

STATEMENT

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“COMBATING TERRORISM: IN SEARCH OF A NATIONAL STRATEGY”

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Chairman Shays, distinguished members of the committee, I appreciate the opportunity to appear before you today on a matter of critical importance to our nation's security, namely: the formulation of a national strategy to combat terrorism. In holding hearings on this issue, the Subcommittee - and indeed Congress as a whole - should be commended for its foresight in seizing the occasion to identify gaps and shortfalls in our current policies, practices, procedures, and programs. It is only with such an analysis in mind - that is, one that considers and appreciates what has worked, what has not worked, and what has not been adequately addressed - that we can go on to the next step of crafting an effective national counterterrorism strategy.

In considering how best to proceed on this front, we should not be afraid to wipe the slate clean and review the matter afresh. My contribution to this hearing will focus specifically on terrorism using chemical, biological, radiological and nuclear (CBRN) weapons - though, by and large, my comments will also be relevant to counterterrorism more generally.

When critically evaluating our current state of preparedness, it is important to adopt a balanced viewpoint - that is, a perspective which appreciates both how far we have come already and just how far we have yet to go. In my view, it seems fair to conclude two things in this regard. First, federal, state, and local governments have made impressive strides to prepare for terrorism - specifically, terrorism using CBRN weapons. Second, and more unfortunately, the whole remains less than the sum of the parts. Let me explain.

The United States is now at a crossroads. While credit must be given where it is due, the time has come for cold-eyed assessment and evaluation, and the recognition that we do not presently have - but are in genuine need of - a comprehensive strategy for countering the threat of terrorism and the larger challenges of homeland defense. As things presently stand, however, there is neither assurance (via benchmarking) that we have a clear capital investment strategy nor a clearly defined end-state, let alone a clear sense of the requisite objectives to reach this goal. More generally, and even worse, without a national plan, we leave ourselves at risk.

Although there is no way to predict with certainty the threat to the homeland in the short-term or the long-term, it is widely accepted that unmatched U.S. power (cultural, diplomatic, economic and military) is likely to cause America's adversaries to favor "asymmetric" attacks against undefended targets over direct conventional military confrontations. Indeed, in a recent address to our NATO allies, Defense Secretary Rumsfeld specifically raised the issue of the proliferation of unconventional weapons and technologies to both state and non-state actors, and also flagged our concomitant vulnerability.

Against this background, military superiority in itself is no longer sufficient to ensure our safety. Instead, we need to go further by broadening our concept of national security planning so as to encompass CBRN counterterrorism.

After several years of activity in this arena, progress has been uneven. On the one hand, the past handful of years can be summed up in the phrase "long on nouns but short on verbs." On the other hand, there is still a substantial amount of good news that deserves to be told and built upon.

But pockets of real success, however significant, are not enough. We need to achieve progress across the board and in synergistic fashion, so that positive developments in one area feed further success - exponential, not just incremental success - in another.

Make no mistake, though. The dimensions of the challenge are enormous. The threat of CBRN terrorism by states and non-state actors presents unprecedented planning challenges to American government and society. Notably, no single federal agency owns this strategic mission completely. For the moment, however, many agencies are acting independently in what needs to be a coherent response.

And, importantly, a coherent response is not merely a goal that is out of reach. To the contrary, we now possess the requisite experience and knowledge for ascertaining the contours of a comprehensive strategy, a coherent response, and a future year program and budget to implement the strategy. It bears emphasizing here that strategy must be a precursor to budget. Put differently, dollar figures should only be attached to specific items after the rationale for those items has been carefully thought out as part of a larger, overarching framework for action.

Of course, none of this is to say that we have all the answers. Quite the opposite in fact. Indeed, our recommendations represent just one possible course of action among many, and it is for you, Congress, and the executive branch to decide jointly precisely which of these avenues, or combination thereof, should be pursued.

I would expect - and even hope - that my fellow witnesses (and the insights from the various commissions they represent) would differ with me when it comes to offering prescriptions in this area. After all, the real measure of success here, at least in my eyes, is whether our work has furthered public debate and raised questions that urgently need addressing. And that is something that I think we, taken collectively, have done.

In any case, my vision of a comprehensive counterterrorism strategy would incorporate a full spectrum of activities, from prevention and deterrence to retribution and prosecution to domestic response preparedness. All too often, these elements of strategy are treated in isolation. Such a strategy must incorporate both the marshaling of domestic resources and the engagement of international allies and

assets. And it requires monitoring and measuring the effectiveness ("benchmarking") of the many programs that implement this strategy so as to lead to common standards, practices, and procedures.

