Management and Budget, 2003 Report to Congress on Combating Terrorism, September 2003, pursuant to the Fiscal Year (FY) 1998 National Defense Authorization Act (P.L. 105-85), (hereafter, the OMB Report on Combating Terrorism), p.1. Federal agencies often feel unnecessarily burdened with reports requested by the Congress, but this is an example of very valuable congressional oversight for the both institutions of government and the American people. The report has steadily improved in character over the last six years.

different disciplines as well as outside experts, including senior congressional staff and former counterterrorism officials from the Clinton and Bush administrations.

These exercises were not designed to be predictive. They provided a process to systematically explore possible futures, identify gaps in planning, and highlight insufficiently examined issues. Even though the data set of exercises is limited in size and qualitative in approach, the findings were insightful and bear on the subject of today's hearing.

In the portion of the exercise focused on the Jihadists' possible next moves, there was consensus among participants that the United States remains the most highly valued target. Views on how Jihadists might assess the opportunity to further their cause by conducting attacks in Iraq were mixed. Some argued that supporting Iraqi insurgents was important because an American defeat there would boost the global movement just like the Soviet withdrawal from Afghanistan. Others argued that the Iraqi situation is troubling enough for the United States and likely to get more complicated through the upcoming Iraqi elections, and aside from modest assistance to keep things going, the Jihadist movement should allocate resources other places. Finally, some objectives and attack options that were not readily seized upon also warrant mention. First, exercise participants felt that there was no particular interest in attacking the United States during its upcoming election. Attacks on the American homeland will be conducted when the Jihadists are operationally ready to deliver a strike, which may or may not occur during the election. Second, despite regular Jihadist rhetorical attacks on Israel, exercise participants did not dwell on the possibility of future attacks on it. Third, participants discussed using conventional means of attack to achieve catastrophic results, but not

unconventional ones such as chemical, biological, radiological, or nuclear weapons. As the global insurgency has shown time and time again, unconventional *operations* using conventional *means* can deliver catastrophic results.

Two important perspectives emerged in the second portion of the exercise examining the *National Strategy for Combating Terrorism*. First, exercise participants felt that the United States needs to develop a consensus on the adversary we face and the threat it poses. In the exercise, some argued that the threat was Osama Bin Laden and al-Qaeda, a fairly centralized enemy that is on the defensive. Others argued that Bin Laden and al-Qaeda were just prominent parts of a decentralized global insurgency. This contrast in people's perception of the threat directly influenced that assessment of the *National Strategy for Combating Terrorism*. Some argued that the lack of succinct characterization of the threat underscored the necessity to conduct a threat assessment that could define the priority threat that the country needs to plan against. Others who wondered about the value of a threat assessment process, argued, nonetheless, that a more focused and definitive characterization of the threat was needed.

A second main perspective in the exercise was the importance of putting far more attention on the portion of the national strategy focused on diminishing the underlying conditions terrorists seek to support. The *National Strategy for Combating Terrorism* urges partnering with the international community to strengthen weak states and waging the "war of ideas" as the two objectives of this portion of the strategy. Not only did exercise participants think that this portion of the strategy needed to become a high priority, but they also argued that this is an area where the United States is falling behind. Developments in Iraq, abuses in the Abu Ghraib prison, and other American foreign

policy measures related to the Middle East and other countries with significant Muslim populations, all contribute to conditions terrorists are exploiting. No other section of the *National Strategy for Combating Terrorism* evoked such strong opinions and deep concerns than this one.

I. Comparing and Contrasting the National Strategy for Combating Terrorism and the 9/11 Commission Report

When comparing the *National Strategy for Combating Terrorism* with the report of the 9/11 Commission, the committee should bear in mind the different purposes of these documents. On one level, the *National Strategy* documents serve as a federal government blueprint for action. They are designed to provide broad guidance to the departments and agencies of the federal government, foreign allies, the Congress, local authorities, and the American public. Assembling the documents undoubtedly stimulated review of relevant existing programs and needs for new programs to enhance existing activities or fill new needs that remain unmet. The hard analytical task is assessing the extent of the progress and determining their contribution to American security.

