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AL QA'IDA IN 2010: HOW SHOULD THE U.S. RESPOND?

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

HEARING HELD
JANUARY 27, 2010

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AL QA'IDA IN 2010: HOW SHOULD THE U.S. RESPOND?

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, Wednesday, January 27, 2010.

The committee met, pursuant to call, at 10:07 a.m., in room HVC–210, Capitol Visitor Center, Hon. Ike Skelton (chairman of the committee) presiding.

OPENING STATEMENT OF HON. IKE SKELTON, A REPRESENTATIVE FROM MISSOURI, CHAIRMAN, COMMITTEE ON ARMED SERVICES

The CHAIRMAN. Good morning. Today the House Armed Services Committee meets to receive testimony on "Al Qa'ida in 2010: How Should the U.S. Respond?"

Our witnesses today: Richard Clarke, currently an adjunct lecturer at Harvard University and previously the national coordinator for security and counterterrorism; Juan Zarate, senior advisor with the Center for Strategic and International Studies and the former deputy national security advisor for combatting terrorism; Steve Coll, president of the New America Foundation and the Pulitzer Prize-winning author of "Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to September 10, 2001."

We welcome you, and we thank our witnesses for being with us.

Since the attacks on September the 11th, 2001, the United States has acted forcefully to disrupt and defeat al Qa'ida [AQ] and to eliminate their safe havens in Afghanistan and Pakistan. I firmly support our ongoing efforts in Afghanistan. I believe it is vital that we succeed there. And I commend the President on his recent decision to increase our force levels in that conflict.

But as the attempted bombing of an airliner over Detroit on Christmas Day by an al Qa'ida affiliate reminds us, even as we pursue bin Laden and his allies in Afghanistan and Pakistan, al Qa'ida has continued to evolve as an organization and inspiration to terrorist groups around the world.

In order for us to combat this evolving threat, I believe we must understand the state of al Qa'ida and how it has changed over the years. In this effort, the committee's hearing today with outside experts builds on the classified briefing we held recently in past full committee hearings. The Terrorism and Unconventional Threats Subcommittee, led by Adam Smith and Jeff Miller, have done great work in this area over the years and, I am sure, will continue to do so under the leadership of Chairwoman Loretta Sanchez.

The title of this hearing, "Al Qa'ida in 2010: How Should the U.S. Respond?", poses a deceptively simple question that I hope our

witnesses can help us with. But the real questions are harder: What is al Qa'ida today, and how has that organization evolved? How can the United States Government, in particular the Department of Defense, take effective action to end the threat posed by al Qa'ida, its allies, and its affiliates around the globe? What tools do we have, and how should we employ them? How can we undermine their media campaign and attempt to provide an ideology justifying attacks against the United States?

In short, what actions can we and should we take to minimize the chances that we are faced with future attacks like the attempted attack on Christmas? I hope our witnesses can help us with these questions.

By the way, this is a reminder. Today, a Members-only meeting, a China briefing, at 2:30 this afternoon in Room 2118, our new old committee room. And you will be pleased when you come back and see the work that has been done there.

I turn to our friend, the ranking gentleman from California, Buck McKeon, for his comments.

[The prepared statement of Mr. Skelton can be found in the Appendix on page 39.]

STATEMENT OF HON. HOWARD P. "BUCK" MCKEON, A REPRESENTATIVE FROM CALIFORNIA, RANKING MEMBER, COMMITTEE ON ARMED SERVICES

Mr. MCKEON. Thank you, Mr. Chairman. I would like to thank you for holding today's hearing on al Qa'ida and the continuing threat that it poses.

For nearly two decades, al Qa'ida had waged war against the U.S., its citizens, and the modern world. We may not have fully realized the destructive nature of al Qa'ida until the tragic events of 9/11, but we must not allow our determination and vigilance to wane. We can be assured that al Qa'ida remains as relentless and as violent as ever, and today's hearing allows us to better understand al Qa'ida and what must be done to protect our Nation and its citizens.

I would also like to welcome our witnesses. Your insights today are extremely important given the influx of additional troops to Afghanistan in support of General McChrystal's strategy and given recent events such as the Christmas Day airline bombing attempt and the Fort Hood shootings. We look forward to your testimony.

We cannot forget that we are a nation at war. Al Qa'ida stormed into the public view with the horrific acts of 9/11 but well before that time had been plotting and acting against us. The 1993 World Trade Center bombing, the 1998 Embassy bombings in Kenya, the failed attack against the USS *The Sullivans*, and the successful attack on the USS *Cole* in 2000 all presaged what was to come in 2001. Al Qa'ida had already declared war on us. Only after the World Trade Center bombings, the Pentagon, and a Pennsylvania field were burning did we fully appreciate that fact.

I was heartened when, on December 1st, 2009, President Obama officially took ownership of the war in Afghanistan and the broader war on terrorism during his speech at West Point. He is our Nation's Commander in Chief and plays the critical role of guiding the United States during wartime.

Al Qa'ida, operating from safe havens in Afghanistan, brought war upon our Nation, and our message must be clear: We will not back down from those who seek to do us harm. We have denied al Qa'ida operating space in Afghanistan but must ensure our efforts to prevent Afghanistan from becoming a safe haven once again do not waver.

The administration's decision to support General McChrystal's counterinsurgency strategy is an important step toward stabilizing the country and, importantly, in degrading al Qa'ida's operational capability. I am gravely concerned, however, about the announcement of a timeline in conjunction with the decision. We must allow events and conditions on the ground to be the basis for any decisions on our Afghanistan strategy, not Washington politics.

And I have to wonder, has President Obama emboldened our adversaries by revealing a lack of commitment on our part? Or, like his proclamation that Guantanamo Bay would close by January 2010, does this hint to an administration that does not fully understand the ramifications of its actions and statements?

We must remember, however, that Afghanistan is not the sole focus in this struggle. Pakistan is a key partner for us, as al Qa'ida has been forced to seek refuge in tribal areas controlled by the extremist Taliban. Pakistani forces have gained important victories in their attempt to root out al Qa'ida and its hosts from Waziristan and the Federally Administered Tribal Areas, but much more needs to be done. We must continue to support Pakistani efforts through intelligence sharing, operational support and security assistance with vehicles like the Pakistan Counterinsurgency Fund. And we also need to support the Defense Department's 1206 train and equip authority [National Defense Authorization Act Section 1206 "Global Train and Equip" Program], which it uses elsewhere, to ensure our partners in this struggle have improved capabilities to meet threats to security and stability.

Al Qa'ida does not act alone and is a highly adaptable organization. It has leveraged a franchise system to bring like-minded groups around the world under its operational umbrella. Al Qa'ida in Iraq, al Qa'ida in the Islamic Maghreb, and al Qa'ida in the Arabian Peninsula [AQAP] have all sought to further al Qa'ida Central's goals.

What al Qa'ida seeks is the time and space to allow its affiliates to rise. As in Iraq in 2006–2007 when al Qa'ida took advantage of ungoverned space to train, plan, and attack the vulnerable Iraqi Government as well as U.S. interests, al Qa'ida in the Arabian Peninsula seeks to gain ground in Yemen, where the government forces are fighting not only al Qa'ida but also an extremist Shiite insurgency for control of large areas of its country.

Further, al Qa'ida is more and more willing to step out of the spotlight and allow other groups to act as its proxies. Lashkar-e-Taiba in Kashmir and al Shabaab in Somalia have helped al Qa'ida gain a broader audience and extend its operational reach. Al Qa'ida very quickly capitalizes on these groups' actions in the name of its grand strategy. Even in failed or thwarted attacks, al Qa'ida adjusts its message for greatest effect, always seeking to gain new recruits and enhance its brand image as effective and successful.

Therefore, we must be very aware that a reduction in al Qa'ida's fingerprints on terrorist operations does not necessarily mean that the threat of al Qa'ida is diminished. Ideology, radicalization, and the media that are available in today's world provide a volatile mix for al Qa'ida to exploit, while complicating our attempts to identify and focus on al Qa'ida as an organization. The Little Rock, Arkansas, and Fort Hood shootings and Christmas Day bombing attempt all represent an increasing threat: that of radicalized individuals who attack either on their own or with minimal operational coordination with an al Qa'ida handler. The hand of al Qa'ida may not be nearly visible, but the threat remains.

The challenges we face are many, but we absolutely must not fail to recognize that we are at war, and our enemy will seek any and all means to advance its cause. We are not facing common criminals. And this fact was reaffirmed on January 5th when the U.S. Court of Appeals for the District of Columbia Circuit upheld the right of the U.S. Government to detain combatants. This decision reaffirms the belief that the laws of war are the appropriate foundation for, and are needed in, our efforts against terrorists who may not wear uniforms, but who are waging war against us.

I believe the administration would be making a very dangerous mistake were it to treat terrorists as common criminals. While al Qa'ida operatives may not wear uniforms or follow the Geneva Convention, we cannot ignore the fact that al Qa'ida is waging war against us and that terrorists are al Qa'ida's foot soldiers. They do not merely break civil laws but advance a strategy that seeks to topple governments through terrorism and other means. They cannot be viewed as anything less than prisoners of war.

One would think that the President's policy toward Guantanamo Bay's detention facility would reflect the fact that we are at war. Yet he seeks to close the facility without a clear plan and return many detainees to countries rife with ungoverned spaces and al Qa'ida cells.

The remaining population at Guantanamo Bay does not represent chance battlefield detainees or mere supporters, but hardcore operatives. Given recidivism rates that are 20 percent or higher, the President's position on detention and prosecution of these wartime detainees held there is especially alarming in its incoherence.

In response to the administration's irresponsible handling of the detainee issue, we have introduced the "Detainee Transfer and Release Security Act of 2010." This legislation will block transfers from Guantanamo to countries with ungoverned spaces, active al Qa'ida cells or networks, or confirmed cases of a former Guantanamo detainee who has returned to the fight. Our efforts would have blocked the December transfer of seven detainees to Yemen and last week's transfer of two detainees to Algeria.

America cannot be complicit in allowing former detainees to return to the fight against the United States. Our policies and strategies must reflect the fact that we are at war. We should not simply close Guantanamo, and we cannot allow enemy combatants to return to the battlefield.

In al Qa'ida's world view, the U.S. should not exist. Therefore, in this war, we must seek to defeat our enemy. Measures that fall

short of that goal, denying al Qa'ida operating space and disrupting al Qa'ida operations, must not enter our lexicon or our thought process. I take it as a personal responsibility to remind my fellow Members, my constituents, and my colleagues throughout the government of what is called for in this great struggle.

With the fact that we are at war clear, I look forward to our witnesses' input today. We are faced with an enemy that is adaptable, that leverages media extremely well, that promotes a twisted version of one of the world's major religions, and that ultimately is willing to outlast us if that is what is required of it. Your testimony will help us gain greater understanding of how to face those challenges and how we can best shape our strategy, policy, and actions to ensure that we defeat al Qa'ida in what can only be viewed as a war of survival.

I yield back, Mr. Chairman.

[The prepared statement of Mr. McKeon can be found in the Appendix on page 41.]

The CHAIRMAN. I certainly thank the gentleman.

Again, we appreciate the witnesses testifying today.

And we will start with Richard Clarke. Thank you again for being with us.

STATEMENT OF THE HON. RICHARD A. CLARKE, ADJUNCT LECTURER IN PUBLIC POLICY, BELFER CENTER FOR SCIENCE AND INTERNATIONAL AFFAIRS, JOHN F. KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY

Mr. CLARKE. Thank you, Mr. Chairman. It is always a pleasure to respond to your request for testimony or other assistance.

You asked, What is the status of al Qa'ida, and what should we be doing in the way of response to it? These questions have been asked a lot since Christmas. I think we need to pause for a minute and ask ourselves, What would have happened in this country if that detonator onboard that Northwest/Delta flight had worked? Because that is really the only difference between a successful attack and the failure that occurred, is whether or not that detonator worked.

And I am afraid that if it had worked, a lot of people would have jumped to, perhaps, the wrong conclusion. They would have thought that, because one single terrorist was able to penetrate our defenses and cause the deaths, perhaps, of 200 Americans in the United States, that necessarily would have meant that al Qa'ida was resurgent or that there was some failure in the policies of the last administration or some failure in the policies of this administration. And the American people would ask themselves why it was the case that, over a decade after al Qa'ida became a major issue for the United States, that we had not been able to eradicate it.

I think it is important that we ask ourselves these questions now publicly, because the difference between one detonator working and one detonator not working suggests to me that we could very well have a successful attack. And when we do, if we do, we shouldn't panic and we shouldn't necessarily jump to the wrong conclusions.

So, in trying to answer your questions at a very high level, I have structured my response in the form of seven propositions. And

I will try to go through them quickly, but they are available in the written testimony.

The first proposition is that if al Qa'ida does stage a successful attack, it doesn't, in and of itself, indicate whether or not they are getting stronger or not; that lone operators will always be a threat, whether they are from al Qa'ida or from another organization. Modern societies are inherently fragile to lone-operator attacks. We saw that with Oklahoma City, where there were just two or three people involved. We saw it in the Washington area with the Washington sniper. We are always going to face a threat of lone operators.

Secondly, many of the groups that we hear about, many of the attacks that we see that are labeled as "al Qa'ida" really are not al Qa'ida Central. They are groups that had existed for years, in some cases for a century, and have been relabeled or have relabeled themselves as al Qa'ida. And two of them, for example, al Qa'ida in the Maghreb and al Qa'ida in Mesopotamia, have actually imploded in recent years. They lost popular support because of their excesses, and they were also successfully suppressed by security forces.

So I think we need to ask ourselves really, What is al Qa'ida? And perhaps the best way of looking at it is to focus on al Qa'ida Central, the organization that attacked us on 9/11, the organization that, unlike the affiliates, has targeted the far enemy, which is the United States.

And al Qa'ida Central has had its ups and downs. It was certainly very strong prior to 9/11. It was hit badly after our invasion of Afghanistan. It had a bit of a resurgence in the last several years, but in the last two years, with our increased tempo of operations against their sanctuary in Pakistan and with the Pakistani Government finally doing something about that sanctuary, al Qa'ida Central is a somewhat reduced threat than it was in the past.

Nonetheless, there are affiliate groups that are of concern, and two of them in particular seem to have targeted the far enemy, the United States. Al Qa'ida in the Arabian Peninsula, based in Yemen, consisting largely of Yemenis and Saudis, seems to now have its intent on going after the United States, including here in the homeland. And certainly the Taliban is engaged in daily combat with the United States. A third group, al Shabaab in Somalia, may also be involved in preparing people to attack the homeland.

Mr. Chairman, I will skip over the other propositions there in the testimony, but I think the chief point here is that the eradication of al Qa'ida is the work of a generation. It is not something that the American people should believe that any administration will be able to accomplish, nor should the American people expect that any administration will be able to prevent all successful attacks.

And when and if an attack does come in the United States, despite all of our efforts and despite the fact that we are winning this war, we need to be nonpartisan, we need to be analytical, and we need not to panic.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Clarke can be found in the Appendix on page 44.]

The CHAIRMAN. Thank you, Mr. Clarke.

Mr. Zarate.

STATEMENT OF THE HON. JUAN CARLOS ZARATE, SENIOR ADVISER, TRANSNATIONAL THREATS PROJECT, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Mr. ZARATE. Thank you, Mr. Chairman, Ranking Member McKeon, distinguished members of the committee. I am pleased to be with you today to testify, and I thank you for the invitation.

I think it is an important moment to look at the nature of al Qa'ida, particularly given the past series of events over the last year, plots uncovered, Christmas Day failed attack, the growing role of al Qa'ida in the Arabian Peninsula, and, frankly, the continued allure of al Qa'ida's ideology, including in the homeland.

Mr. Chairman, al Qa'ida is no longer the same organization we faced on September 11, 2001. In many ways, it has been decimated, with the core elements of the organization on the ropes. Al Qa'ida's senior leadership is being methodically destroyed, its primary physical safe haven is being undermined, its ideology is being rejected within Muslim communities around the world, and, frankly, its strategy has yet to produce the results promised.

At the same time, al Qa'ida has attempted to spur an ideological awakening among Muslims around the world to fight the West. The allure of this ideology continues to draw adherents and manifests itself in real threats. Some actually argue that al Qa'ida is actually achieving its goal via the establishment of a virtual caliphate.

Thus, I think there is a paradox in which al Qa'ida as an organization remains in steady decline but the global terrorist threat inspired by this ideology remains a central national security concern for the United States.

This is why I think there has been so much debate, both here in Congress and in academic circles, about the nature of al Qa'ida. Is it a hierarchical organization, a loose confederation of like-minded terrorists or groups, or simply a metastasized idea with viral appeal?

Frankly, I think al Qa'ida is a hybrid of those three, a three-headed beast, if you will, comprised of the al Qa'ida core, as Mr. Clarke mentioned, the al Qa'ida regional affiliates and like-minded groups, and the al Qa'ida-inspired radicalization and threats that we face.

Al Qa'ida core leadership, largely contained in the Afghanistan-Pakistan region, has continued to set the strategic direction for the movement and has directed attack plotting. At the same time, al Qa'ida has aggressively and systematically moved to establish, co-opt, and use regional affiliates like al Qa'ida in Iraq, al Qa'ida in the Islamic Maghreb, and al Qa'ida in the Arabian Peninsula as forward bases for terrorist activity and strategic reach.