In our (CSIS) report on CBRN terrorism, we set out a roadmap of near-term and long-term priorities for senior federal officials to marshal federal, state, local, private sector, and non-governmental resources in order to counter the terrorist threat. Our findings and recommendations speak not only to "the usual suspects" at each level of government but also to new actors, both public and private, that have taken on added salience in the current security environment. With your patience, I will elaborate upon the highlights of our blueprint, beginning with a clearer outline of the structure of our suggested national strategy.

In our view, a complete CBRN counterterrorism strategy involves both (1) preventing an attack from occurring (our first priority should always be to get there before the bomb goes off), which includes deterrence, non-proliferation, counter-proliferation and preemption, and (2) preparing federal, state, local, private sector and non-governmental capabilities to respond to an actual attack. In short, our counterterrorism capabilities and organizations must be strengthened, streamlined, and then synergized so that effective prevention will enhance domestic response preparedness and vice versa.

On the prevention side, a multifaceted strategy (encompassing the constituent elements just enumerated) is in order. The common thread underpinning all of these, however, is the need for a first-rate intelligence capability. More specifically, the breadth, depth and uncertainty of the terrorist threat demands significant investment, coordination and re-tooling of the intelligence process across the board for the pre-attack (warning), trans-attack (preemption) and post-attack ("whodunit") phases.

Our list of recommendations on the intelligence side is extensive. I will not reiterate that list here, though it should be noted that its scope is broad, including everything from enhancing our all-source intelligence and analytical capabilities to "tapping" the scientific and biomedical research communities for their applicable expertise.

Several of the steps that we recommend with a view towards strengthening the intelligence community may require significant changes to intelligence programs and budgets. And, since current intelligence needs exceed available dollars, investments in this area will have to be prioritized. While our report does not attach dollar figures to its recommendations, we do distinguish between first-, second-, and third-order priorities, with the implementation of first-order items being called for immediately (within 180 days).

Before turning to the response preparedness aspect of the equation, two further components of prevention merit comment, namely, non-proliferation and counter-

proliferation. We need to think about ways to reassess arms control measures to limit proliferation of CBRN weapons and material. This cannot be monitored like a START agreement, but the United States should take the lead in building international support for multinational activities, while signaling the right to take action, including military actions, against violators.

In so doing, though, it must be kept in mind that traditional arms control measures - which assume large state efforts with detectable weapons production programs - may influence behavior but will be more effective vis-à-vis state-sponsors of terrorism than non-state actors. However, by focusing on state actors, we may also capture non-state actors swimming in their wake.

In the space that remains, I want to focus on domestic response preparedness because that is where the matter of effective organization figures most prominently. And, in my view, effective organization is the concept that not only lies at the very heart of a comprehensive national counterterrorism strategy but also underpins it - from start (meaning pre-event preventive, preemptive and preparedness measures), to finish (meaning post-event crisis and consequence management, and response).

In so far as domestic response preparedness is concerned, the traditional distinction currently operative - which draws an artificial line between crisis management and consequence management - is unworkable in practice. In fact, crisis and consequence management will occur simultaneously, and there will be no hand-off of the baton from the crisis managers (responsible for immediate response, and apprehension of perpetrators), to the consequence managers (responsible for treating mass casualties and restoring essential services). (The caveat, of course, is if we receive advance warning of an event or if the event is "fixed" (such as the presidential inauguration). In these instances, it will indeed be possible to draw a bright line between crisis and consequence management).

I think the "line" was originally intended only to bound certain generic types of activities, for example, crime scene evidence as opposed to searching for survivors. Sadly, it has been bent and distorted over time to support one or another agency's fight for leadership.

This generally artificial distinction, however, distracts us from the more important underlying question of whether we are properly organized in terms of domestic response preparedness and writ large (in terms of meeting the CBRN terrorism challenge as a whole). Are our existing structures, policies, and institutions adequate? CBRN terrorism is inherently a cross-cutting issue, but, to date, the government is organized vertically.

Our report treats the critical - and wide-ranging - question of organization by breaking it down into three different sub-themes: (1) effective organization at the

federal level; (2) effective organization at the state and local levels, and the federal interface; and (3) effective organization of the medical, public health, and human services communities. Let me deal with each of these in turn.