The 9/11 Commission report, in contrast, provides a detailed history of the September 11th tragedy and the federal government's actions before and after the attacks. Based on this historical review, the Commission offers forty-one different recommendations to the federal government that are designed to prevent a future terrorist attack of similar catastrophic proportions. These recommendations range in nature and scope from urging the U.S. to "offer an example of moral leadership in the world, committed to treat people humanely, abide by the rule of law, and be generous and caring to our neighbors" to suggesting that "Congress should support pending legislation which provides for the

expedited and increased assignment of radio spectrum for public safety purposes.”² The scope and focus of the recommendations varies greatly. As a group they do not amount to a strategy, but rather, serve as an important list of areas of the country’s national counterterrorism strategy that should be reconsidered.

The *National Strategy* documents are predictably more comprehensive and in some cases more detailed. For example, the *National Strategy to Combat Weapons of Mass Destruction* outlines “three principal pillars” that guide national policy.³ The 9/11 Commission offers one recommendation in this domain that essentially urges implementing three existing programs with greater emphasis. On balance, most of the recommendations of the 9/11 Commission Report echo policy elements in the three strategy documents most relevant to the Commission’s area of focus: the September 11th attacks.⁴ By comparing all the 9/11 Commission’s recommendations with topics covered in the *National Strategy for Combating Terrorism*, I see only five recommendations that seem truly unique and not really covered by in the guidance of one of the strategy documents. Several of these recommendations are unique because of their specificity, like urging the drafting of new principles on the humane treatment of captured terrorists or establishing a Youth Opportunity Fund. Others outlining initiatives that run counter to existing government practice such as disclosing the annual appropriation request for the intelligence community or consolidating paramilitary functions in the Department of Defense. In my view, the great contribution of the 9/11 Commission Report is not the new recommendations or the suggestions for institutional restructuring, but rather how it

² Final Report of the National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, July 2004, p. 376 and p. 397.

³ *National Strategy to Combat Weapons of Mass Destruction*, December 2002, p. 2.

⁴ The relevant documents are: *National Strategy for Combating Terrorism*, *National Strategy to Combat Weapons of Mass Destruction*, and *National Strategy for Homeland Security*.

highlights issues acknowledged in the *National Strategy* documents, but remain enduring problems that require priority attention.

II. Key Recommendations of the 9/11 Commission

Much of the attention on the 9/11 Commission's recommendations has focused on institutional changes. While these recommendations may be valuable, in my opinion, the institutional ailments they were designed to address are not unique to the realm of counterterrorism. In this regard, I share the view of Judge Posner that the "contention that our intelligence structure is unsound" and "to blame...for the failure to prevent the 9/11 attacks...is overblown."⁵ There are three aspects of the 9/11 Commission Report that I believe are worth stressing particularly in the context of a discussion about documents outlining existing counterterrorism strategy. First, the 9/11 Commission Report underscores the importance of clearly identifying the nature of the threat. Second, the Commission Report makes several valuable recommendations in sub-section 12.3, "Prevent the Continued Growth of Islamist Terror." Third, the Commission Report makes a number of recommendations for means to more effectively identify terrorists before they enter the United States and find them even if they do. The first two issues also emerged as major points of consensus in the RAND scenario exercises. The third issue flows naturally from the Commission's rich history of the events leading to the September 11th attacks.

⁵ Richard A. Posner, "The 9/11 Report: A Dissent," *The New York Times Book Review*, p. 9.