Until the Christmas Day attack, these regional groups confined their activities largely to their respective regions. The most troubling revelation on Christmas was that al Qa'ida was trying to hit the United States directly from its outpost in Yemen.

The constellation of terrorist groups that have direct ties, associations, or parallel ideological agendas with al Qa'ida is constantly

shifting. This, I think, has been facilitated by the safe haven and training grounds present in western Pakistan and in other regions around the world, like Somalia, Yemen, and the Maghreb.

Aside from the direct threat to the United States, there is a danger that some subset of these regional organizations or groups could evolve into a new global syndicate, even absent AQ core involvement. In addition, one of the more sophisticated of the like-minded groups, like Lashkar-e-Taiba, called "LT" by some, could alter its regional focus and become a global leader and successor to al Qa'ida, taking up the mantle to defend all Muslims. We have seen glimpses of this in the Mumbai attacks and with the uncovered plotting against the Danish newspaper that published the Muhammad cartoons. The mere existence of these groups is dangerous and needs to be viewed as a potential next phase in the war on terror.

In addition, al Qa'ida has identified and nurtured pockets of radicalized cells and individuals in western Europe and around the world with the capability to carry out deadly attacks under al Qa'ida direction under its banner. The long-term threat from al Qa'ida comes in the allure of its ideology to individuals who may decide to commit acts of terror. Through its propaganda, bin Laden and al Qa'ida have created a symbolic brand that identifies al Qa'ida as a leader of this movement. This has been amplified by the radicalization of individuals via the Internet and via ideologues. This ideology, as you all know, preys on discontent and alienation while providing a simple narrative that pretends to grant meaning and a heroic outlet for the young.

As you know, the al Qa'ida narrative is simple: The West is at war with Islam. Muslims have a religious obligation to engage in Jihad to defend fellow Muslims. The U.S. is the head of the snake, the far enemy that must be fought along with apostate allies. And al Qa'ida is the ultimate vanguard of this movement for all Muslims. To disaffected or troubled individuals, this narrative explains in a simple framework the ills around them and the geopolitical discord they see on their television sets and on the Internet.

There are some concerning elements to these recent cases of radicalization within the U.S. which I think are important to note. Unlike in past cases, some of the individuals involved appear to be second- or third-generation Americans who were born into Islam as opposed to being converts to the faith. They appear to have acted in clusters, as with the American Somalis and Northern Virginia Five. And they attempted to join or succeeded in connecting with a known terrorist organization abroad. These factors are troubling, especially given the effectiveness of al Qa'ida and extremists like Anwar al-Awlaki to use the Internet to draw new adherents, including from the West.

This environment then I think suggests that more individuals will be radicalized over time and could take on the global terrorist mantle. And the metastasized dimension of the terrorist problem is perhaps the most bedeviling since it is diffuse, local, or even personal in nature, and hard to counter. And I think this ideological battlefield is where the long war, the generational battle, will be fought.

Mr. Chairman, if I could just quickly lay out what I think—which is presented in my written testimony—should be the U.S. response to al Qa'ida.

We should pressure al Qa'ida on all fronts, without a doubt. It is essential that AQ core be dismantled. The core of al Qa'ida is the heart of the global Sunni terrorist movement. And though its destruction ultimately will not end terrorism or the allure of its ideology, it is a key and important step to disabling the global terrorist network.

The U.S. and the international community has to deny physical safe haven to terrorist groups. We need to shift the momentum against the Taliban in Afghanistan. We need to enable the Pakistanis to continue their fight against the Pakistan Taliban and al Qa'ida in the tribal regions. We must continue our support to Yemen to root out al Qa'ida elements. Along with regional partners, we should help defend the fledgling transitional federal government in Somalia. And we must ensure that the Iraqi Government is able to solidify security against AQI [al Qa'ida in Iraq] and other violent extremist groups.

We also need an all-out offensive in the ideological battle, with a concentration on networking and empowering grassroots countermovements against al Qa'ida. Importantly, all quarters in Muslim communities are now openly challenging al Qa'ida.

And although the United States is not a central protagonist in this battle within Islam, it has a key role to play. Aside from promoting democracy, defending our policies and values, and demonstrating that the West is not at war with Islam, the United States should be actively countering this narrative and the violent extremist ideology. The goal should be to help foment and network a global grassroots countermovement through the credible voices emerging to counter al Qa'ida in both the physical and virtual worlds.

At the end of the day, this opposition must be organic and come from within Muslim communities. And I think Muslim Americans then have a special responsibility to stand up against this ideology.

We need to continue to build a layered defense against strategically significant terrorist attacks. This requires a continual renewal of our commitment to intelligence gathering and prevention as the primary principles guiding our homeland defense. We should redouble our efforts to improve identity management, to include integration of biometric-based technologies. In addition, we should continue to extend our borders with initiatives like the Container Security Initiative that should expand the notion of expanding our borders beyond our shores.

And importantly—and this is something my colleagues have argued for—we must push government agencies to imagine the unimaginable, by continuing to invest resources and energy to prevent terrorist groups from developing, acquiring, or using weapons of mass destruction [WMD]. This, then, also extends to investment of resources and creating resiliency in our critical infrastructure, to include our cyber infrastructure.

Lastly, our efforts to defeat al Qa'ida, I believe, require a long-term legal framework to address the 21st-century threat. There is still no established consensus about how to hold suspect terrorists

and insurgents in a seemingly endless global conflict in which the theaters of conflict range from recognized war zones in ungoverned havens to city centers and suburban neighborhoods.

Whatever form this takes, I think the United States needs to establish transparent rules for justifying continued detention while protecting basic individual rights, and it will need to gain some degree of international legitimacy. I think this can only be achieved if the President and Congress commit the capital and credibility to establishing such a system that can then be defended in the U.S. courts and in the court of public opinion.

Mr. Chairman, al Qa'ida and the movement it represents is an enemy that is morphing in structure and adapting to changing geopolitical landscapes, but one that retains the same radical vision and ideology and devotion to the use of terrorism. We must hasten the demise of al Qa'ida while containing the post-al Qa'ida terrorist threat and the violent ideology that it has spawned.

Thank you very much.

[The prepared statement of Mr. Zarate can be found in the Appendix on page 48.]

The CHAIRMAN. I thank the gentleman.

Mr. Coll.

STATEMENT OF STEVE COLL, PRESIDENT, NEW AMERICA FOUNDATION

Mr. COLL. Thank you, Mr. Chairman and Ranking Member McKeon, members of the committee, for this opportunity to testify.

I agree with the previous speakers about virtually everything they had to say. I will try to briefly offer a few complementary angles of vision.

I agree also with my predecessor that al Qa'ida presents a paradox today. Its political and ideological support in the Muslim world has been declining, and yet it remains resilient as a source of disruptive terrorist violence.

And part of the explanation lies in the complexity of what we mean by "al Qa'ida." It has evolved to a point where it is really several things at once. It is a specific organization with 21 years of history in the same emir and deputy emir who were appointed at the first meetings in Peshawar in the summer of 1988. That organization remains intact, and it manages through the same shura committees that it began with. It is also a network of like-minded groups, a network that was really formally organized in the 1990s. It has evolved and changed shape, but it is still around as originally conceived. And al Qa'ida is also a movement, an ideology, a brand.

As a political movement, I think al Qa'ida is failing. Multiple polls have described the decline in public support for its tactics throughout the Islamic world since about 2005. One recent, particularly rigorous poll found that support for al Qa'ida-directed attacks against American civilians in the U.S. homeland is virtually negligible across a diverse array of heavily populated Muslim-majority countries. In Pakistan, for example, where anti-American feeling has reached a fever pitch, only nine percent supported such attacks against U.S. civilians. In Indonesia, the number was about five percent.

It is common to observe that bin Laden's poll ratings have fallen because al Qa'ida-inspired violence has taken so many Muslim civilian lives since 2001. But the data actually suggests that citizens in Islamic countries, as elsewhere, overwhelmingly disapprove of all indiscriminate violence against civilians, no matter who carries it out and no matter what the cause.

Despite its growing isolation, however, al Qa'ida remains resilient and dangerous, in large part because its central and original organization and its leadership remains in the field. And I think we should be cautious about declaring that central organization disabled.

My colleague Peter Bergen has documented that one easily observed measure of the degree of activity of central al Qa'ida is available in its media operations through As-Sahab, the number of releases it puts out from year to year. In 2008, those operations seem to have come under severe pressure and have been reduced, but this year they have bounced back again, despite the pressure that U.S. military activity and drone attacks have obviously placed on the leadership and the impact that has had.

And this succession of small- to modest-sized plots—many of them, fortunately, unsuccessful—have produced a pattern of open-source evidence that clearly implicates support from al Qa'ida technicians or leaders in Pakistan or elsewhere along the border. All of these plots make clear that the group retains enough breathing space to launch operations that could, as Mr. Clarke pointed out, but for the operation of a single detonator, claim hundreds of lives in an instance.

I think the Flight 253 plot did bring to the floor a pattern of evidence about al Qa'ida's specific resilience in Yemen that has been accumulating for some time. The group's presence and connections there, of course, date back two decades. The resilience that presented itself on Christmas is probably traceable to the period immediately after Saudi Arabia's crackdown on al Qa'ida in 2003, when Yemen started to reemerge as a refuge and a regional haven.

In the Pakistan and Afghanistan region, al Qa'ida's like-minded allies, I think, are far more robust than they are in Yemen. The number of sworn al Qa'ida members operating along the Afghan-Pakistan border probably is only a few hundred, but the Afghan Taliban's allied fighting forces, though largely regional, are not exclusively regional in their focus, and number, of course, in the many thousands. And the Pakistani Taliban are equally estimated to number in the thousands.

Perhaps the most potent of these groups in the Pakistan-Afghan region is Lashkar-e-Taiba, which has been mentioned a couple of times before. It is an India-focused group, but along with splinters like Jaish-e-Mohammed and Lashkar-e-Jhangvi and various cells that spin off from those, they have been able to recruit very talented operatives from educated classes and urban centers. I think this makes them distinctive in comparison to the Afghan Taliban, for example. Lashkar's ranks include scores of volunteer doctors and postgraduate professionals.

If one of these sub networks did find the time and space to reform and plot an attempt of the Mumbai type, it could create far

more destructive effects than is typically available to these single operators and small groups that al Qa'ida has been organizing.

In my own judgment, I think Mumbai is actually the most serious warning in the succession of plots, along with the 2006 attempted planes bombing conspiracy in Britain, simply because of its scale and what it tells you about the geographical space and the unmolested time that the Mumbai organizers had to carry off a very creative and complicated attack. I think that is a risk we should be mindful of, even though it doesn't necessarily involve the direct targeting of the U.S. homeland.

Let me conclude by stepping back from that observation just to say that I think, in a strategic or global sense, al Qa'ida seems to be in the process of defeating and isolating itself. Its political isolation in the Muslim world has set the stage for the United States and allied governments, with persistence and concentrated effort, to finally destroy central al Qa'ida's leadership along the Afghan-Pakistan border.

That achievement, as the previous speakers have pointed out, would not end terrorism or end the problem of radical Islamist violence, but it would provide justice for the victims of 9/11, and it would also contribute to freedom of maneuver for the United States and its allies as they continue this generation-long campaign. It would also end the debilitating and destabilizing narrative of the hunt and escape that has elevated the reputations of bin Laden and his deputy, al-Zawahiri, for so long.

Thank you very much.

[The prepared statement of Mr. Coll can be found in the Appendix on page 66.]

The CHAIRMAN. Thank you, Mr. Coll.

Mr. McKeon.

Mr. MCKEON. I will pass.

The CHAIRMAN. Who is next? Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Chairman, for having this hearing.

And I want to thank our witnesses.

Gentlemen, I have listened, hopefully very attentively, to what each of you have said. What I think I find missing is, you know, if you were given a free hand, if you were the Commander in Chief and you had a Congress that would cooperate with you unflinchingly, what would you do different than we are doing right now?

Mr. CLARKE. Congressman, I think implicit in your question is that we should be doing something different. And what I am trying to say is that you should not, just because there was an almost successful attack over Detroit, conclude that we are not being successful. I think we are being successful.

And I think the administration, long before the incident in Detroit, the administration focused on the growing threat in Yemen and was acting successfully against that threat in Yemen. It wasn't getting a lot of press attention, but there was a very effective U.S. Government activity for most of last year in Yemen. And we were significantly destroying the leadership of al Qa'ida in the Arabian Peninsula long before the media even learned what "AQAP" stood for.

So don't conclude automatically that we need to do something different. And don't conclude that, if we were only doing the right

things, al Qa'ida will disappear overnight. This is the work of a generation. We are well on track to eliminating al Qa'ida Central as a significant threat. We have greatly improved our homeland security. It will never be perfect; don't expect it ever will be. Don't expect we will ever be able to stop every attack.

I think if you were to look at all of the things that the administration is doing and other allied governments are doing, the area that probably needs the most reinforcement is the ideological counterweight that my colleagues have talked about. It is really not something the United States Government can do overtly. It is best done by Muslim governments.

And Muslim governments have actually done a very good job. Saudi Arabia, Jordan, Egypt, Morocco, the United Arab Emirates [UAE], other countries, have really done a very effective job of creating an ideological counterweight domestically inside their country. That wasn't always the case, but I think it is now.

They are doing it without U.S. involvement, which is great because U.S. involvement probably wouldn't help. But there are things the United States can do. And if there were one area where I would strengthen our efforts, it would be in the somewhat fuzzy and hard-to-define area of creating an ideological counterweight.

Mr. TAYLOR. Sir.

Mr. ZARATE. Congressman, it is a great question. I agree with Mr. Clarke, but I think there are three areas where we can continue to improve, in particular to deal with the movement.

And I think Mr. Clarke is right to point out that we shouldn't throw the baby out with the bath water, in terms of assuming that we have failed because of what happened on Christmas Day. I think people have short memories. And I think we have, over the last eight years, disrupted numerous plots. Mr. Coll mentioned the August 2006 Atlantic airline plot, which would have been a devastating attack, which, with help from the Pakistani Government and the U.K. Government, we were able to disrupt with great effect. And so I would say we have done a very good job.

And, as Mr. Coll indicated as well, al Qa'ida is self-imploding. The very nature of its exclusionary ideology and its violent tactics is not only an inherent part of their DNA in terms of what they do and what they want to do as an organization, but it is also inherently alienating to the very constituencies that they are trying to attract.

And I think the grand lesson from Iraq with the Al Anbar awakening is the fact that the Iraqis themselves, in the heart of what is supposed to be al Qa'ida's core constituency, rose up physically against al Qa'ida and have largely rejected al Qa'ida, which I think to a certain extent was the beginning of the end for al Qa'ida, an existential threat.

But three areas I would suggest some attention: dealing with safe havens to avoid these regional groups or militant insurgencies from becoming regional problems or even global platforms. That entails not just dealing with the current problems like Yemen, Somalia, Pakistan, Afghanistan, but looking beyond the horizon to potential problems in places like Bangladesh, northern Nigeria, and other parts where there is already sectarian tension, where there are forces of radicalization trying to act like leeches to exacerbate

those conflicts, and where you have the potential for al Qa'ida to really make hay in places like that. So I think we need to be forward-looking.

Countering the narrative is huge. And I think the U.S. does have a role to play in terms of working with the private sector, with credible voices. Groups like the Quilliam Foundation in London, ex-extremists who have come out now fighting against their former mates, who are literally organizing against radicalization. These are the kinds of groups we need to support, network without tainting.

And then, finally, the legal framework. I think we need to end what has largely become a political football with respect to how we treat this problem for the long term. Because it is a long-term problem. This isn't just a problem of Guantanamo; it is a problem with the legal framework long-term. And we need to resolve that.

Mr. TAYLOR. Thank you, Mr. Chairman.

I thank the gentlemen.

The CHAIRMAN. I thank the gentleman.

Mr. Bartlett.

Mr. BARTLETT. Thank you.

Perhaps because I am a scientist, but I think that numbers really do have significance. In a recent briefing before this committee, I asked the four experts their estimate of how many radical Islamists they thought there were in the world that disliked us and would hurt us if they could. Two of them said, order of magnitude 10,000; a third one said 100,000; and the fourth one said, in terms of our ability to count them, essentially an infinite number.

We have about a bit less than 200 in Guantanamo Bay, with a 20 percent recidivism rate. That would mean that if those 20 percent return to the battlefield, that would increase the number from 10,000, 100,000, or essentially an infinite number to a number that really is lost in our estimate.

But I know we are not dealing with a practical reality world here; we are dealing very largely with emotion and political issues. And so I know that the importance of these 40 is hugely more than the infinitesimal number that they would add to the international radical Islamists who hate us, would wish us ill and would hurt us if they could.

I was impressed with a statement that Admiral Olson made before this committee: "Special operation forces must focus on the environmental dynamics and root causes that create today's and tomorrow's threats and adversaries. Furthermore, a solution is often as diverse as the threat and requires an approach that is integrated with the long-term work of civilian agencies, especially the State Department and USAID [United States Agency for International Development], to foster U.S. credibility and influence among relevant populations."

In this committee, we focus primarily on military. In terms of a percentage of the effective weapons that we have to fight against these international threats, how large do you think the military is as compared with the others which Admiral Olson mentioned before this committee?