First, and in some ways, most importantly, the federal government must lead by example by organizing itself effectively to meet the terrorist challenge. But what does this mean? While I can offer only a barebones outline in the allotted space, such a "skeleton" should still prove useful as a basis for discussion on how to proceed.

As a starting point, effective CBRN counterterrorism requires the coordinated participation of many federal agencies. To ensure that departmental and agency programs, when amalgamated, constitute an integrated and coherent plan, we need a high-level official to serve as the epicenter or "belly button" for our efforts. And that position needs to marry together three criteria: authority, accountability and resources.

One way to achieve this end, and the course that we have suggested, is to establish a Senate-confirmed position of Assistant to the President or Vice-President for Combating Terrorism. The Assistant for Combating Terrorism would be responsible for issuing an annual national counterterrorism strategy and plan. This strategy would serve as the basis to recommend the overall level of counterterrorism spending and how that money should be allocated among the various departments and agencies of the federal government with counterterrorism responsibilities. To be explicit, it is the budgetary role of the Assistant that, at one and the same time, gives the position "teeth" and generates the desirability of, if not the outright need for, Senate-confirmation. Put another way, unless we obey the golden rule (he or she with the gold rules), the Assistant (the counterterrorism coordinator) will not have sway over departmental and agency policies.

Accordingly, we recommend that the Assistant be granted limited direction over departments' and agencies' budgets in the form of certification and passback authority. In practice, this means that the Assistant would possess the authority to certify future-year plans, program budgets and annual budgets. And, where budgetary requests fail to adhere to the President's overall policy and budgetary agenda, the requests would be passed back to departments and agencies for revision. Correlatively, we suggest that the Assistant be given authority to decrement up to ten percent of any "counterterrorism-support" program that does not meet the requirements of the nation's counterterrorism plan.

In conjunction with the above, each federal department and agency with a counterterrorism mission should develop five-year plans and long-term research, development, testing, and evaluation (RDT&E) plans. These would then be coordinated by the Assistant to the President or Vice-President, who should support a

holistic effort to use technology to improve domestic response preparedness and tie RDT&E efforts to practical deployment plans.

Before turning to the congressional side of the equation, some comment upon the lead federal agency issue is needed - though I will confine myself to only two points here. First, the Federal Emergency Management Agency (FEMA) has not been resourced to accomplish its mission as the lead agency for consequence management. Long neglected, FEMA has recently been revitalized and has distinguished itself when responding to a series of natural disasters affecting the continental United States. However, FEMA still lacks the administrative apparatus, logistical tail, and personnel necessary to take a lead role in domestic terrorism response.

Against this background, two steps should be taken. First, we need to empower FEMA. Keeping in mind that FEMA is already well integrated into activity at the state and local levels in the context of natural disasters, we should fully exploit and build on that pre-existing foundation so that FEMA is in a position to credibly assume the lead role in domestic response preparedness. With the latter aim in mind, it will not, of course, be enough simply to draw on channels and capabilities that are already in place. On the contrary, this will have to be accompanied by capitalization of FEMA, including in the form of personnel as well as administrative and logistical support.

Second, and relatedly, FEMA should be assigned the training mission for consequence management. As things presently stand, however, it is the Justice Department (and, before it, the Defense Department) that has been charged with the task. Yet, it makes little sense to hive off training for consequence management with the state and local levels from the very organization that would handle consequence management.

An additional point that I wish to make on the lead federal agency issue concerns the role of the Department of Defense (DOD). DOD's role in domestic preparedness for terrorism involving CBRN weapons has been the subject of much debate. The debate arises due to the concern that only DOD possesses the resources necessary (including transportation assets, basic supplies, communications facilities and so on) to manage the consequences of a CBRN terrorist attack. But, even the mere specter or suggestion of a lead military role raises vocal and widespread opposition on the basis of civil liberties and the damage that could potentially be caused to them if DOD were assigned the lead.

Realistically, only DOD even comes close to having the manpower and resources necessary for high-consequence (yet low-likelihood) events such as a catastrophic CBRN terrorist attack on the homeland. However, this is very different from saying that DOD should always be in charge of domestic response efforts. To the contrary, DOD should be restricted to a supporting role in domestic crises. There are several

reasons for this. I will not enumerate all of them but it does bear noting that, beyond intent, perceptions are important; and the clear perception, as well as the reality, of civilian control of the military should be preserved. Indeed, this is particularly true in times of domestic crisis.