1. Baselineing the Threat

To its considerable credit, the 9/11 Commission Report starts its recommendations for a global strategy by underscoring the importance of defining the threat.⁶ In the judgment of the Commission, the threat at this time “is not just ‘terrorism,’ some generic evil,” but “Islamist terrorism—especially the al Qaeda network, its affiliates, and its ideology.”⁷ Given this threat, the Commission report argues that the U.S. government needs “a broad political-military strategy that rests on a firm tripod of policies to

- Attack terrorists and their organizations;
- Prevent the continued growth of Islamist terrorism; and
- Protect against and prepare for terrorist attacks.”⁸

The Commission is exactly right, but its simple insight is not new. The Government Accountability Office, a number of expert panels, and individual experts have repeatedly underscored the value of conducting a comprehensive terrorism threat assessment in order to establish a baseline to guide national counterterrorism planning.⁹ In the aftermath of the September 11th attacks, the plethora of counterterrorism holes to fill and actions to take were so numerous that we could afford to pursue a portfolio management approach for federal budget allocations and program initiatives. Now, however, three years after September 11th, with mounting deficits, and the high probability of a

⁶ *The 9/11 Commission Report*, pp. 361-363.

⁷ *The 9/11 Commission Report*, p. 362.

⁸ *The 9/11 Commission Report*, p. 363.

⁹ See *Combating Terrorism: Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attacks*, (GAO/NSIAD-99-163), September 7, 1999; See also, First Annual Report to the President and the Congress of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, *I. Assessing the Threat*, December 15, 1999; and, Second Annual Report of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, *II. Toward a National Strategy for Combating Terrorism*, December 15, 2000. See also, Statement of Michael A. Wermuth, RAND Corporation, before the Subcommittee on National Security, Veterans Affairs, and International Relations, *Combating Terrorism: Assessing Threats, Risk Management, and Establishing Priorities*, July 26, 2000.

prolonged struggle before us, it is more important than ever to make sure we spend smart as opposed to simply spending big.

As participants in the RAND exercises noted, a comprehensive national assessment of the terrorist threat at least provides policymakers with a baseline to plan against in both the short- and long-term. Without a baseline, even a flawed one, policymakers are more likely to be driven by short-term tactical issues and not longer-term strategic ones. Addressing these longer-term issues is critical for the country to reduce the dimensions of the threat Islamic terrorism poses to the United States, its allies, and the global community of nations.

2. Crafting and Communicating Vision of Opportunity to Trump the Vision of Death and Violence

The 9/11 Commission Report recommendations urging the development of a message and casting it in a lexicon that does not feed the animosity and enhance the appeal of our terrorist adversaries is critical. As noted earlier, the *National Strategy for Combating Terrorism* does note the necessity “to diminish conditions that terrorists can exploit,” and asserts the government “will wage a war of ideas to make clear that all acts of terrorism do not find fertile ground in any nation...”¹⁰ The U.S. government must more effectively draw upon the strengths inherent in the multicultural nature of American society to devise and communicate more effectively in the Middle East and to countries with significant Muslim populations.¹¹

The phrases “war of ideas” or “struggle for hearts and minds” are clichés we should dispense with because they serve as shortcuts to policy guidance without offering it. We should say what we mean without relying on phrases laden with meaning from other eras. At the

¹⁰ *National Strategy for Combating Terrorism*, p. 22 and p. 23.

¹¹ Comments by Ambassador David Aaron, RAND Conference, “Three Years After: Next Steps in the War on Terror,” Washington, DC, September 8, 2004.

moment, most observers believe we are not winning the “war of ideas” and we are losing the “hearts and minds” of those we need on our side. Even simple polls taken in the Arab countries in the Middle East indicating that 65% percent of the population admires Osama Bin Laden and only 7% admire President Bush are a disturbing indication that American policy and action is not working.¹² We can start by engaging in the painstaking task of mining the strength of our cultural values, examining the American foreign policy, understanding the audiences we need to reach around the globe, and crafting and delivering a message to key audiences that will best that of the Jihadists. The 9/11 Commission, participants in the RAND exercise, and a series of other reports and studies have underscored this problem. Satisfactory measures to address it are embryonic at best. National Security Advisor Condoleezza Rice recently conceded that senior U.S. government officials have not given major addresses outlining the country’s strategy against Jihadist terrorism and the shared interests these populations have with the American people in this struggle.¹³ The U.S., its allies, and friendly nations with significant Muslim populations must provide a positive vision to counter the Jihadist vision of violence and death. The 9/11 Commission provides a start on that vision by stressing the benefits of tolerance of others, treating people humanely, abiding by the rule of law, creating educational and economic opportunities for all people.¹⁴ Simply being *against* Islamist terrorism, terrorism, or terror, is not a compelling message.