Mr. CLARKE. Congressman, I think, obviously, in Afghanistan, the United States military is our principal weapon in fighting

against the Taliban. If you can put Afghanistan aside—and that is asking a lot—but if you consider the rest of the world where the threats exist, I think the military is a valuable tool, probably of equal importance with the FBI [Federal Bureau of Investigations] and law enforcement cooperation, probably of equal importance with the State Department and AID, but I don't think it is primarily a military issue.

And I think the dialogue that has occurred over the last 10 years, at least, about whether it is a military issue or a law enforcement issue misses the point. It is not a military or a political issue or a sociological issue. It is all of the above. And the only way for us to combat it effectively is to use all the weapons available to the United States. And, certainly, some of our military is a valuable weapon on some occasions in some environments. But it is not an either/or situation. Law enforcement plays a very, very critical role, as does intelligence. And, as you suggest, going after the root causes is also valuable in some countries.

So we need to tailor our response depending upon where we are operating, and we need to use everything we've got.

Mr. ZARATE. Congressman, I am a huge fan of Admiral Olson and the special operations community. And I think, as we look forward to the nature of asymmetric warfare, we are going to be relying more and more on special forces in environments of concern and interest, both in preparation of the battlefield and in trying to determine what national resources we can bring to bear.

I would just say we need to remember some important lessons over the last eight years where we have been successful. If you look at southeast Asia, where all of the experts in 2001 and 2002 were expecting the second front in the War on Terror to emerge, given al Qa'ida's presence there, their deep ties to local groups like Jemaah Islamiyah and Abu Sayyaf Group, there has been incredible success, I think, in not only disrupting those networks but disrupting their regional and global reach. And part of that has been the work of the special ops community; part of it has been the work of locals. And I think that is a good formula to look at in the future.

Mr. BARTLETT. Thank you.

The CHAIRMAN. I thank the gentleman.

Mr. Clarke, let me ask you, what would victory against al Qa'ida look like?

Mr. CLARKE. Mr. Chairman, I think if we look out maybe 20 years from now, if we are lucky, and there isn't an al Qa'ida, there isn't a structured organization known as al Qa'ida, and, more importantly, if the violent Islamic ideology represented by al Qa'ida is significantly on the wane, then I think we would be able to declare victory.

The ideology is never going to go away. It has been around for a thousand years. It comes and goes. There are waves in Islamic history of this sort of deviant, distorted strain of Islam, just as there were in Christianity for hundreds of years. So I think it is always going to be there. But if we can make it a small minority view in the Islamic world and if we can eliminate the structured organization, then I think we can declare a success.

But we will never be in a situation where there are no violent Islamic cells anywhere in the world. For us, we need to determine success in part by eliminating organizations that threaten the United States, that see as their primary purpose going after what they call the "far enemy." Those are the ones that should be our highest priority.

The CHAIRMAN. How do you get at the Islamists who will always have a violent streak in them?

Mr. CLARKE. Well, I think what has proven so effective so far is to have respected imams in the community explain in the mosque on Fridays why the things that are being said by al Qa'ida are lies, why they are distortions, to do that at the community level throughout the Muslim world. That is being done in a lot of countries, and it is being done quietly but, I think, very effectively.

We now also, however, need to bring that message into the Internet and into the cyberspace. Because we have seen all too often that individuals have been recruited remotely. People who have never been to an al Qa'ida meeting, never been to a rally, never been to anyplace where a group assembled were nonetheless converted.

And this is very frightening. It is very frightening to our Muslim friends that really well-done Internet appeals have touched a responsive chord in many Muslim youth. And then, having been converted on the Internet, they then go out and try to find organizations, try to find a way of affiliating and actually plugging in to al Qa'ida.

We do not yet, as far as I know, have in any country an effective cyberspace presence of the ideological effort that is the counterweight to al Qa'ida.

The CHAIRMAN. Dr. Snyder.

Dr. SNYDER. Thank you, Mr. Chairman, and thank you for holding this excellent hearing.

I applaud all three of you. You know, our etiquette here is that two witnesses are chosen by the majority and one by the minority, and it is always a good sign when we can't tell which is which. And I applaud you for your analysis and your thoughtful efforts to try to help your country.

I am reminded of Mr. Jim Saxton, former Member, who also worked very hard in a nonpartisan manner, and he pushed for a panel that was established on terrorism. We had a meeting in July of 2000, and this is what he said in his opening statement: "As a further example, the relatively new terrorist group, al Qa'ida, headed by Usama bin Laden, may foreshadow a new trend toward relatively self-sufficient terrorist organizations that sustain themselves and operate independently of a state sponsor." That was a year and a half before the 2001 attacks. We are now a decade later, and I appreciate your ongoing efforts here.

The second point I wanted to make was, I think you, Mr. Coll, talked about we need to not make any provocative mistakes or acts. And I think a couple of you referred to the Abu Ghraib experience and the photographs. At that time, I had a couple of Egyptian interns that were with me for a couple of weeks. And one of them was a young woman who liked America a lot, liked Americans, excellent English language skills. And I asked her what she thought

about those photographs that came out when they were first released. She was very polite, she said, "I wasn't there. I don't know what happened. It may be able to be explained." She said, "But when I saw those photographs, I felt like it was me on the floor of that prison cell." And here, this was a young woman in America, likes America. So you put yourself in the position of somebody who may not be very pro-American and a young male, you can understand your admonition, Mr. Coll, to avoid mistakes and provocative acts.

Mr. Zarate, I think you, in your statement, more completely than the other two witnesses, talk about some of these other areas around the world and make some, I think, very good suggestions. You specifically mention Algeria and Morocco. And it gives me a chance to say something about the good work that Ambassador Christopher Ross is doing to try to resolve the issues between the Polisario in Morocco, because until that conflict gets resolved, it is going to be very, very difficult for Morocco and Algeria to come together and that region to get settled.

And, of course, our attention doesn't get on these intractable conflicts that have been going on for several decades. But I think your statement today as to why we need not ignore these conflicts that, unfortunately, we sometimes get used to when, in fact, the people in the area very much want to resolve them and we need to help them. And I, again, applaud Chris Ross' efforts.

The question I wanted to ask is—and maybe I will use Flight 253 for the question. What is that group trying to accomplish? I think you, Mr. Coll, said it has very little strategic significance. Have their goals changed? What are they trying to accomplish?

What we have said in the past is the goal of al Qa'ida is to get the United States to remove its troops from Muslim lands and stop supporting Israel. I would like to hear from the three of you briefly, what do you think the goal was with that attack and other attacks at this stage?

Mr. COLL. Well, I think al Qa'ida leaders explained their reasoning repeatedly, and they want to hold the United States directly to account for what they regard as its aggressive policies in the Muslim world. Bin Laden always uses the phrase "raid" to describe what we would correctly see as mass murder, but he sees it in this, sort of, narrative of both political and millenarian violence that he imagines himself leading.

The group in Yemen is a little bit more muted about their own particular ideology. But when you read into the preachers around what we understand to be the group that recruited and equipped the Flight 253 attacker, it is the same narrative of direct violence against the United States that is associated both with political but also millenarian narratives.

Mr. ZARATE. Congressman, in terms of the actual attack, this is the manifestation of al Qa'ida's strategy to try to use the regional outpost. And the outpost in Yemen is the most dangerous because you have seasoned al Qa'ida members, long ties to bin Laden and the core group, directing their attention to the West.

This has been the intention of al Qa'ida for some time, but they pressed this in 2005, 2006. And, if you recall, the Zawahiri-Zarqawi letter from 2005 that laid this strategy out in the context of al

Qa'ida in Iraq. But that is precisely what they have been trying to do in the Maghreb and in Yemen. And, unfortunately, this is a manifestation of that very strategy.

But I would say, in terms of long term, what al Qa'ida has in mind is long-term conflict with the U.S. They have in mind the notion of bankrupting us, bleeding us of blood and treasure, thinking of the model of the Soviets in Afghanistan. And I think that is really driving bin Laden and al Qa'ida's thinking these days. And any kind of attack that disrupts us, that forces us to, you know, fight amongst ourselves and to spend resources is a victory for them, in their minds.

Mr. COLL. If I could just add very briefly, I do think they want us to overreact. They have talked about that a fair amount, and that is part of the way they get us toward this strategy of what they imagine are leading us to bankruptcy.

Mr. CLARKE. Sir, I think their ultimate goal, as they have declared it, is to replace the governments in the Islamic countries, to overthrow the Government of Saudi Arabia, overthrow the Government of Egypt. That is their ultimate goal. And they seek to get us out of the region by increasing the pain upon us, because they believe we are propping up those governments.

What is interesting is that their long-term goal, overthrowing the Government of Saudi Arabia and Egypt, replacing those governments with al Qa'ida governments, is as far away from ever happening as it could possibly be. The chances of them ever achieving their ultimate goal are close to zero.

Dr. SNYDER. Thank you all for your work.

The CHAIRMAN. I thank the gentleman.

Mr. McKeon.

Mr. MCKEON. Thank you, Mr. Chairman.

Gentlemen, given the high recidivism rates that we have observed, is transferring detainees to other countries an acceptable risk when they can easily return to al Qa'ida's ranks, either because of a lack of effective monitoring or because of inadequate legal and prison systems?

Mr. ZARATE. Congressman, I think it is something we have to be worried about, and worried about even more so with the present population of Guantanamo, which represents a more hardened group of terrorists and folk connected to al Qa'ida. We have seen in the past the numbers vary from, you know, anywhere from 7 percent to 20 percent. But I think recidivism rates would likely go much higher if some of these individuals are released without the proper security constraints on the back end.

And I think that is critical. We have got to be sure if we are transferring individuals. The Bush administration did so, as I was a part of, over 530 such individuals transferred out of Guantanamo. You have got to be sure that you have the right security measures on the back end. And, unfortunately, what we have seen in the past is those security measures aren't foolproof, and we have seen members return to the battlefield. So we have to be very cautious about this.

Mr. COLL. If I could just add, I think it is important to manage these risks with eyes on the strategic context.

There have been two administrations, on a bipartisan basis, that have come to the view that the provocation that Guantanamo represents outstrips the benefits of its specific location as a detention center. President Bush announced his desire to close the facility for that reason, and President Obama has followed.

Both Presidents and their staffs have wrestled with the extraordinary complexity of the case files and the risks associated with those case files. But I do think it is important to understand that the strategic goal here is to create a context in which al Qa'ida continues to isolate itself in the Muslim world. Guantanamo is a factor in the provocative narrative that al Qa'ida has sought to exploit.

Mr. CLARKE. Congressman, I think there are two separate issues here. One is, should we be releasing these people at all and, if so, with what criteria; and, two, if we keep them, where do we keep them. I think they are very separate issues.

And, obviously, I think the first question answers itself, as Juan suggested, we have been releasing them for several years now. We have learned something in the process. I think some of the initial prisoners that were released in the Bush administration turned out they shouldn't have been released. I think we have learned that there are countries, such as Yemen, that probably can't handle it right now, and, therefore, we have to be very careful. But there have been other cases that have been quite successful. So it has been, in both of the last two administrations, something that was considered on a case-by-case basis. I think we have to continue to do that, learning from our past mistakes.

The second issue of, if we are going to keep some number of them, is it important that they be kept in Cuba. I have never understood the logic that says there is some value of having them in Cuba as opposed to someplace else. I do think that having them in Cuba has become a tool that the al Qa'ida propaganda machine uses against us. Is it going to solve the world's problems to take that one talking point away from al Qa'ida? No, it is not. But I don't see why we should continue to hand them a propaganda point by continuing to keep Guantanamo open. I think moving them to someplace else would probably have some minor value that is probably worth doing.

Mr. MCKEON. I think, you know, there have been references to the past administration, this administration. I am not trying to make this a political issue at all. To me, it is just a rational issue or a economic issue. Because when we had briefings here before the holidays, in three briefings we were told how much it was going to cost to move the detainees to Illinois and to New York, and we were talking over a half-billion dollars. Given our economic situation, it is hard for me to see how that could possibly be justified.

But back to the point of where we transfer them, if they are going to be transferred, is it unreasonable to require that a receiving country not be a state sponsor of terrorism, that it be able to secure and exercise control over its territory, such that terrorist groups do not enjoy a safe haven and that confirmed cases of Guantanamo detainees released to its custodies are being returned to terrorism? That is my concern.

Mr. CLARKE. Well, sir, I think we need to develop criteria. And I think probably both the last two administrations had criteria; we need to keep adjusting them.

As to whether or not the country receiving them is on the state sponsor list or not, there are probably some countries on the state sponsor list that would probably be pretty good places to send them. I think certainly the Government of Syria, which has been on the state-sponsored list, the Government of Syria is about as opposed to al Qa'ida as we are and has proven that over and over again. They are unlikely to release al Qa'ida people.

But, the other criteria you have mentioned, whether or not they are able to hold them, would suggest that places like Yemen, which is not on the state sponsor list, probably shouldn't be receiving them right now.

Mr. ZARATE. Congressman, I think we need to learn lessons and adjust our criteria accordingly. I think we have learned some lessons from those we have already released. And I think the criteria needs to take into account the shifting international security context. I think the Obama administration was wise to withhold transferring further Yemenis, given the situation in that country. So I think that is very important.

If I could just mention very quickly on the Guantanamo question again, I think the underlying issue with Guantanamo, for which it is a symbol, is the question of how we hold individuals in this long-term battle. And if we are going to have a preventive detention model, in many ways the locale, the venue doesn't matter. The issue is whether or not we can legitimately defend the system by which we hold such individuals, especially if they are not going to be held to account in a recognizable court of law.

And so I think one of the things this administration really needs to grapple with, and it is part of my testimony, is how do you frame that legal framework and how do you defend it. And part of that defense may be going back and looking at the fact—and I have heard this from my friends at Amnesty International—that Guantanamo is actually a fairly good place to be held as a detainee, with the facilities that have been built, with Attorney General Holder going down and saying it is a prison that is being well run.

And so this may be a time to reflect on whether or not we defend the very notion of Guantanamo as part of a preventive detention model that we have to defend for the long term.

Mr. MCKEON. Thank you, Mr. Chairman.

The CHAIRMAN. I thank the gentleman.

Mr. Franks.

Mr. FRANKS. Well, thank you, Mr. Chairman.

Mr. Chairman, let me start out by saying—and I am hearing just a little bit of a thread here in most of the testimony that talks about taking away talking points from al Qa'ida.

And I think, Mr. Clarke, in your written testimony, your six points said that completing the withdrawal of U.S. combat forces from Iraq is an important component on the ideological front. And I understand that. I just would remind all of us, in 2001, there were no U.S. combat forces in Iraq or Afghanistan. There was no Gitmo. And yet the U.S. was brutally and viciously attacked by al Qa'ida Central, I believe as you referred to it.

And it occurs to me that one of the reasons that we are having this discussion about al Qa'ida is not because they are so powerful; it is because they have demonstrated an intensity of ideology that overwhelms us just by their commitment to do us harm. And it occurs to me that there are two primary components to the threat that they compose. Number one is that intent, and number two would be their capacity to carry it out. And I feel like this notion that we better take away their talking points is kind of dangerous because it belies what we already know about their intractable intent.

So let me start there, but my question is that we have to focus on this thing called capacity. And nothing, of course, I don't think, concerns any of us more than al Qa'ida or groups with that mindset gaining access to weapons of mass destruction, especially nuclear-yield weapons.

So what can we do today—and I am hoping the entire panel will discuss this. I understand we are not in a closed session, so you will have to adjust accordingly. But what can we do today to prevent the proliferation of WMD in places like Pakistan, Iran, and North Korea to eliminate the possibility of a nuclear-armed al Qa'ida?

I just am so convinced that that wipes all other issues off the table if terrorists gain access to even one nuclear weapon, because then the response of the free world that follows, everything is a completely new world.

So what are we doing to focus on preventing the capacity of al Qa'ida to do us harm, especially them gaining access to nuclear capability?

And I will start with you, Mr. Coll.

Mr. COLL. I think the single most important goal in that respect ought to be to create conditions in which Pakistan stabilizes and is able and increasingly is willing to take the steps necessary to eliminate extremist ideology from Pakistani soil and to stop using extremist groups as a proxy for Pakistani regional foreign policy goals.

And in order to create conditions for Pakistan to stabilize in that way, it is going to be necessary, at least in the medium run, to create conditions for normalization between India and Pakistan so that they don't embark on a nuclear arms race that only exacerbates the dangers to the entire world of a nuclear arsenal in Pakistan that is vulnerable to an insider threat over time.

Mr. FRANKS. Mr. Zarate.

Mr. ZARATE. Congressman, on your first point, I couldn't agree more. I think we have to be careful not to give al Qa'ida hecklers veto over our policies, because I think they do have a centuries-long view of their grievances that shift with the political winds. And I think we see that time and again with the statements coming out of bin Laden and al Qa'ida, now focused on our support for Israel; in the past, our military presence in other conflicts. And so, if it is not one excuse, it is going to be another, and I think we need to be careful. Although, we shouldn't be handing them free gifts, from a propaganda perspective.

On the WMD front, I am actually quite proud of the work we did on this. I think we laid out a very powerful six-part strategy. It is laid out in the 2006 national strategy for combatting terrorism.

But two quick points. I agree with Mr. Coll that, on the nuclear front, the center of gravity is Pakistan, where we have seen Pakistani scientists in the past associated in helping al Qa'ida. And I think we have to be very careful with the dimensions of capacity and expertise that al Qa'ida could gain from the Pakistani nuclear complex.