That being said, however, it is wholly appropriate for the DOD to maintain a supporting role (i.e., a role in support of the lead federal agency) in domestic crises - though we must grant the Department the resources necessary to assume this responsibility. (If the President decides to turn to the cupboard, we most certainly do not want him to find that it is bare). Perhaps it is just me, but I find it difficult to believe that, in a time of genuine crisis, the American people would take issue with what color uniform the men and women who are saving lives happen to be wearing. Even more starkly, the President should never be in the position of having to step up to the podium and say to the American people what he could have, should have, or would have done - but did not because of.... Explaining to the American people the inside the beltway debates just will not stand up if such an event occurs.

Turning now to Congress, the broad span of counterterrorism programs across federal departments and agencies is mirrored in the broad span of authority to review counterterrorism programs across a host of Congressional committees and subcommittees. Without coordination between these bodies, Members may not know how their votes on a particular budgetary item or policy will affect the overall counterterrorism program.

To remedy this, we recommend the creation of a congressional counterterrorism working group. This group should be chaired and vice-chaired by Members of the majority and minority parties, respectively, and should include senior staff from the various authorization and appropriation committees with jurisdiction over federal agencies concerned with terrorism, crisis and consequence management, and homeland defense. By means of a monthly report, the working group would keep the relevant committees apprised of ongoing legislative initiatives and funding issues in Congress.

Finally, on the international front, and as part of a comprehensive national strategy, we should seek to fortify our own defense by strengthening the consequence management capabilities of our partners worldwide. This should occur through the Department of State's Coordinator for Counterterrorism, who manages the Foreign Emergency Support Team (FEST). The United States Army Medical Research Institute of Infectious Diseases (USAMRIID) and the Centers for Disease Control and Prevention (CDC) should be operationally linked to this capacity in the case of bioterrorism and infectious disease emergencies.

Moving now to the state and local levels, efforts to develop a unified and effective domestic response capability are complicated by the fact that emergency responders - who will be first on the scene of a "no warning" event - are state and local (not federal) personnel. The myriad state and local jurisdictions result in "a crazy-quilt" of doctrine, legal authority, equipment, and training for emergency responders. Consider, for example, that there are an estimated 32,000 fire departments across the United States.

Furthermore, for each local and even state jurisdiction (except for prominent targets such as New York City and Washington, D.C.), the probability of an attack in that jurisdiction is perceived to be so low and the cost of training and equipping emergency responders so high that many regions may not be prepared for a high-end terrorist attack involving CBRN weapons. Indeed, federal, state, and local exercises have revealed serious deficiencies in preparedness, including severe lack of coordination.

Yet, if a terrorist event occurs, state and local emergency personnel (police, firefighters, medics) will be the initial responders and time will be of the essence in turning victims into patients. For this reason, state and local governments must continue to develop and expand their capabilities to respond to a terrorist attack, and more resources must reach the state and local level for management and execution. At the same time, however, limited resources dictate that there must be optimal transition from "ordinary" (e.g., heart attacks) to "extraordinary" events.

More broadly, federal, state, and local governments must allocate between and among one another, responsibilities and resources for domestic preparedness. Equally, federal, state, and local governments must also make a concerted effort to ensure the harmonization and interoperability of equipment and incident command structures.

Let me be clear: nothing short of the very essence of federalism is at stake here. Without working relationships of trust and mutual confidence between and among all of the actors that are key to our counterterrorism effort, our national strategy to prevent and prepare for terrorism will be defeated. We must, therefore, build bridges - not only between federal authorities and state and local officials (what we have termed "the federal interface") but also between federal entities, as well as from one state to another.

How best to construct those bridges is, of course, the subject of much debate. A good start, however, would consist, in part, of the following. In addition to expanding training and exercising of state and local emergency responders, we should create a central clearinghouse to synthesize lessons learned from exercises. Doing so, would permit better allocation/appropriation of resources, and would facilitate the emergence nationwide of (common) best practices.

As a corollary, and with a view to formulating and implementing national standards and baselines, we should develop matrices for judging the effectiveness of training (no metric currently exists), and we should strive to make exercises more realistic, robust, and useful (e.g., increase the number of "no-notice" exercises). The value of training and exercising must not be underestimated. Hopefully, it will be the closest we get to the real thing. And if not, it allows us to make the big mistakes on the practice field and not on Main Street, USA.