Since September 2001, unfortunately, some of the American message has played into the worldview of Osama Bin Laden and the al-Qaeda movement in ways that are detrimental to American national interests. Calling our efforts to defeat Bin Laden’s al-Qaeda movement a

¹² CNN Presents,” Nuclear Terror,” broadcasted on Sunday 12, 2004.

¹³ Office of the Press Secretary, The White House, Remarks by National Security Advisor Condoleezza Rice Followed by Question and Answer to the U.S. Institute of Peace, Washington, DC, August 19, 2004, (<http://www.whitehouse.gov/news/release/2004/08/print/20040819-5.html>).

¹⁴ *The 9/11 Commission Report*, p. 376.

“war on terrorism” and then, even more broadly, a “war on terror” unnecessarily elevates them, as they see it, to the heights of global warriors battling the mighty enemy of Islam. Giving them reason to perceive that they are fighters in a great struggle of civilizations confirms for them the worthiness of their mission. The global revulsions to the violent terrorist acts in Breslan, Russia is an example where the events have been denounced by Arab commentators in the Middle East and Islamic leaders around the globe. The goal should be to get a similar response to every act of Jihadist violence wherever it occurs.

The 9/11 Commission appropriately points out that the lexicon the United States has used has been overly broad and general, making it difficult to focus and prioritize efforts. Terrorism is a tactic, not an adversary. Using the word “terror” as the object of our mission is also not helpful because it is an emotion. The importance of word choice in this instance should not be undervalued.

The United States must work with allies to reduce the appeal of the global Jihadist insurgency. Given the anticipated prolonged character of this struggle, the 9/11 Commission offers some valuable recommendations on promoting American values that resonate with people struggling for better lives for themselves and their children. Similarly, fostering stable political and economic conditions in key countries with large Muslim populations is important to allow new leaders to emerge who appeal to the growing populations of many of the countries that concern us. In the RAND exercise, a consensus among participants was that the United States has not been effective at public diplomacy. Not only does the U.S. government need to establish and support alternative radio and television outlets in the Middle East, but it also needs to aggressively engage in

debate on the outlets that the U.S. does not control and that a majority of the people in the region listen to and watch.

3. Achieving a Balance between Public Security and Citizen Rights and Privacy

One important area the 9/11 Commission constructively discusses that is important to our national discussion on combating terrorism is the need to strike the right balance between the rights of citizens and the government's duty to ensure public security. Since September 11th, the national discussion on this balance of national needs has lacked perspective and intellectual creativity and has been clouded by cavalier approaches by both government officials and privacy advocates. The Commission offers at least seven valuable recommendations that raise issues of the potential conflict between citizen rights. All of them merit serious consideration. However, recommendations on biometric entry-exit screening, national standards for secure identification, enhanced sharing of information between government entities, and an integrated and comprehensive network of border screening points, will raise issues of privacy and protection of the rights of American citizens' and international visitors.

Rightly or wrongly, the pressures that led to the shelving of Defense Advanced Research Project Agency (DARPA) research programs and the Department of Homeland Security's Computer-Assisted Passenger Prescreening System (CAPPS II) program have deprived the country of valuable programs that held some promise to both enhance the privacy of citizens and improve the abilities of authorities to identify potential terrorists before they strike. Delaying Senator Kennedy and Congressman Lewis from boarding

commercial aircraft because their names showed up on a “No Fly” list and the mistaken detention of an Oregon lawyer under suspicion of involvement in the Madrid bombing do not inspire confidence.¹⁵

The Commission’s recommendation that there be a board to advise the entire government on privacy and civil liberty issues germane to counterterrorism is a much bolder initiative than simple establishing individual offices in various departments and agencies.¹⁶ A semi-independent body with government-wide reach may have more authority and may provide valuable consistency across the government. Progress also needs to be made on the side of ensuring security and protecting citizen rights at the same time. Incentive based systems such as the Transportation Security Administration’s “Registered Traveler” program need to be devised for a wide range of travel and transport activities.¹⁷ Harnessing people’s interests in ways that increase security are much more likely to work in the long-term than government mandates aimed at changing behavior.