On the bio side, I think we have to worry very diligently about the expansion of biolabs around the world, in some places in ungoverned or undergoverned parts of the world. That is dangerous as we look at, potentially, toxins and pathogens used by terrorist groups.

Mr. CLARKE. Congressman, the WMD issue is the classic low-probability, high-impact analytical problem. And it raises the question, as all of those kinds of problems do, how do you spend your dollar, how do you spend your time? Because you could spend the whole gross national product dealing with this issue.

The place that I think deserves more attention on the nuclear issue, putting aside biological and chemical, on the nuclear issue the place that I think deserves more attention is not the security of weapons, because that has attention, but the security of nuclear material. There are hundreds of tons of enriched uranium around the world that are not properly audited, accounted for, and secured. We haven't done a good job on that issue, and that is where I would put that attention.

Mr. FRANKS. Thank you. I would agree with that.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman.

Three quick points and then one question.

First of all, definitely, I want to thank Mr. Zarate and Mr. Clarke for making a couple points that I think are very critical that we ought to move past. I mean, first of all, Mr. Clarke's point about the choice between this being a law enforcement issue and a military issue. It is no choice at all; it is both, and a lot of other things in between. And we shouldn't waste too much time debating that. We should debate how do to each piece of it best and making sure that we don't miss any of them.

And then, also, both of you made the point, on the issue of the detainee policy, we have been, you know, obsessed with where we hold them, when, in fact, I think the larger and more difficult issues is how do we hold them and who do we hold and who don't we hold and what are the criteria. And we have the issue of the people who we are not going to try in any court but we have to hold. How do we justify that policy and defend it? And I think that should be the focus of that debate. And I hope, from your mouths to God's ears, if you will, that hopefully we will continue to move in that direction.

And then on the propaganda point, I agree with Mr. Franks that we should not be at all concerned with how al Qa'ida is going to react to whether or not Guantanamo is open, where we try people, what our policies are in Afghanistan. There are, however, other

voices in the Muslim world that we better pay attention to. Jordan, you know, a strong ally, our policies will impact their ability to continue to have their citizens agree with us. Yemen, Pakistan, Afghanistan—many places look at our policies, whether it is Abu Ghraib, Guantanamo, what goes on in Afghanistan, the Israeli-Palestinian conflict. And these are allies that we should care about, and I hope we don't forget about that point.

My question has to do with the Taliban and al Qa'ida and how close they are. There are many different, you know, varieties of the Taliban in Afghanistan and Pakistan. It seems to me critical to success there would be separating them off from al Qa'ida. We are not going to eliminate the Taliban in Afghanistan or in Pakistan.

What do you think about the relationship right now between the Taliban and al Qa'ida in both Afghanistan and Pakistan? I understand that we are talking about a complex set of groups here, but what can we do to separate them so that if the Taliban has some degree of influence anywhere that doesn't automatically mean that al Qa'ida does? Is that have even possible?

Mr. Coll, if you will.

Mr. COLL. I think the relationship that is probably closest between al Qa'ida and the Pakistani Taliban, particularly the Mehsud nexus of the Pakistani Taliban. There are also long historical ties that must be continuing between the Haqqani network, which is sort of a semi-independent element of the Afghan Taliban in al Qa'ida.

In a strategic sense, al Qa'ida is clearly enabling both Taliban by distributing insight into tactics, bomb-making, and media operations. Think of just the oxymoron of the phrase "Taliban media operations." In the 1990s, that basically involved covering up oil paintings in Kabul ministries, and today they are putting out many more videos than even al Qa'ida is. So al Qa'ida clearly has an effect on these groups.

How to separate them, ultimately it requires a strategy that persuades many Taliban leaders that their interests are regional and local and political, that they are territorial, and that our ——

Mr. SMITH. How are we doing on that front, and what can we be doing better?

Mr. COLL. I think we are just beginning to construct a strategy in Afghanistan, and we are way behind in building a partnership with the Pakistani Government that would lead to an effective approach to their western frontier and domestic insurgency.

Mr. ZARATE. I would agree with Mr. Coll's assessment. But I would say that, in terms of Pakistan, the Pakistani Government has to have a different view for the long-term commitment they have to the tribal areas. We saw, for example, in 2006, the peace deal with the tribes in North Waziristan and South Waziristan which eliminated the pressure that al Qa'ida was under at the time and the incentives that the tribes actually had then to work with the central government in Pakistan. There was a withdrawal of forces, a withdrawal of checks of enforcement of that deal. And I think that is what gave al Qa'ida some breathing space at the time and some other terrorist groups some breathing space in western Pakistan.

We are now, as we see with Secretary Gates going to Islamabad, pushing the Pakistanis to make their way back into North Waziristan, which I think is the next important battle space. And I think part of this is physical pressure; part of it is negotiation with purse and other goodies that the tribals like, including influence; and I think part of this is a political solution on the other side of the border in Kabul.

Mr. CLARKE. I would agree with all of that. But I think, in answer to your question, what should we be doing, I think General McChrystal probably is doing it on the Afghan side. And that is to say that he understands the Taliban on the Afghan side are not monolithic and bits of them can be broken off through a combination of coercion and bribery, to be blunt about it.

Mr. SMITH. Thank you very much, gentlemen.

Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. I thank the gentleman.

Mr. Coffman.

Mr. COFFMAN. Thank you, Mr. Chairman.

And thank you all for testifying today and for your service to our country in varying capacities.

It seems that we have a real concern with failed states who are in governable areas that have a population of Sunni Muslims and some of them having a view of life that is susceptible to al Qa'ida. How do we deal with that effectively? Because it seems to be that perhaps in Afghanistan we haven't dealt with it. And some of you have said that it has kind of bled this country dry.

But how do we—we have not simply Afghanistan, but we have—and there are ungovernable areas of Pakistan, we have Somalia as a failed state, and we have problems with Yemen in some ungovernable areas there that have al Qa'ida elements now.

I mean, how can we best protect our national security interests in those areas and not bleed this country financially?

Yes?

Mr. ZARATE. I think you have hit the nail on the head because I think we can't be all things to all people and we can't have boots on the ground, for both the symbolic reasons that we have talked about here but also for resource reasons.

I think we need to devise strategies like we did in southeast Asia, where you have the local authorities, with capacity-building, taking on the fight themselves, both the hard edges of the fight and the soft edges. And you look at things that the Indonesians have done, the Malaysians, with Australian help, with U.S. help, that has been incredibly effective.

If you look at Yemen, I think there is a much greater role for Saudi Arabia and the UAE [United Arab Emirates] and Gulf states that have in their interest not to have an al Qa'ida safe haven in their backyard. I think there is a greater role there. In the Maghreb, having Algeria and Morocco work more closely together, that is something we tried to achieve over many years. That is critical.

So I think the regional partners have to take the leading role, with the U.S. and other capable western countries providing support and capacity. That is the only way you are going to contain these problems and then start to deal with them in the long term,

which involves development aid, assistance, economic investment, all of which we can't do on our own and all of which the local authorities and countries and interested parties, whether they are tribal or otherwise, have the most primary interest in affecting.

Mr. COFFMAN. Anyone else?

Mr. CLARKE. I think that is right. I think we can do a lot with a small footprint. I think we are demonstrating that now in Yemen. We have tried in Somalia. Somalia is a difficult problem. But I think there are ways to extend central government into some of these ungoverned regions through a combination of development aid and security aid. And we can use U.S. special operations forces and others in small numbers to help achieve that. I think it is a big mistake to think that we only can help these people by putting in a large American aid footprint or a large American military footprint. In fact, that is probably counterproductive.

What is interesting is, in places like Yemen, it is not so much a problem that there isn't enough money to do the development aid. There is plenty of money pledged by the Saudis, the United States, the UAE, and others. The problem has been institution building in the central government so that it can use the money that has been pledged. And that is something where we ought to be able to do a better job.

Mr. COFFMAN. Mr. Coll?

Mr. COLL. I think all of those approaches that Mr. Clarke and Mr. Zarate have outlined are necessary. I think it is important, though, to look at the record of where success has really been achieved and taken hold.

And southeast Asia, I think, is the best example. I traveled in Indonesia this summer, and I was struck by the extent to which the capacity building and the extraordinary success of the Government of Indonesia, the Government of Malaysia, even the Government of Philippines to a degree has had, is a product of regional economic integration. I mean, these are middle-income countries that are moving ahead in such a confident way that they are able to muster a national capacity to defeat insurgent groups and to control ungoverned spaces in a way that just wasn't imaginable 20 years ago.

So, ultimately, in the Arab world and in Africa, that kind of momentum, as distant as it looks in a place like Somalia or Yemen, is essential. American USAID or boots on the ground is no substitute for national capacity that is built from regional economic momentum.

Mr. COFFMAN. Let me be specific and say Somalia, I mean, where we really are talking about a failed state that has no capacity at this time, we have issues of piracy in terms of, you know, pirates having safe harbor there because it is a failed state. We have issues, certainly, of al Qa'ida having a presence there. How do you deal with the situation where there is no capacity?

Mr. ZARATE. Somalia is perhaps the most bedeviling of the safe haven problems, for all the reasons I think most folks know well. I think part of it is doing precisely what we have tried to do, which is to come up with a political solution where fractious parties within Somalia have a vested interest in building the power of a central government or some semblance of a central government.

We are getting there, I think, with the Djibouti process that has been supported by the U.S. and other partners. Part of it is having the AU [African Union] and regional countries like Kenya and Ethiopia, which are not well liked in some instances, for obvious reasons, take greater ownership and, frankly, help contain the problem while the political process develops and where you have the capacity.

But that is a fractious society, a violent society, and one where al Qa'ida has found allies like al Shabaab for some time.

Mr. COFFMAN. Thank you, Mr. Chairman. I yield back.

Mr. TAYLOR. [Presiding.] The Chair recognizes the gentlewoman from California, Mrs. Davis, for five minutes.

Mrs. DAVIS. Thank you, Mr. Chairman.

Thank you all for being here today.

As you know, we are about to start the discussions for the defense budget for 2011. And I am wondering how you would prioritize our defense spending in relation to al Qa'ida. Or should we be looking away from more conventional forces? How do we balance the threats that al Qa'ida poses as we look to those issues?

Mr. CLARKE. Well, again, putting aside Afghanistan, which is where we are directly using our military to confront al Qa'ida and its affiliates like the Taliban, putting aside that, which I think needs to be fully and adequately funded, both on the defense side and on the foreign ops side, probably at least as important on the foreign ops side, I think we need to look at whether or not the Special Forces Command is adequately sized. It has been very strained over the last few years because of, first, its successes in Iraq and now being used extensively in Afghanistan, perhaps in Yemen and elsewhere. That is probably the place where, on the military budget, the greatest contribution can be made.

Mr. ZARATE. I would agree with that. I think we need to look to see where we have resources that apply to the asymmetric threat. And I think SOCOM [Special Operations Command] is one example where we have programs that can be applied.

I think programs that allow us to build capacity with foreign counterparts—I know the special operations community has built a very important and good global and network of special operation forces around the world, including with some Arab allies. And so, building that capacity to deal with problems as we have seen in Yemen or in Somalia or in the Maghreb becomes very important so that we don't have to put boots on the ground and we have good and capable allies that are willing and able to do it. So I think that is important.

And, finally, I know this may be outside the purview of this committee, but finding a way, perhaps through 1206 funding, to blend the funding that goes to State and DOD [the Department of Defense] for these longer-term development aid and assistance programs in environments where you have incipient conflicts that need both a security component and a development aid and assistance component. I think that is critical. And I don't think, as a bureaucracy, we have really figured that out as a U.S. Government. And we have struggled with it. I am sure Dick did in his time in the White House. I did, as well.

Mr. COLL. My colleagues know the programmatic pieces much better than I, but I would step back and just make two quick observations.

First, to reenforce the notion of SOCOM's enabling capacity. When you look out over 20 years, one hopes that the stress that special forces have been under in Iraq and Afghanistan will ebb, but the challenge of enabling regional and local capacity will persist.

And, secondly, if—I would scrutinize the strategic communications efforts of the Defense Department in this budgeting cycle, because I do think there is an opportunity and a need to reset, on a nonpartisan, serious basis, American thinking about strategic communication and where the dollars are going and whether they are effective and how to leverage them successfully. This, again, is a 20-year challenge that is not going to go away, and it would be a good time to start thinking about how to spend effectively to support that goal.

Mrs. DAVIS. Thank you. I appreciate that.

I think that one of the lessons that we have learned in the last number of years is how to be more efficient, in some ways, across agencies. But I also am wondering if you could, you know, maybe just point out where are we the most inefficient in trying to work better together to preserve our security in a way that doesn't bankrupt us, bleed us the way that we are seeing today.

Mr. CLARKE. Where are we most inefficient? I would have to say, if you look across in terms of the budget where are we spending money probably least effectively, it is probably in AID, in the foreign ops budget because they tend to go after very large projects, which take a long time and aren't immediately seen by the people in the recipient countries, necessarily, as beneficial.

To the extent that AID has moved in the direction, which it has, of smaller projects that deliver quick hits, quick victories, the way the DOD money has done so well, I think that is probably the place where we could be more efficient.

Mr. ZARATE. I couldn't agree more. I think one of the challenges for the U.S. Government is aligning our development aid and assistance long-term with our short-term national security needs without doing damage to those long-term goals. So we haven't figured that out yet. And I think Dick is absolutely right, in terms of the lack of efficiencies.

I would, for example, echo what Mr. Coll said in terms of strategic communications. I think that was something that we left unfinished in the prior administration, figuring out both bureaucratically and programmatically how you deal with this new war, this asymmetric, Internet-based war in terms of STRATCOM [Strategic Communications] strategy and structure. So that is important.

Finally, I would just say, Congresswoman, I think we, as a government, need to start thinking more creatively about how we engage, align, and work with private-sector actors. I think we don't do it well enough. And what you have facing us is an enemy made up of non-state actors, cells, networks. What we haven't figured out is how to align those good guys on the good side of the ledger to

work against those very networks at the local level. And I don't think we are very good at that yet.

Mrs. DAVIS. Thank you.

Mr. TAYLOR. Before the Chair recognizes the gentleman from Pennsylvania, we have been called for two votes, one 15-minute, one 5-minute. It is Chairman Skelton's intention to recognize Mr. Shuster, then break for the votes and come back.

The Chair now recognizes the gentleman from Pennsylvania for five minutes.

Mr. SHUSTER. Thank you, Mr. Chairman. I appreciate that.

Is it Mr. Zarate?

Mr. ZARATE. Zarate.

Mr. SHUSTER. My Spanish is a little off.

You brought up the concern I have about how do we try these terrorists, and it has become a political football. I believe it has become a political football because, in my district in rural Pennsylvania, the truck driver, the average American, the average citizen in my district is asking me, why are we giving these people the same rights that American citizens have when they are not?

The underwear bomber, I understand after 50 minutes of interrogation they read him his Miranda rights, and he took the advice of the Miranda rights and shut up and waited for his attorney to get there.

So that is the reason it is political football, I believe. I think there is an accepted, credible system out there, and that is the military tribunals. So I would like to hear your comments on what you think the solution—do we have the solution in place?

Mr. ZARATE. Congressman, I agree with you. I think one of the challenges that this administration faces—and it perhaps is of their own making, and I think to a certain extent it is, especially with the Khalid Sheikh Mohammed decision, to bring him to New York and some of his compatriots to face trial in New York—is the lack of clarity as to what exactly is the legal structure and paradigm being applied.

Because what you will have in that context is, in essence, a tiered legal system. For the worst of the worst, they are getting the most protections under U.S. law, the same protections you and I would get in a civilian court, while there are lower-level al Qa'ida individuals who will not face trial at all, will have no due process as we understand it in a civilian court, with no explanation as to why that system makes sense or is in concert with the rule of law.

So I think the first thing that needs to happen is a framework that explains these tiers and explains exactly why they are being the applied. I am not against fundamentally—I was a former prosecutor, terrorism prosecutor—to using the criminal legal system. But it is one tool of many and shouldn't necessarily be the first point of entry for these individuals.

And I think it goes to the nature of what we are facing. I think we have to make some choices. If we want intelligence from terrorists we capture, like the Christmas Day bomber, then you don't Mirandize him and you don't put him immediately into the criminal legal system. But it doesn't mean you can't prosecute him later, as we did, for example, with Jose Padilla.

Mr. SHUSTER. Mr. Clarke, I wondered what your thoughts were. What do you believe al Qa'ida's view is on the situation where we are bringing him into our Federal courts and giving him the rights of the American citizen? Do you think that is something they are smiling about when they see that? Does that help their cause?

Mr. CLARKE. I don't think they give it two seconds' thought, and, frankly, I am not sure we should either. You know, the difference between the military tribunals, which you suggest wouldn't have Mirandized the prisoner, and the civil criminal process has been exaggerated. It is really not that different, in terms of their rights.

I think we have successfully prosecuted a very large number of terrorists under the Bush administration and under the Clinton administration in the Federal civil system with very, very high success rates. And I just don't understand why people are afraid of using the Federal civil system, civil court system, the criminal court system, which has proven to be so effective.

Mr. SHUSTER. I would submit, I think the folks in my district are saying because it will take months and months, if not years, and millions of dollars of money that need to go out to fight terrorism.