Successful "bridge-building" requires combining both a bottom-up and a top-down perspective. On the one hand, and for (a bottom-up) example, state and local emergency responders need to have a seat at the intergovernmental table so as to ensure seamless coordination between state and local emergency personnel and later-arriving federal assets. On the other hand, and as a further (top-down) example, federal expertise and capabilities - particularly that which resides in the Department of Defense - are vital and should be shared. Further to this point, the Defense Department has traditionally provided assistance to federal, state, and local officials in neutralizing, dismantling, and disposing of explosive ordinance, as well as radiological, biological, and chemical materials.

Bridge-building also involves reaching out to relative newcomers to the national security field - in particular, the medical, public health, and human services communities - who need to be integrated into our counterterrorist effort and our (comprehensive) national strategy. These actors are especially critical to bioterrorism preparedness as they would play a prominent role in detection and containment of such an event. Here again, however, the need for effective organization stands in marked contrast to the present state of affairs, which is sub-optimal at best.

Put bluntly, the biomedical, public health, and human services communities are under-equipped for a biological attack and for infectious disease in general. Indeed, the core capacity for public health and medical care needs to be greatly enhanced with respect to detection and treatment of infectious disease. Accordingly, our recommendations on the public health/medical side read like a veritable "laundry list."

Even without reiterating our full complement of suggestions, the extensive and sweeping character of what is needed is evident in but a partial list: capitalize the public health structure; develop a national bioterrorism surveillance capacity; develop rapid and more reliable diagnostic capabilities and systems; develop a comprehensive strategy for assuring surge capacity for healthcare; streamline national pharmaceutical stockpiling efforts; and increase research and development for new pharmaceuticals, vaccines and antidotes.

To these (and other) ends, the biomedical, public health and human services communities must work in greater partnership with each other - and must coordinate more effectively with the larger national security community. Instead, however, we currently have a series of "disconnects."

Within the federal government alone, for instance, we have yet to develop (for counterterrorist purposes) smooth channels of inter-agency and intra-agency coordination and cooperation across and within federal agencies that have worked little together in the past (such as the intelligence community and the Departments of Defense, Justice, Health and Human Services, Agriculture, and Energy).

Further, and with specific regard to the private sector, the expertise of the commercial pharmaceutical and biotechnology sectors has yet to be genuinely leveraged. This situation must change, and new funding strategies must be explored to "incentivize" engagement of the private sector as a whole in the task of preparedness planning and capability-building.

It is plain that the challenges that we face are great. But I am confident that we, as a nation, are up to the task. Let me close, now, on a more personal note.

Last year, on 19 April, I had the privilege to attend the dedication of the Oklahoma City National Memorial on the five-year anniversary of the attack on the Alfred P. Murrah Building. Just last week, I was in Oklahoma City and had the opportunity to visit the National Memorial Center, an interactive museum, depicting the story of the largest terrorist attack on U.S. soil. I highly recommend visiting the museum, it was profoundly moving. I was reminded that America is not immune from terrorism and that, if such an act of violence can occur in America's heartland, it can occur anywhere. I was reminded that the consequences of such acts of violence are very real -- in this case 168 innocent lives were lost, and many many more affected. I was reminded that those first on the scene of such a tragedy are "ordinary" citizens, followed up by local emergency responders such as firemen, EMTs, and policemen, all of whom are overwhelmed - except for the desire to save lives.

I was touched by the experience, of course - but, most of all, I left proud. Proud of Oklahoma's elected officials, proud of the survivors, proud of the many thousands of men, women, and children who lost family members, friends, and neighbors. And perhaps most importantly, I left proud to be an American. For, what I saw was the community's strength and resilience. I believe this indomitable spirit; this refusal to be cowed; the will of the people to return, to rebuild, to heal, and to prosper best represents America's attitude towards terrorism.

Put differently, at the end of the day, it all comes down to leadership. And policy without resources is merely rhetoric. But, if the President and Congress set their sights on the careful crafting and comprehensive implementation of a national

counterterrorism strategy, it will happen. However, this process of marshaling our wherewithal so as to turn concepts into capabilities will require not only vision but also political will.

Despite the magnitude of the challenge, there is no doubt that we can rise to it. Undoubtedly, this hearing represents a forceful and important step in the direction of a national plan. And it is my hope that our report will provide President Bush and Congress with some of the critical insights necessary to execute a comprehensive counterterrorism plan. Developing, implementing, and sustaining such a strategy and plan must be one of the highest priorities for U.S. national security.

Thank you for the opportunity to share my thoughts with you today. I would be pleased to try to answer any questions you may have.