III. Measuring the Effectiveness of the National Strategies

Developing metrics to help measure progress in the struggle against Islamist terrorism is critical to counterterrorism strategic planning. The defeat of the global Jihadist insurgency will not end with a “dramatic signing ceremony on the USS Missouri or the

¹⁵ Charlie Savage, “No-Fly List Almost Grounded Kennedy, He Tells Hearing,” *The Boston Globe*, August 20, 2004, p. A2. Sara Kehaulani Goo, “Sen. Kennedy Flagged by No-Fly List,” *Washington Post*, August 20, 2004, p. A1. Sara Kehaulani Goo, “Hundreds Report Watch-List Trials; Some Ended Hassles at Airports by Making Slight Change to Name,” *The Washington Post*, August 21, 2004, p. A08. Tomas Alex Tizon and Richard B. Schmitt, “FBI Exonerates Ore. Attorney,” *Los Angeles Times*, May 25, 2004, p. 20.

¹⁶ *The 9/11 Commission Report*, p. 395.

¹⁷ TSA Press Office, “TSA Launches Register Traveler Pilot Program at LAX,” Transportation Security Administration, U.S. Department of Homeland Security, July 23, 2004; TSA Press Office, “TSA To Test New Passenger Pre-Screening System,” Transportation Security Administration, U.S. Department of Homeland Security, August 26, 2004.

collapse of the Berlin Wall.”¹⁸ Osama Bin Laden reportedly said that this clash “began centuries ago and will continue until Judgment days.”¹⁹

In a struggle that may last years, even decades, some way to measure progress or backsliding is critical. The annual OMB report to Congress on combating terrorism indicated, “One of the key challenges that the Report underscores is measuring progress both in terms of outputs and outcomes to benchmark efforts to achieve strategic goals.”²⁰ With considerable understatement, the OMB report notes, “Much work remains to be done in this area.” Indeed, in each of the report’s sections it notes devising adequate metrics for measuring progress as an unmet challenge.²¹

Counting leaders captured or killed is useful, but not sufficient. The apprehension of such senior al-Qaeda leaders as Abu Zabaida, Ramzi Bin al-Shib, and Khalid Sheik Mohammad, is important because these are movement leaders with institutional knowledge, operational experience, and murderous intent, whose capture degraded some of al-Qaeda’s capacity. Even though the capture or death of Osama Bin Laden would be important, the nature of this global insurgency has metastasized, creating other aspirants to the leadership of the global Jihadist movement. Abu Musab al-Zarqawi is a perfect example. Even though he visited some of Bin Laden’s camps in Afghanistan in the 1990s, he also set up his own camps and competed with al-Qaeda for recruits. Although his deadly activities in Iraq resemble al-Qaeda operations, in a letter he attempted to send to Bin Laden, which U.S. forces intercepted, he discussed a common agenda with Bin

¹⁸ Deputy Secretary of Defense Paul Wolfowitz, “A Strategic Approach to the Challenge of Terrorism,” Remarks prepared for Delivery to the RAND Corporation conference, September 8, 2004, (<http://www.defenselink.mil>).

¹⁹ Osama Bin Laden, quoted in, Brian Michael Jenkins, “Looking for ‘High Noon’ in a Hundred Years’ War,” *San Diego Union-Tribune*, August 22, 2004.

²⁰ OMB Report on Combating Terrorism, p. 1.

²¹ OMB Report on Combating Terrorism, pp. 25-26, and 43.