Mr. CLARKE. So will the military system, sir.

Mr. SHUSTER. What is that?

Mr. CLARKE. So will the military tribunal system, sir. It will take just as long and cost just as much.

Mr. SHUSTER. Well, I guess time will show us what the facts are on that.

Mr. CLARKE. We already have historical data that would suggest that.

Mr. SHUSTER. Right.

The next question I have is—and I see my time is running short, so if you don't have an opportunity to answer, if you could give us something in writing. It is something concerning Sheikh Abu Yahya al-Libi—I keep hearing his name—who I have heard him called "bin Laden, Jr.," and the most effective propagandist they have in getting these young people to come to their cause.

So I wondered if all three of you might—again, he is going to gavel me down here in 40 seconds. So I will start with you, Mr. Coll, and if you have any views on him and what your thoughts are, if you could comment.

Mr. COLL. I would be happy to come back in writing on that.

[The information referred to can be found in the Appendix on page 79.]

Mr. SHUSTER. Mr. Zarate.

Mr. ZARATE. Abu Yahya al-Libi is one of the most prominent clerics that al Qa'ida has. He has become prominent in terms of his sermons and his Internet presence. He has gained fame because he escaped from Bagram, and that has created more to his mythos as a leader in al Qa'ida. And I think he is an important figure that needs to be killed or captured.

Mr. SHUSTER. Mr. Clarke, any thoughts on that?

Mr. CLARKE. Yes, I would agree with Juan on that.

Mr. SHUSTER. Thank you very much.

Thank you, Mr. Chairman.

Mr. TAYLOR. The Chair thanks the gentleman from Pennsylvania.

I would remind Members that we have approximately six minutes to make the vote, but it is very much Chairman Skelton's intention to return after those votes.

[Recess.]

The CHAIRMAN. [Presiding.] Our hearing will resume with Mr. Heinrich, please.

Mr. HEINRICH. Thank you, Mr. Chairman.

I want to thank our guests for being here today.

I have one question I want to direct first at Mr. Coll, and then feel free, the rest of you, to chime in as well.

But I wanted to ask you, Mr. Coll, one of the fundamental limiting factors to our success in Afghanistan, which is obviously related to this whole issue in a deep way, is just the willingness of the Afghan Government to do some of the fundamental reforms, the anticorruption measures and other things that are necessary.

And I wanted to get your—as somebody who has written about many of these players in Afghanistan for a long time, I wanted to get your take on how you would characterize the willingness of the Karzai government today to make some of the changes that we need to see to realize our goals in Afghanistan.

Mr. COLL. Well, all the evidence is that it is inadequate, and it is certainly one of the major strategic risks facing U.S. policy in Afghanistan.

Having said that, the better news is that the Afghan Government is larger than President Karzai. I have long worried about the extent to which, out of necessity and expediency both, we have tended to make him an indispensable figure and run everything through his office. You see now in the relationship between parliament and the President the potential for a sounder, more broadly based approach to the limited role that the Kabul government actually has to play. But it is important because of the credibility that it provides for international policy in Afghanistan.

And I recognize, as well, that General McChrystal and Ambassador Eikenberry and others have a vision that is based on the idea that there are many more actors in Afghanistan who can turn things around than those just in the Kabul ministries. So, working through effective governors at the provincial and even sub-provincial level will be critical to achieving the, sort of, stability that will allow Afghanistan security forces to deploy and U.S. forces to pull back.

Mr. ZARATE. Congressman, just to piggyback, I think it is a very good point. With relation to that, I think a big question that the Afghan Government has and that our policy confronts is the question of the center versus the locality, how much we rely on local and tribal partners in the first instance versus the focus on Kabul and the central government and, in particular, from a security perspective, whether or not we begin to rely more heavily on local security militias.

I think that becomes a very important policy question for not only folks here in Washington but also in Kabul. You have had experiments that have worked well in Wardak province and other places, but it is not clear that that model will work everywhere in Afghanistan. And we have to be careful about diffusing the security of the country.

And so I think there are some very important inflection points here with respect to Kabul's ability to control its own security.

Mr. HEINRICH. As a follow-up question, are there opportunities that we are missing to engage the wider government, the broader government, that we should be taking advantage of to make sure that all our eggs aren't in that Kabul basket?

Mr. COLL. I think it is critical that U.S. policy in Afghanistan approach these political equations with as much energy and creativity and resources as it is approaching the military equation. And I think you have described it, framed it correctly, which is that a successful policy of national reconciliation and political reintegration that complements the security piece in Afghanistan over the next three to five years has to be more broadly based than the presidential palace.

Now, you can achieve that broader base through lots of different mechanisms. You can turn to parliament, you can use loya jirgas and other institutions, traditional institutions. You can do it regionally, as well as nationally. But you have to do it. And it also has to be reinforced by regional diplomacy that brings to bear pressure on these factions in Afghanistan that are otherwise not likely to participate in such a reconciliation program.

And I think there has always been an articulation of this vision in U.S. policy, but now bringing it to bear successfully, it is hard, it is going to be a zig-zag, it is always going to be incomplete. But if it is not made a priority, then it won't succeed.

Mr. HEINRICH. Thank you, Mr. Chair.

The CHAIRMAN. I thank the gentleman.

Mr. Kratovil.

Mr. KRATOVIL. Mr. Chairman, first, let me thank you for allowing folks to come back so we had an opportunity to ask a few questions.

Let me just follow up on Mr. Heinrich's question. His question sort of went to the issue of, how do we make that policy in Afghanistan better? My question is a little bit different.

Given the facts related to this Christmas Day incident and given what we know is going on in Yemen and the problems there, what impact does that have on your view of the strategy at all in Afghanistan, in terms of putting more troops on the ground?

Any of you or all of you.

Mr. COLL. It has no impact on my view, in the sense that I think that, as I believe it was Mr. Clarke pointed out, understanding that there were problems outside of the Pakistan-Afghan region predated the Christmas attack and robust activity was under way, it just wasn't publicized.

I think that the reason the President made the right decision in Afghanistan has to do with core al Qa'ida, which, as we talk about earlier, remains resilient and, while under pressure and diminished, still able to facilitate the transfer of bomb-making techniques, still able to participate in robust media operations, and still able to assist the destabilization of both the Pakistan and Afghan Governments.

Mr. COLL. So it is a resilient danger that needs to be addressed directly. And I think that that is the rationale, ultimately, for the policy in Afghanistan.

Mr. CLARKE. I think Steve is right. They are very different situations, and they call for very different kinds of responses. In Afghanistan, things obviously got out of control. And we, therefore, now need a very large military force there, at least for the short term. In Yemen, we are able to work through an existing government, give it military support, give it intelligence support, and hopefully give it development, economic support.

There will be other places around the world where al Qa'ida will pop its head up or affiliated groups will pop their heads up. And, at least initially, these small footprint solutions, like what we are doing in Yemen, are the appropriate response.

Mr. ZARATE. Congressman, the only thing I would add—and I agree with both my colleagues here—is that there is a demonstration effect to our policy. And so, shifting the momentum of the Taliban in Afghanistan becomes important, in terms of the global posture that the U.S. has, in part, for our friends and allies, as they understand we are resolute and are willing to fight for what we believe in and to work with them. That becomes very important with Pakistan, I think, in the long term.

And I also think in terms of the enemy, it becomes important. We don't want to play into their hands, and we don't want to needlessly spend blood or treasure, but, at the same time, we need to be resolute. And I think one of the lessons of Iraq is that it was one of the first times that we had, when bloodied, stood up to al Qa'ida and surged. And I think that was a devastating lesson to our enemies, and I think that is something we should keep in mind in Afghanistan.

Mr. KRATOVIL. We had testimony several months ago—and I am trying to remember the gentleman's name—in talking about Afghanistan, what we are going to do in Afghanistan. And his point was, of course if we are squeezing in one place, it would bleed out into another.

One of you mentioned what has happened in Yemen as a result of the crackdown in Saudi Arabia. Can't we simply expect that to happen, based on the crackdown in Afghanistan?

Mr. COLL. Well, the Government of Pakistan is certainly concerned about spillover effects. Their version of what has happened after 9/11 emphasizes the consequences to Pakistan of the migration of al Qa'ida from Afghanistan into Pakistan as a result of U.S. military action there.

But I think my response to that argument that you referred to, which has been part of a very healthy American discourse about U.S. policy choices in Afghanistan, this notion that you squeeze the balloon and Yemen pops up and Somalia pops up, is that there is no territory that means to al Qa'ida what the Afghan-Pakistan border means to al Qa'ida. And the role of the core leadership and networks that are located there is distinct from any other expression. That doesn't mean these other expressions aren't dangerous. But in order to achieve any definition of success against al Qa'ida, that core organization needs to be disabled and destroyed. And I do think it is a distinct problem.

Mr. KRATOVIL. Okay.

Mr. ZARATE. I would just agree. I would say that al Qa'ida core will make their last stand in the Afghan-Pak border region. You

are not likely to see a grand al Qa'ida caravan to some other locale, the way we saw, for example, the move from Sudan to Afghanistan in the past.

That doesn't mean the regional affiliates or radicalized cells and individuals won't be a problem in the future. They will. But it doesn't mean that there is the balloon effect that people talk about.

Mr. KRATOVIL. Okay. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. I thank the gentleman.

Let me ask Mr. Clarke, we have had some homegrown, domestic radicalization from Zazi, the Major Hasan, David Headley, and the Northern Virginia Five. What do you make of this?

Mr. CLARKE. I think it is remarkable we don't have more. When you think of it, you know, we are a nation of 300 million people.

And there have clearly been attempts by al Qa'ida and similar groups to radicalize populations in the United States, including prison populations. And, so far, I think we have done a fairly good job in the United States on both the ideological front and the intelligence front. What I mean by that is, I think the American-Muslim community—or communities, I should say—have been very good in waging the ideological war within their own communities against al Qa'ida and against what it believes in. And we have been very successful.

And it has been remarkably different in Europe. If you look at England, you look at Germany, you look at France, those Islamic communities have been more successfully radicalized than those in the United States.

I think it is logical to expect that this is going to happen; we are going to have these onesies and twosies of people, individuals who are radicalized in part through Internet outreach, radicalization on the Web, at least initially, and in part through the occasional radical imam like al-Awlaki, who has now moved to Yemen but was in northern Virginia and elsewhere.

I think it is largely, though, sir, Mr. Chairman, I think it is a good-news story that so little of it has happened and that the FBI has done a relatively good job in tracking what problems there have been here.

The CHAIRMAN. I thank you.

Any comments from the other two gentlemen?

Mr. ZARATE. Mr. Chairman, I would just repeat what I said in my testimony, which is I don't think we should overreact in terms of the number of cases we have seen over the past year. I think we have seen a fairly consistent element of a domestic radicalization problem that hasn't reached a crisis or tipping point, as Dick mentions. You know, you have had Derrick Shareef, Sadiqi, the Fort Dix plot, the Torrance cell. You know, over the last eight years, we have had numerous cases where the FBI and others have done very good work in disrupting. So I don't think we should make any grand conclusions.

Two things we should watch, though, is the clustering, the fact that you have groups of individuals within communities, like the American Somalis, that are drawn to the ideology; and, secondly, the continued attempts to reach the foreign terrorist organizations themselves. And I think that is a bit different, and it is the kind

of thing that we need to watch very carefully. Because that presents a very different kind of danger than the onesies and twosies that Mr. Clarke talked about.

The CHAIRMAN. Thank you. Mr. Coll?

Well, gentlemen, this has been an excellent hearing, and we certainly appreciate your being with us. And we feel that we have learned a great deal. And we look forward to seeing you again.

[Whereupon, at 12:28 p.m., the committee was adjourned.]

A P P E N D I X

JANUARY 27, 2010

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

JANUARY 27, 2010

Opening Statement of Chairman Ike Skelton Hearing on Al Qa'ida in 2010: How Should the U.S. Respond?

January 27, 2010

Washington, D.C. – House Armed Services Committee Chairman Ike Skelton (D-Mo.) delivered the following opening statement during today's hearing on Al Qa'ida in 2010: How Should the U.S. Respond?:

"Today the House Armed Services Committee meets to receive testimony on 'Al Qa'ida in 2010: How Should the U.S. Respond?'

"Our witnesses today are: Richard Clarke, currently an Adjunct Lecturer at Harvard University and previously the National Coordinator for Security and Counterterrorism; Juan Zarate, a Senior Advisor with the Center for Strategic and International Studies and the former Deputy National Security Advisor for Combatting Terrorism; and Steve Coll, the President of the New America Foundation and the Pulitzer Prize winning author of 'Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to September 10, 2001.' Welcome all of to you.

"Since the attacks of September 11, 2001, the United States has acted forcefully to disrupt and defeat al Qa'ida and to eliminate their safe havens in Afghanistan and Pakistan. I firmly support our ongoing efforts in Afghanistan and believe it is vital that we succeed there and I commend the President for his recent decision to increase our force levels in that conflict.

"But as the attempted bombing of an airliner over Detroit on Christmas by an al Qa'ida affiliate reminds us, even as we pursue Osama bin Laden and his allies in Afghanistan and Pakistan, al Qa'ida has continued to evolve as an organization and inspiration to terrorist groups around the world.

"In order for us to combat this evolving threat, I believe that we must understand the state of al Qa'ida and how it has changed over the years. In this effort, the committee's hearing today with outside experts builds on the classified briefing we held recently and past full committee hearings. The Terrorism and Unconventional Threats Subcommittee, led by Adam Smith and Jeff Miller, have done great work in this area over the years, and I am sure will continue to do so under the new leadership of Chairwoman Loretta Sanchez.

"The title of this hearing, 'Al Qa'ida in 2010: How Should the U.S. Respond?' poses a deceptively simple question that I hope our witnesses can help us with. But the real questions are harder—what is al Qa'ida today and how has that organization evolved? How can the United States government, and in particular the Department of Defense, take effective action to end the threat posed by al Qa'ida, its allies, and its affiliates around the globe? What tools do we have and how should we employ them? How can we undermine their media campaign and attempt to provide an ideology justifying attacks against the United States? In short, what actions can we, and should we, take to minimize the chances that we are faced with future attacks like the attempted attack on Christmas? I hope our witnesses can help us address these questions.

"I now turn to my good friend, our Ranking Member, Buck McKeon for any opening comments he may care to make."

McKeon Opening Statement for Hearing the Continuing Threat Posed by al-Qaeda

January 27, 2010

Washington, D.C.—Rep. Howard P. "Buck" McKeon (R-CA), the top Republican on the Armed Services Committee, today released the following opening statement for the full committee's hearing on the continued threat posed by al-Qaeda and its affiliated terrorist groups:

"I would like to thank the Chairman, Ike Skelton, for today's hearing on al-Qaeda and the continuing threat it poses. For nearly two decades, al-Qaeda has waged war against the U.S., its citizens and the modern world. We may not have fully realized the destructive nature of al-Qaeda until the tragic events of 9/11, but we must not allow our determination and vigilance to wane. We can be assured that al-Qaeda remains as relentless, and as violent, as ever, and today's hearing allows us to better understand al-Qaeda and what must be done to protect our nation and its citizens.

"I would also like to welcome our witnesses. Your insights today are extremely important given the influx of additional troops to Afghanistan in support of General McChrystal's strategy and given recent events such as the Christmas Day airline bombing attempt and the Fort Hood shootings. We look forward to your testimony.

"We cannot forget that we are a nation at war. Al-Qaeda stormed into the public view with the horrific acts of 9/11 but well before that time had been plotting and acting against us. The 1993 World Trade Center bombing, the 1998 embassy bombings in Kenya, the failed attack against the USS *The Sullivans* and the successful attack on the USS *Cole* in 2000 all presaged what was to come in 2001. Al-Qaeda had already declared war on us; only after the World Trade Center buildings, the Pentagon and a Pennsylvania field were burning did we fully appreciate that fact.

"I was heartened when, on December 1, 2009, President Obama officially took ownership of the war in Afghanistan and the broader war on terrorism during a speech at West Point. He is our nation's Commander-in-Chief and plays the critical role of guiding the United States during wartime. Al-Qaeda, operating from safe havens in Afghanistan, brought war upon our nation, and our message must be clear – we will not back down from those who seek to do us harm.

"We have denied al-Qaeda operating space in Afghanistan but must ensure our efforts to prevent Afghanistan from becoming a safe haven once again do not waver. The Administration's decision to support General McChrystal's counter-insurgency strategy is an important step towards stabilizing the country and, importantly, in degrading al-Qaeda's operational capability. I am gravely concerned, however, about the announcement of a timeline in conjunction with the decision. We must allow events and conditions on the ground to be the basis for any decisions on our Afghanistan strategy, not Washington politics. And I have to wonder, has President Obama emboldened our adversaries by revealing a lack of commitment on our part or, like his proclamation that Guantanamo Bay would close by January 2010, does this hint to an Administration that does not fully understand the ramifications of its actions and statements?

"We must remember, however, that Afghanistan is not the sole focus in this struggle. Pakistan is a key partner for us, as al-Qaeda has been forced to seek refuge in tribal areas controlled by the extremist Taliban. Pakistani forces have gained important victories in their attempt to root out al-Qaeda and its hosts from Waziristan and the Federally Administered Tribal Areas, but much more needs to be done. We must continue to support Pakistani efforts, through intelligence sharing, operational support and security assistance with vehicles like the Pakistan Counterinsurgency Fund. And we also need to support the Department of Defense's '1206' train and equip authority which it uses elsewhere to ensure our partners in this struggle have improved capabilities to meet threats to security and stability.

"Al-Qaeda does not act alone and is a highly adaptable organization. It has leveraged a franchise system to bring like-minded groups around the world under its operational umbrella—al-Qaeda in Iraq, al-Qaeda in the Islamic Maghreb, and al-Qaeda in the Arabian Peninsula have all sought to further al-Qaeda Central's goals. What al-Qaeda seeks is the time and space to allow its affiliates to rise. As in Iraq in 2006-2007, when al-Qaeda took advantage of ungoverned space to train, plan and attack the vulnerable Iraqi government as well as U.S. interests, al-Qaeda in the Arabian Peninsula seeks to gain ground in Yemen, where the government forces is fighting not only al-Qaeda but also an extremist Shiite insurgency for control of large areas of its country.

"Further, al-Qaeda is more and more willing to step out of the spotlight and allow other groups to act as its proxies. Lashkar-e-Tayyiba in Kashmir and al-Shabaab in Somalia have helped al-Qaeda gain a broader audience and extend its operational reach. Al-Qaeda very quickly capitalizes on these groups' actions in the name of its grand strategy. Even in failed or thwarted attacks, al-Qaeda adjusts its message for greatest effect, always seeking to gain new recruits and enhance its brand image as effective and successful.

"Therefore, we must be very aware that a reduction in al-Qaeda's fingerprints on terrorist operations does not necessarily mean that the threat of al-Qaeda is diminished. Ideology, radicalization, and the media that are available in today's world provide a volatile mix for al-Qaeda to exploit, while complicating our attempts to identify and focus on al-Qaeda as an organization. The Little Rock, Arkansas and Fort Hood shootings, and Christmas Day bombing attempt all represent an increasing threat, that of radicalized individuals who attack either on their own or with minimal operational coordination with an al-Qaeda handler. The hand of al-Qaeda may not be clearly visible, but the threat remains.

"The challenges we face are many, but we absolutely must not fail to recognize that we are at war and our enemy will seek any and all means to advance its cause. We are not facing common criminals, and this fact was reaffirmed on January 5th when the U.S. Court of Appeals for the District of Columbia Circuit upheld the right of the U.S. government to detain combatants. This decision reaffirms the belief that the laws of war are the appropriate foundation for, and are needed in, our efforts against terrorists who may not wear uniforms, but who are waging war against us.

"I believe the Administration would be making a very dangerous mistake were it to treat terrorists as common criminals. While al-Qaeda operatives may not wear uniforms or follow the Geneva Convention, we cannot ignore the fact that al-Qaeda is waging war against us and that

terrorists are al-Qaeda's foot soldiers. They do not merely break civil laws but advance a strategy that seeks to topple governments through terrorism and other means. They cannot be viewed as anything less than prisoners of war.

"One would think that the President's policy towards the Guantanamo Bay detention facility would reflect the fact that we are at war. Yet, he seeks to close the facility without a clear plan and return many detainees to countries rife with ungoverned spaces and al-Qaeda cells. The remaining population at Guantanamo Bay does not represent chance battlefield detainees or mere supporters, but hard-core operatives. Given recidivism rates that are 20 percent or higher, the President's position on detention and prosecution of these wartime detainees held there is especially alarming in its incoherence.

"In response to the Administration's irresponsible handling of the detainee issue, we have introduced the Detainee Transfer and Release Security Act of 2010. This legislation will block transfers from Guantanamo to countries with ungoverned spaces, active al-Qaeda cells or networks, or confirmed cases of a former Guantanamo detainee who has returned to the fight. Our efforts would have blocked the December transfer of 7 detainees to Yemen and last week's transfer of two detainees to Algeria. America cannot be complicit in allowing former detainees to return to the fight against the United States. Our policies and strategies must reflect the fact that we are at war. We should not simply close Guantanamo, and we cannot allow enemy combatants to return to the battlefield.

"In al-Qaeda's world view, the U.S. should not exist. Therefore, in this war, we must seek to defeat our enemy. Measures that fall short of that ultimate goal—denying al-Qaeda operating space, disrupting al-Qaeda operations—must not enter our lexicon or our thought process. I take it as a personal responsibility to remind my fellow members, my constituents and my colleagues throughout government of what is called for in this great struggle.

"With the fact that we are at war clear, I look forward to our witnesses' input today. We are faced with an enemy that is adaptable, that leverages media extremely well, that promotes a twisted version of one of the world's major religions, and that ultimately is willing to outlast us if that is what is required of it. Your testimony will help us to gain a greater understanding of how to face those challenges and how we can best shape our strategy, policy, and actions to ensure that we defeat al-Qaeda in what can only be viewed as a war of survival."

Statement of Richard A. Clarke

Before the House Armed Services Committee
27 January 2010

The Status of al Qaeda and the US Response

Mr. Chairman, Members

Had the detonator worked better, it might have happened that last Christmas over two hundred civilians would have been killed in a terrorist attack on American soil. Were that to have occurred, there would have been a round of questions about why al Qaeda was still a threat twelve years after its initial, major attacks against the US. Even though the attack failed, many of those questions have arisen:

--would the first major attack in the US in eight years indicate that al Qaeda had grown to its past strength?

--was there some failure in the policies of the past Administration or this Administration that could be blamed for the continued existence or possible resurgence of al Qaeda?

--why is the United States unable to eradicate this organization which has declared war on us?

It is important that we discuss the status of al Qaeda and our efforts to eliminate it, now when it might be more possible to do so analytically, dispassionately, in a non-partisan manner, than it might be after a successful attack. Therefore, Mr. Chairman, let me suggest seven propositions as a way to answer your two questions about the status of al Qaeda and what we should do about it.

First, if al Qaeda is able to stage an attack on US soil that fact would not, in and of itself, indicate the overall strength of the organization or whether it is in decline or ascent. The December attempt was mounted by one man. The 2001 attacks involved directly only 19 terrorists. It is inherent in the very nature of terrorism that lone operators or small groups of people can inflict significant damage and may harm many people. The extent of the casualties should not be seen as a measure of the support for the terrorists cause or their ability to achieve their stated goals. Nor should an isolated successful attack be seen as indicative of the overall performance by counter-terrorism components of government or the efficacy of our strategy. Indeed, the United States and other modern societies will always be at risk of significant threats from lone operators and will always have to take some level of costly counter-measures.

Second, many of the groups that are often labeled as al Qaeda are long standing national or regional anti-government groups which had previously claimed a religious justification for violence and now have rebranded themselves or have been rebranded

by the media as al Qaeda. There has been an Islamic insurgency for over a century in the southern Philippines, but today it is called al Qaeda-related by some. The organization now calling itself al Qaeda in the Maghreb is the latest manifestation of an insurgency in Algeria going back decades. During the Iraq war, radicals from several countries went to Iraq and formed one of the groups that fought the US military; they chose to call themselves al Qaeda in Mesopotamia. Both Al Qaeda in the Maghreb and al Qaeda in Mesopotamia were unsuccessful, alienating popular support by their goals and tactics. The dramatic series of attacks in Mumbai, seen by some as al Qaeda-related, were carried out by a Pakistani group, Lashkar-e Taiba, which stems from the six decade old Kashmir dispute.

To determine the status of the al Qaeda threat, we should agree upon a definition of the organization. To me it is the organization that first labeled itself al Qaeda beginning around 1990, a collection chiefly of Egyptians and Saudis exiled in Afghanistan (and now in Pakistan) dedicated to attacking what they termed "the far enemy," the United States. Today, some refer to that group as "al Qaeda Central."

Third, al Qaeda Central today is less capable as an organization than it was at several points in its 20 year history. It is less capable now than it was when it had a sanctuary in Afghanistan prior to the end of 2001. It is less capable than it was when it had a sanctuary in parts of Pakistan prior to the stepped up US missile strikes and Pakistani army operations in Pakistan in the last year to eighteen months. Nonetheless, al Qaeda Central continues to exist and could still be capable of mounting a significant attack in the US using individuals (including those recruited remotely through the Internet and radical cells in Western countries) or a small number of terrorists.

Fourth, two groups affiliated with al Qaeda Central have significantly increased their ability to threaten the US in the last three years from ungoverned regions. Unlike many of the other so-called affiliated groups, the Taliban and al Qaeda in the Arabian Peninsula (AQAP) appear to have real coordination with al Qaeda Central and share its desire to attack "the far enemy," the United States. While the Taliban's focus is to attack the US in Afghanistan, AQAP appears to intend attacks on American facilities in the region and in the United States itself. Both groups have established limited sanctuaries, complete with training facilities, in largely ungoverned areas inside nations (Pakistan and Yemen) whose governments are nominally opposed to al Qaeda. A third group, al Shabaab, a faction in the prolonged civil strife in Somalia, may also be cooperating with al Qaeda Central in planning attacks on the "far enemy."

Fifth, Arab nations with strong central governments have over the last five years taken significant and successful steps against al Qaeda's presence and adherents in their nations. Through a combination of improved operations by security services and what amounts to ideological counter-offensives, governments such as Egypt, Saudi Arabia, Jordan, and Morocco have made their nations inhospitable for al Qaeda. These nations were al Qaeda Central's "near enemy," the governments that al Qaeda was formed to overthrow, the nations where it planned to establish itself in control, creating theocracies

called Caliphates. The prospect of al Qaeda succeeding in that goal now seems extremely remote.

Sixth, the response to the threat from al Qaeda, therefore, should be seen as three simultaneous and distinct efforts lasting for many years: a) direct action by US and allied intelligence, law enforcement, and military operations to identify, apprehend, or destroy individual terrorists and cells; b) supporting the ideological counter-offensive by removing irritants and improving relations with Islamic communities, and c) creating effective government in sanctuaries such as areas in Afghanistan, Pakistan, and Yemen. In the first two of those efforts, direct action and improvement in relations, the US has had success. Completing the withdrawal of US combat forces from Iraq is an important component on the ideological front.

It will be difficult, costly, and time consuming to establish effective and secure government in Afghanistan, or the ungoverned parts of Yemen and Pakistan. The US cannot achieve those goals alone; it will require the active involvement of the local populations and of US allies, but the US role is the sine qua non. If we do not succeed, then al Qaeda and groups like it will continue, will grow, and will be increasingly capable of directly threatening the United States.

Seventh and finally, all of this means that a significant terrorist attack in the United States remains possible even in the face of overall progress against al Qaeda. When and if that happens, we should not automatically conclude that the attack means that our security services are doing a poor job, that this or the last Administration's policies have made the attack possible, or that we are failing in our overall efforts to counter al Qaeda and similar groups.

We would be well advised to internalize now before another attack these two points: a) eliminating al Qaeda, a stateless ideology, is the work of a generation and b) it is an impossible task to defend successfully every day a nation as large as the United States from attacks that can be carried out by one person or a handful of people.

But it is an impossible task for al Qaeda to achieve its goals. Someday it will be a footnote in history. The more sophisticated and steadfast we are in the many challenging efforts needed to counter threats like al Qaeda, the sooner that day will come.

Richard A. Clarke

Richard A. Clarke is an internationally-recognized expert on security, including homeland security, national security, cyber security, and counterterrorism. He is currently an on-air consultant for *ABC News* and teaches at Harvard's Kennedy School of Government.

Mr. Clarke served the last three Presidents as a senior White House Advisor. Over the course of an unprecedented 11 consecutive years of White House service, he held the titles of:

- Special Assistant to the President for Global Affairs
- National Coordinator for Security and Counterterrorism
- Special Advisor to the President for Cyber Security

Prior to his White House years, Mr. Clarke served for 19 years in the Pentagon, the Intelligence Community, and State Department. During the Reagan Administration, he was Deputy Assistant Secretary of State for Intelligence. During the Bush (41) Administration, he was Assistant Secretary of State for Political-Military Affairs and coordinated diplomatic efforts to support the 1990–1991 Gulf War and the subsequent security arrangements.

As a Partner in Good Harbor, Mr. Clarke advises clients on a range of issues including:

- Corporate security risk management
- Information security technology
- Dealing with the Federal Government on security and IT issues
- Counterterrorism

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Statement before the House Armed Services Committee

"AL QA'IDA IN 2010: HOW SHOULD THE U.S. RESPOND?"

A Statement by

The Honorable Juan C. Zarate

Senior Adviser

Center for Strategic and International Studies (CSIS)

January 27, 2010

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Testimony of the Honorable Juan C. Zarate
Senior Adviser, Center for Strategic and International Studies
Before the House Armed Services Committee

"Al Qaida in 2010: How Should the U.S. Respond?"
January 27, 2010

Chairman Skelton, Ranking Member McKeon, and distinguished members of the House Committee on Armed Services. I am pleased to be with you today to testify on the state of al Qaida in 2010 and how the United States should respond. This is an important moment for such a hearing, given the recent series of terrorist plots uncovered including the Christmas Day failed airline attack; the growing role of al Qaida in the Arabian Peninsula; and the continued allure of al Qaida's ideology, including in the United States. This hearing is made all the more poignant with the release of an audio tape this past Sunday purportedly from Usama bin Laden taking credit for the Christmas Day attempt.

Al Qaida is no longer the same organization we faced on September 11, 2001. In many ways, it has been decimated and constricted in its capabilities, with the core elements of the organization on the ropes. Al Qaida's senior leadership is being methodically destroyed, its primary safe haven is being undermined, its ideology is being rejected within Muslim communities around the world, and its strategy has yet to produce the results promised. Al Qaida continues to sow the seeds of its own destruction because of its violently exclusionary ideology and horrific terror tactics (especially against fellow Muslims), which are essential to the nature of the organization but inherently alienating.

On the other hand, al Qaida has attempted to spur an ideological awakening among Muslims around the world to fight the West. The allure of this ideology and narrative continues to draw adherents and manifests itself in real threats to the international community – whether through known regional terrorist or militant organizations or in the actions of lone wolves radicalized via the Internet.

Thus, there appears a current paradox in which al Qaida as an organization remains in steady decline, but the global terrorist threat inspired by this ideology remains a central national security concern for the United States. The United States must then not only hasten the defeat of al Qaida but look beyond al Qaida to displace and contain the next phase of the global terrorist threat.

It is essential to try to understand the adaptations of al Qaida, grapple with the new evolutions of the Sunni extremist terrorist threat, and focus on steps the United States can take to destroy al Qaida and address looming threats on the horizon. My testimony attempts to address these issues.

The Morphing Nature of al Qaida

Al Qaida has evolved since its creation, adapting to pressures placed on the organization and taking advantage of strategic and tactical opportunities to ensure its survival and the viral expansion of its ideology. Al Qaida can be defined in different ways depending on

one's analysis of what al Qaida represents and how broad its ideological reach extends globally and via the Internet. It is important to be precise about this definition, in part to understand the threats we face but also to avoid inadvertently aggrandizing an organization that may be in decline.

Over the last four years, we have seen a hybrid face for this enemy emerge. Al-Qaida core leadership has continued to set the strategic direction for the movement and has directed attack planning, as with the August 2006 Atlantic airliners plot. At the same time, al-Qaida has aggressively and systematically moved to establish and use regional affiliates, like al-Qaida in Iraq, al-Qaida in the Islamic Maghreb, and al Qaida in the Arabian Peninsula, as forward bases for al-Qaida activity and strategic reach. Until the Christmas Day attack, these groups confined their activities largely to their local environments or regions. In addition, al-Qaida has identified and nurtured pockets of radicalized cells or individuals in Western Europe with the capability to carry out deadly attacks under al-Qaida direction and in its name. This has been amplified by the radicalization of individuals by like-minded groups and ideologues around the world and via the Internet.

The best way to understand al Qaida as an organization and an idea in 2010 is to break it into three parts: AQ Core; AQ Regional Affiliates and Like-Minded Groups; and AQ-Inspired Radicalization and Threats.

Al Qaida (AQ) Core

Al Qaida, Usama bin Laden, and the core leadership of mainly Saudis and Egyptians have defined and led the global Sunni terrorist movement since the 1990s. This leadership has laid out the long-term strategic goals for the global movement, in public statements, fatwas, and documents and has drawn from Muslim fighters who have fought asymmetric wars – starting in Afghanistan against the Soviets and now globally against the United States. This AQ core membership is limited, including key al Qaida leaders in the Afghanistan/Pakistan border region and those who remain in Iranian custody.

Al Qaida sees itself as the vanguard and defender of the global Muslim community against a perceived historical, material, and cultural onslaught from the West ("the Jews and the Crusaders"). It seeks to reestablish an Islamic caliphate operating under an extreme brand of sharia (Islamic law) spanning from southern Spain ("al Andalus") to Indonesia. To do this, Usama bin Laden and al Qaida decided that they needed to wage war in the first instance against the United States, the "far enemy," in order to expel U.S. presence from historically Muslim lands and weaken its support for "apostate" regimes that currently rule in such countries. This focus on attacking the "far enemy" in the first instance versus trying to overthrow "near enemy" regimes, as in Egypt and Saudi Arabia, resolved an ongoing strategic debate within extremist circles prior to Usama bin Laden's 1996 declaration of war against the United States. For al Qaida, the experience of the mujahedeen expelling the Soviet Union from Afghanistan, combined with examples of American retreat after bloody engagements (as after the Black Hawk Down engagement in Somalia), are lessons that made such a strategy realistic and achievable in their minds.