Laden, but the tenor of the letter suggests that he is operating largely on his own.²² We know about al-Zarqawi, but what about those who we still yet to get a clear fix on? Moreover, what about the youth in Islamic schools in Central, South, and Southeast Asia who are tomorrow's Jihadists? American security against the global Jihadist insurgency will not be achieved simply by apprehending or killing the Jihadist operatives we know of today. Counting them reveals tactical, but not strategic progress. Keeping track of a metric that does not ultimately measure an end state we desire is an example of measuring what we can, not what we should.

Measuring the effectiveness of initiatives should be considered in two time frames: short-term and long-term. Too often the metrics used to measure progress focus on short-term accomplishments. Terrorist leaders captured or killed, terrorist funds seized or frozen, and arms shipments interdicted or destroyed are very important, they are all tactical and short-term in nature. The global Jihadist movement has demonstrated that it can replace its leaders with new ones, it can secure new sources of funds, and in a world seemingly awash in weapons, and it is able to replenish its arms supplies. Even though these short-term victories are important accomplishments, they are not sufficient to win a long-term struggle against a global movement. Furthermore, inordinate focus on these short-term tactical measures skews the attention of senior policymakers from long-term strategic issues.

Longer-term and strategic initiatives designed to meet national goals and objectives are not as obvious to formulate, require time to prove their merit, and pose fundamental choices that often entail considerable resources and making choices between important

²² The Coalition Provisional Authority, Full Text of Zarqawi Letter, February 12, 2004, (http://www.cpa-iraq.org/transcripts/20040212_zarqawi_full.html).

and competing policy priorities. Strategic initiatives are difficult to design because they frequently do have significant consequences for resource allocation and involve hard choices. In sum, mighty political forces are often in conflict and the ability of senior leaders to mediate these forces is often a function of their political standing and the political capital they are willing to invest.

In addition to developing different metrics for different time frames, metrics should also be both quantitative and qualitative in character. This is not to dismiss the importance of metrics such as the rate of attacks around the world, the number of Jihadist leaders killed or captured, and the value of assets frozen. Rather, the point is that we should also seek to define other measures that provide another angle of insight into our progress. Examples of other measures are the absence of attacks against the U.S. homeland, a noteworthy decline in the appeal of the Jihadist movement, sustained public support for counterterrorism measures, assistance from unlikely allies, and a reduction in the networked quality of the Jihadist movement.²³

Defeating the global Jihadist insurgency is probably a decade long problem. Different intelligence services and commissions estimate that the number of Jihadists who attended al-Qaeda training camps in Afghanistan range from 20,000 to 120,000.²⁴ While the span of this spread suggests the actual number is hard to know with much confidence, even if we take the lower number of 20,000, it will likely take a decade to capture, kill, or force into retirement this number of committed fighters. Unfortunately, the estimates of comparatively finite numbers of al-Qaeda terrorists are augmented daily by others around the globe inspired by Bin Laden and al-Qaeda, but not necessarily

²³ Daniel Byman, "Scoring the War on Terrorism," *The National Interest*, Summer 2003.

²⁴ *The 9/11 Commission Report*, p. 67. See also,

connected in a direct fashion. Additionally, a next generation of Jihadist recruits studying in thousands of religious schools may some day soon take the place of operatives trained in al Qaeda's Afghan camps. Preventing the development of the next generation of Jihadists is a critical task for reducing the scope of and eventually defeating the global Jihadist movement.

IV. Assess the Success of the National Strategies for Combating Terrorism

Measuring the progress in a struggle against a global insurgency that has grown in size and changed in character is not easy. While considerable progress has been made to reduce al-Qaeda's capabilities, it is not the only or the commanding force in this global insurgency. A combination of tactical, strategic, quantitative, and qualitative metrics is probably the best way to measure progress. Devising these various metrics is worth some effort to develop.

Given the evolving character of this insurgency movement, military power and law enforcement actions alone will not, in the long-term, guarantee success. Without question, there have been a number of impressive successes in these realms. The United States must match noteworthy "hard power" success with a much more strategic and robust application of "soft power" in all its dimensions.