Al Qaida is patient in its strategic vision, viewing their movement in terms of centuries not four-year cycles, and is willing to use any means to achieve its goals. Al Qaida has concentrated on tactical and strategic innovations and attempted to develop biological and chemical weapons while expressing an interest and intent to acquire and use nuclear weapons. It is a terrorist movement that rejects elements of modernity while being fully devoted to using its implements, like the Internet.

Through its propaganda and the longevity of its core leadership, Usama bin Laden and al Qaida have created a symbolic brand that identifies al Qaida as the leader of this global movement, which has driven funding and support from within Muslim communities. The narrative from al Qaida is simple: The West is at war with Islam; Muslims have a religious obligation to engage in "jihad" to "defend" fellow Muslims; the United States is the "head of the snake" and must be fought along with its apostate allies; and al Qaida is the ultimate vanguard of this movement for the "Umma" (all Muslims).

Their extremist and exclusive ideology preys on discontent and alienation at the local and global level, while providing a simple narrative that pretends to grant meaning and heroic outlet for the young. To disaffected, aggrieved, or troubled individuals, this narrative explains in a simple framework the ills around them and the geopolitical discord they see on their television sets and on the Internet.

The AQ Core then has served as the strategic hub and driver for the global Sunni terrorist movement, with a focus on attacking the United States and U.S. interests. This focus has allowed al Qaida over time to press adherents and affiliates to keep their eyes on the ultimate prize and not get bogged down in local disputes or conflicts. Though its goals are global, al Qaida uses and co-opts local and cultural grievances and national movements and aspirations to fuel recruitment and establish its legitimacy.

AQ Regional Affiliates and Like-Minded Groups

Al Qaida has historically relied on allied and like-minded regional groups, like Jemaah Islamiyah in Southeast Asia, and core mujahedeen and AQ veterans in theaters of battle around the world, like East Africa and Yemen, to facilitate its global agenda.

The constellation of terrorist groups that have direct ties, associations, or parallel ideological agendas with al Qaida is consistently shifting. Over the past four years, al Qaida has tried to forge deeper ties and strategic control over Sunni terrorist groups – so as to leverage their respective regional infrastructures, recruits, fundraising, and increase al Qaida's overall ability to threaten Western and local interests. This has been facilitated by the safe haven and training grounds present in Western Pakistan, in particular the Federally Administered Tribal Areas

The most lethal of these official affiliates have emerged in North Africa (al Qaida in the Islamic Magreb, AQIM), Saudi Arabia and Yemen (al Qaida in the Arabian Peninsula, AQAP), and Iraq (al Qaida in Iraq, AQI). Al Qaida has historically maintained a presence in East Africa (reaching into Sudan), with senior al Qaida leaders moving in and out of Somalia,

depending on attack planning and operational needs. Asbat al Ansar in Lebanon has ties to al Qaida and could represent a foothold for AQ in the Levant, aside from being a threat to stability for Lebanon.

With senior al Qaida leaders in Yemen unifying operational activities in the Arabian Peninsula and now strategically directing plots at the United States, al Qaida in the Arabian Peninsula represents the regional group with the most dangerous and deepest affiliation with AQ Core.

Not all such ties are lasting. In the past, al Qaida has worked with Jemaah Islamiyah (JI) in Southeast Asia (engaging in such work as an anthrax program), but counterterrorism activities in Southeast Asia and growing public rejection of terrorist tactics have largely rooted out those activities and senior operatives directly tied to al Qaida in Southeast Asia. Groups like the Libyan Islamic Fighting Group (LIFG) have also been closely allied with al Qaida, providing backing and operatives, but the recent LIFG rejection of al Qaida's program has proven a major setback for al Qaida.

Other regional or local groups have operational ties with al Qaida that dovetail with their parallel agendas and underlying ideology.

- The Pakistan and Afghan Taleban have longstanding tribal, familial and operational ties to al Qaida, which are being used now against the common enemy of U.S., foreign, and Afghan and Pakistani forces in the region.
- The al Shabaab movement in Somalia has received training from longstanding al Qaida members in East Africa and has pledged support to al Qaida's agenda, especially its operations in Yemen.
- The Islamic Jihad Union (IJU) and the Islamic Movement of Uzbekistan (IMU) have served as Central Asian partners for al Qaida, with direct threats to Central Asian nations and in Europe, as seen in the disrupted IJU plot in Germany.
- The East Turkmenistan Islamic Movement (ETIM) has historic ties to al Qaida and terrorist training in Pakistan and has threatened Chinese interests.
- At times, Ansar al Sunna/Ansar al Islam in Iraq has flirted with assisting or working with AQI, but they have largely distanced themselves from AQI.
- There are other groups like the Army of Islam in Gaza and the remnants of terrorist groups in Chechnya that have aspirations to join with AQ more officially, but no such Palestine or Chechen-based groups have been established to carry AQ's banner in those theaters.

Finally, there are groups like Lashkar e Tayyiba (LT), other Kashmiri based terrorist groups, Harakat ul Jihad I Islami (HUJI), and Harakat ul Jihad I Islami/Bangladesh (HUJI-B), which have a well-established terrorist infrastructure, a deep well of recruits, and are well trained. These groups, though focused on local or regional grievances, could serve as global platforms for a broader terrorist movement.

There are several concerns about all of these regional groups and their activities, which provide an infrastructure, geographic reach, and recruits for a global movement. These groups can also tap into diaspora communities in Western societies, like North Africans living in Southern Europe and Canada, who may be susceptible to radicalization and recruitment.

The primary concern over the past few years has been that these groups could become outposts from which al Qaida would launch direct attacks against the West. The most troubling dimension of the Christmas Day failed attack emanating from Yemen was that this was the first manifestation of one of al Qaida's regional arms attempting to hit the United States directly. This changes the threat landscape, as seen in reactions from the U.S. Administration to the threat of al Qaida in Yemen. This possibility has been a major preoccupation for U.S. counterterrorism officials in the investigation of the American Somalis from Minneapolis and Seattle who have traveled to East Africa and made contact with militant groups.

Aside from the direct threat to the United States, the possibility that some subset of these regional organizations or groups could form a new global syndicate – absent AQ Core involvement – is an evolution that has yet to occur and that we need to prevent. Iraqi and American success against AQI prevented Iraq from becoming a central emirate from which al Qaida could organize and reach into North Africa and the Levant, which had started to occur under Abu Musab al Zarqawi's leadership.

Finally, one of the more sophisticated of these groups, like Lashkar et Tayyiba could alter its regional focus and become a global leader and successor to al Qaida, taking up the mantle for the defense of Muslims. We saw glimpses of this possibility with the selection of Western and Jewish-related targets in the Mumbai attacks and in the revelation of LT plotting against the Danish newspaper that published the Muhammad cartoons – far afield from the cause of Kashmir.

The mere existence of these groups is dangerous and needs to be viewed as a potential next phase in the war on terror – whether they are operating in concert with al Qaida or independently of AQ Core direction and control.

AQ-Inspired Radicalization and Threats

The long term threat from al Qaida comes in the allure of its ideology to individuals who may decide to join an established terrorist organization or may elect to conduct acts of terror on their own or with a small cell of actors. The radicalization of such individuals can be facilitated by extremist spiritual gatekeepers as well as the Internet and can take many forms – occurring quickly and remotely or over months with the intervention of several radicalizing actors. We have seen glimpses of this variety in the homegrown plots disrupted over the last eight years -- including those who had direct contact with senior AQ Core leadership while others connected with spiritual guides or foreign operatives via the Internet.

Over the last year, there has been a wave of terrorist acts and plots disrupted that demonstrate the spectrum of this threat within the United States:

- The brutal attack at Fort Hood on November 5, 2009, perpetrated by U.S. Army Major Nidal Malik Hasan.
- The attacks and murders at a military recruitment center in Little Rock, Arkansas on June 1, 2009.
- Two alleged plots with apparent direct international connections to known and designated terrorist organizations disrupted this fall.
    - Najibullah Zazi allegedly planned terrorist attacks in New York. Zazi appears to have had direct connections to al Qaida, including receiving training from al Qaida in Pakistan.
    - David Coleman Headley and Tahawar Rana allegedly planned attacks against the Danish newspaper that had published the cartoons of Mohammed. Both individuals are alleged to have direct connections and communications with Lashkar-e-Tayyiba (LT) and Harakat-ul-Jihad Islami (HUJI).
- The arrest of Bryant Neal Viñas, an American citizen who allegedly met with al Qaida members in Pakistan.
- Several plots involving radicalized individuals attempting to target sites in the United States:
    - The alleged plot in New York by four American citizens to attack two synagogues in the Bronx and a military transport plane;
    - The alleged attempt by Mosam Maher Husein Smadi, a Jordanian national, to blow up a skyscraper in Dallas;
    - The alleged attempt by Michael Finton to detonate a truck bomb at a federal building in Springfield, Illinois.
    - The arrest of seven men in North Carolina, including the supposed ringleader Daniel Patrick Boyd, who were allegedly planning terrorist attacks.
- The arrests of Somali Americans from Seattle and Minneapolis over the past year who were allegedly radicalized and trained in East Africa and then returned to the United States. These arrests form part of a broader inquiry into the ongoing recruitment, radicalization, and training of Somali Americans, including the October 2008 suicide bombing attack in Somalia by an American, Shirwa Ahmed. The Washington Post has reported that there has been at least seven Somali American recruits killed in East Africa.

- The recent arrest of five Americans from Northern Virginia who traveled to Pakistan to join the fight against the United States and who remain in Pakistani custody.

Though we have seen eight years of plot disruptions and attempted attacks, there are some concerning elements to these recent cases within the United States reflecting a growing allure to al Qaida's ideology and agenda. Unlike in past cases, some of the individuals involved appear to be second or third generation Americans who were born into Islam, as opposed to being converts to the faith; they appear to have acted in clusters, as with the American Somalis and Northern Virginia five; and they attempted to join or succeeded in

connecting with a known terrorist organization abroad for training, experience, and direction. These factors are troubling, especially given the effectiveness of AQ and like-minded extremists like Anwar al Awlaqi to use the Internet to recruit new adherents, including from the West.

In Muslim majority countries and among Muslim minority populations, frustrations held by Muslim youth because of lack of economic or social opportunity, political voice, or integration could serve to deepen the pool of potential radicalized individuals. This problem is exacerbated by the demographic youth bulge projected in the Middle East for years to come. In addition, there are international groups like Hizb ut Tahrir and Jamiat al Tabligh that preach an exclusionary brand of political Islam which could serve as a platform for radicalization of violent extremists. Such groups have growing global reach, as seen with Hizb ut Tahrir establishing itself in Central Asia.

This environment then suggests that more individuals will be radicalized over time and could take on the global terrorist mantle. This radicalization could certainly manifest itself in more violent local or regional conflicts, to include sectarian conflict between Sunni and Shia populations. This could also manifest itself – particularly in the West -- as a more virulent anti-globalization movement, especially in the wake of the recent financial crisis.

The ideas AQ germinated still resonate, regardless of the state of AQ Core or its affiliates. This metastasized dimension of the terrorist problem is perhaps the most bedeviling since it is diffuse and hard to counter. This ideological battlefield is where the long war will be fought.

U.S. Response to Al Qaida

The U.S. response to al Qaida over the past eight years has involved an aggressive offensive campaign intended to disrupt and dismantle al Qaida's global network, deny it safe haven, and prevent further attacks. The toppling of the Taleban and displacement of al Qaida training camps and safe haven in Afghanistan was a critical early victory, but the ultimate success of that mission needs to be solidified in the coming months. President Obama's decision to send additional troops to support General McCrystal's counterinsurgency campaign is the right move to shift momentum in that theater. In Iraq, the American surge, the rise of the Sunni Arab tribes against AQI, and the growing confidence of the Iraqi government over the last three years has served as a critically important counter to al Qaida's potential rise in the heart of the Middle East.

This offensive campaign was complemented by efforts to undercut the legitimacy of the violent extremist ideology through the use of soft power, partnership, and suasion. Furthermore, the U.S. government has attempted to build a layered defense to make it more difficult for al Qaida to attack the United States or our interests abroad.

Though American leadership has remained critical, the international community has responded aggressively to the threat from al Qaida for its own purposes, with countries like Saudi Arabia and Indonesia taking on the terrorists and their ideology in their midst,

especially after multiple attacks from al Qaida related groups in those countries. The U.S. and other countries have helped build counterterrorism capacity, including information sharing capabilities, so as to enable local authorities to handle terrorist groups within their borders. Thus, any effort to destroy al Qaida and constrain or mitigate any follow-on global terrorist movement requires a full-scale international effort, with the most important participation and rejection of this violent extremist movement coming from within Muslim communities.

Our efforts, however, have involved missteps. The two wars being fought in Muslim-majority countries have played into the al Qaida narrative of an invading force from the West, and the Abu Ghraib scandal and perceptions of prisoner abuse in Guantanamo Bay and Baghram Air Base have allowed the enemy to hammer its propaganda themes about the cruelty and hypocrisy of the United States. We must be conscious of the perceptions and effects of our actions and policies – especially among Muslim communities -- though we cannot shy away from defending the legitimacy of our actions or allow the enemy a heckler's veto over the steps we take to secure our country.

Response in 2010

We must pressure al Qaida on all fronts now: disrupting plots; destroying its core leadership; straining its financing; regaining momentum in Afghanistan; supporting Pakistanis, Yemenis, and Iraqis' denial of safe haven; pressuring Iran to hold the al Qaida leadership in its custody; and empowering regional and credible actors to contain al Qaida's nodes. This needs to be complemented by an all-out offensive in the ideological battle, with a concentration on networking and empowering a grassroots countermovement against al Qaida. Finally, we must continue to develop our layered defenses, with our partners abroad, and should anticipate new innovations by the enemy to circumvent current security measures.

Much of this work is underway:

- We are dismantling al Qaida's hard-to-replace core leadership while its planners worry more about spies in their midst than launching the next strategic attack;

- Funding is sparse with a demoralized donor base, likely forcing al Qaida to make tough budget decisions and shortchange long-term projects, like their WMD programs;

- Thanks to the work of key allies, al Qaida and its affiliates have failed to regain strategic footholds in Iraq, Saudi Arabia, East Asia, and the Levant. Other than in Yemen, its regional satellites in North Africa, Central Asia, and East Africa, though dangerous, have not become the strategic outposts that would threaten the West directly; and

- A number of al Qaida's major strategic plots against the United States and Europe

over the past eight years have been disrupted through intense intelligence and law enforcement cooperation.

Destroying AQ Core and Denying Regional Safe Havens

It is essential that the core AQ leadership be killed or captured so as to destroy the strategic and symbolic hub of the global Sunni extremist movement. Core al Qaida is the heart of the global Sunni terrorist movement focused on attacking the West and developing WMD. While the destruction of AQ Core will not end terrorism or the allure of its ideology, it is a necessary step to disable the global terrorist movement.

This also requires that the United States and international community deny physical safe haven to terrorist groups. It is in these undergoverned or ungoverned zones of the world that terrorist groups are able to plot, train, interact, and adapt. In denying safe haven, we must in the first instance rely on the local and regional partners which have a vested interest in ensuring that such zones are not allowed to fester.

This problem begins in Western Pakistan, where core al Qaida and the Pakistan Taleban have maintained their presence and influence. The Pakistani government must maintain its pressure in the Federally Administered Tribal Areas and should not fall prey to the past practice of negotiated settlements with tribal leaders and the Taleban when there is no way to enforce such deals. The United States should continue to press this position, using the power of the purse, development, and military assistance as levers.

The problem of safe haven extends well beyond the Afghanistan/Pakistan theater. In Yemen, we must assist the Yemeni government and regional partners to disrupt al Qaida activity and presence. This is now an imperative given the Christmas Day attacks. Saudi Arabian and UAE leadership, commitment, and resources will be needed to sustain a long-term effort to deny safe haven. In East Africa and Somalia, there must be continued attention from the African Union and East African countries to containing the threat from instability in Somalia and the presence of al Qaida and like-minded terrorist groups in the region. In Iraq, we must ensure that the Iraqi government is able to handle the threat from the remnants of AQI and other extremist groups as we withdraw our troops. In North Africa, we must enable Algeria and Morocco, among other countries in the Magreb, to pressure AQIM as it takes advantage of the vast expanse of the Sahara and support from local tribes.

In Southeast Asia, the United States and Australia must continue to support countries like Indonesia, Malaysia, the Philippines, and Singapore to ensure that there is no reemergence of JI-like terrorist groups. The reliance on local and regional partners and enablers has proven successful in rooting out terrorist groups in this region. Countries in Southeast Asia, with assistance from Australia and the United States, have adopted full-fledged counterterrorism strategies -- from "soft" counter-radicalization and jihadi rehabilitation programs to the development of "harder" special forces capabilities to address militants and terrorists on the battlefield. This approach and related regional partnerships signal an

important graduation for the international community in reducing the global reach of the terrorist groups in the region that needs to be replicated.

This effort to deny safe haven applies to broad swaths of territory (often straddling borders) as well as mini safe havens in refugee camps and urban environments. We need to be smart about preemptively denying al Qaida safe haven or entry into environments that are ripe for sectarian exploitation and radicalization. This requires the use of all elements of national power and resources – development aid and assistance and private sector investment and resources – and some forward looking policymaking and resource allocation in potential safe havens. For example, Bangladesh has wonderful potential as a Muslim democracy in South Asia but could serve as a country where a violent extremist ideology takes root. This approach applies in regions like Central Asia, with a growing class of radicalized youth stifled by lack of economic opportunities and political voice. It also applies to countries like Nigeria, where al Qaida could take advantage of longstanding conflicts between Christians and Muslims and where extremists like the Nigerian Taleban already have a foothold.

While resources are limited, the United States and our partners abroad will be more effective if we start addressing these emerging threats before they become entrenched. We must be proactive and not reactive in our efforts to deprive al Qaida and like-minded groups the luxury of safe haven.

Countering the Ideology and Fomenting a Countermovement

Importantly, all quarters in Muslim communities are now openly challenging al Qaida. Some in the so-called jihadi community deconstruct the violent ideology and ask critically what al Qaida's agenda has achieved. Former extremists in the London-based Quilliam Foundation and Muslim scholars in Singapore's Religious Rehabilitation Group are counteracting the ideology and activities of violent extremists. Al Qaeda's radically exclusionary ideology and violent tactics, victimizing even Muslim civilians, have led to its rejection – seen most vividly and importantly in Iraq.

In Iraq, which bin Laden once called the "golden and unique opportunity" to wage a central battle against the United States, al Qaida is in retreat. Its dream of an "Islamic State of Iraq" to serve as a platform for regional expansion was repulsed by its supposed core constituency - Sunni Arabs in the heart of the Middle East. Al Qaida's senior leadership no longer mentions Iraq, where local resistance with American backing has it in retreat.

This rejection is not isolated to Iraq or to extremist circles. More and more Muslim and Arab populations -- to include clerics and scholars -- are questioning the value of al Qaida's program and al Qaida's fomenting of chaos and its justification for the killing of Muslim innocents. In an article published in the Washington Post, the Grand Mufti of Al-Azhar Mosque in Egypt noted that "attacking civilians, women, children, and the elderly by blowing oneself up is absolutely forbidden in Islam. No excuse can be made for the crimes committed in New York, Spain, and London, and anyone who tries to make excuses for these acts is ignorant of Islamic law, and their excuses are the result of extremism and

ignorance." In October 2007, the Saudi Grand Mufti, Shaykh Abdul Aziz, delivered a speech warning Saudis not to undertake unauthorized jihadist activities and blamed "foreign elements" for exploiting the religious enthusiasm of young men for illegitimate purposes. The Grand Mufti also strongly warned wealthy Saudis to avoid funding causes that "harm Muslims." These are just some examples of concrete opposition to al-Qaida emerging around the world.

It is significant that there is notable and consistent opposition in Arab country polling to the targeting of civilians and use of terrorism. This trend is reflected in popular culture. For example, popular musicians in Pakistan and Indonesia are performing anti-terrorism songs that have become anthems for Muslims who want to distance themselves from extremism and violence.

We know that all of this matters to al Qaida and that its senior leadership is sensitive to the perceived legitimacy of both their actions and their ideology. They care about their image because it has real world effects on recruitment, donations, and support in Muslim and religious communities for the al Qaida message.

Though the United States is not a central protagonist in this ideological and theological battle within Islam, it has a role to play. This is especially the case after President Obama's Cairo speech directed to Muslims that attempted to break the narrative of the West being at war with Islam.

Aside from promoting democracy and defending our policies and values, the United States should be actively countering this narrative and the violent extremist ideology by supporting and empowering those credible voices emerging to counter al Qaida – in the physical and virtual worlds. There are examples of such groups around the world, and the United States should focus on enabling and networking such individuals and groups. The U.S. government has already begun this work as seen in the formation of the Alliance of Youth Movements (AYM) in December 2008, intended to use new technologies to connect and empower youth groups around the world seeking to counter violence in their communities.

Initiatives like this should be launched to create a seeming tidal wave of opposition to al Qaida and its ideology. The goal should be to help foment a grassroots countermovement that will not only speak out against al Qaida, terrorism, and violent extremist ideologies but will actively oppose it. At the end of the day, though, this opposition, as we have seen on the streets of Amman and in the voices of victims of al Qaida, must be organic and come from within Muslim communities. Muslim Americans then have a special responsibility to stand up against this ideology of hate that has begun to creep into the American consciousness.

In addition, our policy initiatives – in support of local partners -- need to address squarely some of the festering geopolitical conflicts and underlying conditions upon which al Qaida and violent extremists feed like leeches, such as the Israel/Palestinian dispute and the Indian/Pakistani Kashmiri conflict.

Combined with the tactical and strategic "soft" and "hard" pressure placed on this movement by the international community, the moral pressure against al Qaida is gaining momentum across the globe and will ultimately help dismantle al Qaida and its allure. Al Qaida's downfall and the end of the broader movement that it represents will follow inherently from their dark vision and terrorist tactics.

Layering and Deepening our Homeland Defense and Imagining the Unimaginable

With respect to our defenses, we need to build on the work of the last eight years to ensure we have a layered defense against strategically significant terrorist attacks. In the first instance, this requires a continual renewal of our commitment to intelligence gathering and prevention as the primary principles guiding our homeland defense. This requires clarity of policies and initiatives to deepen the information-sharing environment, including with state and local authorities and foreign partners. This also means finding new ways of tapping information available throughout the world that may not be in classic government or intelligence channels. The Center for Strategic and International Studies (CSIS) has innovated one such model, called the Trusted Information Network, which collects the knowledge of local experts on issues of concern and uses that network as a baseline for information gathering and analysis.

In the wake of the Christmas failed attack, we should redouble our efforts to improve identity management, to include integration of biometric-based technologies, and accelerate the implementation of Secure Flight. In addition, initiatives like the Container Security Initiative and Megaports, which extend our borders and the screening of cargo beyond our shores, should be expanded.

In addition, we must push government agencies to imagine the unimaginable by continuing to invest resources and energy to prevent terrorist groups from developing, acquiring, or using weapons of mass destruction. The United States has concentrated its strategy, programs, and international engagements on preventing terrorists from acquiring or using bio, chemical, and nuclear weapons. This also then extends to investment of resources in creating resiliency in our critical infrastructure, to include our cyberinfrastructure. Our cyber vulnerabilities must be seen as a new landscape to be defended against state and non-state actors alike. By applying new technologies to a layered defense -- whether it involves screening and detection or integrated biometric analysis -- we can build barriers to entry and execution for any terrorist group seeking to perpetrate a strategically significant attack.

Establishing Long-Term Legal Framework and Tools

We are still in need of a long-term legal framework that allows us to address the realities of this global terrorist threat while ensuring adherence to our fundamental legal principles and the perceived legitimacy of our practices. There remains no consensus about how to hold suspected terrorists and insurgents in a seemingly endless global conflict, in which the theaters of conflict range from recognized war zones and ungoverned havens to city

centers and suburban neighborhoods.

Neither the laws of war nor criminal legal principles fit the challenges presented by an amorphous transnational enemy wearing no uniform and intending to inspire a religiously motivated movement to commit catastrophic atrocities. This is a hybrid conflict still in need of legal and policy innovation.

In May, President Obama formally announced a preventive detention system, admitting that there are some individuals too dangerous to release. This is an important decision that reflects the reality of the threats the president rightly perceives and the inadequacies of the current legal systems to deal with such threats. This is now also the recommendation from the Department of Justice-led review of the Guantanamo detainees.

The President and Congress should examine alternative systems or procedures to detain suspected terrorists preventively and obtain intelligence while ensuring individual rights. Several promising models have been put forward in this debate already – such as a new national security court – and elements from other systems around the world could prove useful, including rehabilitation programs as "half-way houses" for less dangerous violent extremists.

Whatever form this takes, the United States needs to establish transparent rules for justifying continued detention while protecting basic individual rights, and it will need to gain some degree of international legitimacy. This can only be achieved if the President and Congress commit capital and credibility to establishing such a system that can be defended in U.S. courts and in the court of public opinion.

Our efforts to defeat al Qaida require a long-term legal framework to address this 21st century terrorist threat.

Conclusion

Al Qaida and the movement it represents is an enemy that is morphing in structure and adapting to changing geopolitical landscapes, but one that retains the same radical vision and ideology and devotion to the use of terrorism. Despite our disruptions and aggressive counterterrorism actions against al Qaida leadership, this movement has found ways of extending its reach beyond the Afghanistan-Pakistan border region.

In the first instance, we must hasten al Qaida's demise while containing the post-al Qaida terrorist threat and the violent ideology that it spawned.

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Juan Carlos Zarate

Senior Adviser, CSIS Transnational Threats Project

Juan Zarate served as deputy assistant to the president and deputy national security adviser for combating terrorism from 2005 to 2009. In that role, he was responsible for developing and overseeing the effective implementation of the U.S. government's counterterrorism strategy. He was also responsible for overseeing all policies related to transnational security threats, including counternarcotics, maritime security, hostages, international organized crime, money laundering, and critical energy infrastructure protection. Prior to joining the National Security Council, Mr. Zarate served at the Department of the Treasury, from 2001 to 2005. He was the first assistant secretary for terrorist financing and financial crimes, where he led the department's efforts to attack terrorist financing, build comprehensive anti-money laundering systems, and expand the use of the department's powers to advance national security interests. This included the development of a new brand of financial power that has been used to pressure North Korea, Iran, and other rogue actors. Mr. Zarate also led the U.S. government's global hunt for Saddam Hussein's assets, resulting in the return of over $3 billion of Iraqi assets.

Prior to working at the Treasury Department, Mr. Zarate served as a prosecutor in the Terrorism and Violent Crime Section of the Department of Justice, where he worked on terrorism cases, including the USS *Cole* investigation. Earlier, he worked as a federal law clerk for Chief Judge Judith Keep in the Southern District of California. Mr. Zarate is a magna cum laude graduate of Harvard University and a cum laude graduate of the Harvard Law School. He studied as a Rotary International fellow at the Universidad de Salamanca, Spain. He is the author of *Forging Democracy: A Comparative Study of the Effects of U.S. Foreign Policy on Central American Democratization* (University Press of America, 1994), as well as "The Emergence of a New Dog of War," *Stanford Journal of International Law* (1998), a groundbreaking article on the growing use of private military and security companies by nation states.

DISCLOSURE FORM FOR WITNESSES
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION

INSTRUCTION TO WITNESSES: Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111th Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

Witness name: Hon. Juan C. Zarate

Capacity in which appearing: (check one)

✓ Individual

___ Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: _____

FISCAL YEAR 2010

N/A

federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant

FISCAL YEAR 2009

federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant
Scom Threat Finance Project	DOD/Socom	$4,000	Sub to Delotte Consulting (Threat Finance)
Field Research Contracts (2)	DOD	$10,000	Consultant to Artis Research

FISCAL YEAR 2008

n/a

Federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant

Federal Contract Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2010): n/a;
Fiscal year 2009: 3;
Fiscal year 2008: n/a.

Federal agencies with which federal contracts are held:

Current fiscal year (2010): n/a;
Fiscal year 2009: Dept of Defense;
Fiscal year 2008: n/a.

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2010): ;
Fiscal year 2009: Threat Finance/Strategic Consulting
Fiscal year 2008: .

Aggregate dollar value of federal contracts held:

Current fiscal year (2010): n/a;
Fiscal year 2009: $14,000;
Fiscal year 2008: n/a.

Federal Grant Information: If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2010): n/a;
Fiscal year 2009: n/a;
Fiscal year 2008: n/a.

Federal agencies with which federal grants are held:

Current fiscal year (2010): n/a;
Fiscal year 2009: n/a;
Fiscal year 2008: n/a.

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2010): n/a;
Fiscal year 2009: n/a;
Fiscal year 2008: n/a.

Aggregate dollar value of federal grants held:

Current fiscal year (2010): n/a;
Fiscal year 2009: n/a;
Fiscal year 2008: n/a.

The Paradoxes of Al Qaeda
Statement for the House Armed Services Committee
By Steve Coll
President, New America Foundation
January 27, 2010

Chairman Skelton, and members of the Committee, thank you for the opportunity to testify about Al Qaeda's evolving strengths and weaknesses and what implications they might hold for American policy.

Al Qaeda's elasticity and adaptability have long challenged those who seek to define, analyze, contain or defeat the group. Analytically, the first problem is one of taxonomy. Some of the politicized debate about counterterrorism policy in the United States can be traced to persistent confusion about what Al Qaeda actually is, and therefore, what character of threat it presents at a given time. On one end of this foggy spectrum have been a series of maximalist arguments that sometimes equate the Al Qaeda threat with the existential nuclear threats of the Cold War and argue for recognition of a forthcoming, multi-decade conflict between religious civilizations. On the other end of the spectrum are arguments holding that Al Qaeda's dangers have been vastly overstated and that the best way to contain its potential may simply be to ignore its leadership and propaganda until they both whither away. Embedded in these unresolved arguments is an additional confusion about whether Al Qaeda is best understood as a centralized organization; a network of like-minded organizations; or merely an Internet-enabled ideology.

An accurate assessment of Al Qaeda must begin with the recognition that it has become several things at once: An organization, a network, a movement or ideology, and a global brand. Its strengths and weakness across these distinct characteristics vary.

First, although not necessarily foremost, Al Qaeda is a specific organization with a specific history, now more than twenty-one years old, one that has involved the same two leaders – its amir, Osama Bin Laden, and its deputy amir, Ayman Al-Zawahiri – serving without interruption. The notes and principles from its founding meetings in the summer of 1988 are part of the public record. Al Qaeda the organization has never been tested by a succession crisis because its two foundational leaders have remained at large for so long. Its use of leadership or management committees with policy and functional responsibilities such as military operations, finance and media has also been continuous.

Long before 9/11, however, Al Qaeda also deliberately aspired to act as a vanguard and inspirational resource for like-minded violent jihadi organizations across the Islamic world. First in Khartoum, more informally, and later in Afghanistan, more formally, Al Qaeda's leaders attempted to construct common goals and methodologies

for like-minded groups from Southeast Asia to North Africa. The fortunes and connectivity of this intentionally constructed network have continually changed as the fortunes of particular groups have risen or fallen, and as Al Qaeda's ability to operate across international borders grew more constrained after 9/11.

This second aspect of Al Qaeda – its strengths and potential as a network – requires careful, time-bound assessments, grounded in an understanding that the network continually changes shape. A decade ago, Al Qaeda looked particularly strong in Southeast Asia. Five years ago, it looked particularly strong in North Africa and Iraq. Today, it looks weak in both of those regions but stronger in Yemen, Somalia, and of course Pakistan. There is no reason to expect that this current assessment will remain static, not least because U.S. and allied counterterrorism campaigns will continue.

Al Qaeda's function as a central node in its network has also changed over time. Ten years ago its role was primarily to raise money and define and justify the ideology of transnational jihadi violence and to provide training for volunteers who answered its call. Today that media and ideological role remains important, but Al Qaeda's fundraising abilities are pinched. Its most practical contribution to its networked partners today may be the tactical expertise it has developed about bomb making and suicide bomb delivery.

Al Qaeda has also evolved in recent years into a less corporal shape. There are many Islamist organizations with connections to violence that espouse ideas and war-fighting narratives similar to Al Qaeda's, and that distribute and debate those ideas on the internet. And yet Al Qaeda can still claim distinction as an ideology or brand because of its specific critique of the West, its record of spectacular attacks, and the particular call to action it continues to issue through innovative media operations. As the case of the alleged attacker of Flight 253 last year illustrated, Al Qaeda has evolved into an Internet-enabled direct marketing organization in which suicide bombing recruits may never meet leaders of the central organization, and may be recruited in any number of settings (as long as physical contact is possible in order to build sufficient trust).

Al Qaeda's architecture remains both geographical – havens remain necessary for it to attract, train and dispatch attackers – and also virtual, in the sense that the Internet can provide one of the means by which recruits are drawn to the havens. (There is little evidence of Internet-only conspiracies – where this pattern has surfaced, it has been marked by the conspirators' failures.) Al Qaeda's media and internet adoption and adaptation has been one of its hallmarks since the 1990s – it was by email that the future suicide pilots of the 9/11 conspiracy first made their way to Afghanistan. Since then, as digital technology has become much more distributed, varied and sophisticated, this pattern of preaching, volunteerism and recruitment has intensified.

Weaker Politically, Resilient Militarily

This survey of Al Qaeda's multiple forms or categories of expression is important because it helps to explain a paradox of Al Qaeda's persistence as a threat to American

lives, allies and interests. The paradox is that at the same time that Al Qaeda's political and ideological support in the Muslim world has been declining sharply, it has nonetheless been able to remain resilient as a source of disruptive terrorist violence.

Multiple polls have described the decline in public support for Al Qaeda and its tactics in the Islamic world since about 2005. One recent, particularly rigorous poll was published in 2009 by The Program on International Policy Attitudes at the University of Maryland, entitled, "Public Opinion in the Islamic World on Terrorism, Al Qaeda and U.S. Policies."/1 It found that support for Al Qaeda-conceived attacks against American civilians in the U.S. homeland, such as the attack attempted aboard Flight 253, is virtually negligible in a diverse array of heavily populated Muslim-majority countries. In Pakistan, where anti-American feeling has reached a fevered pitch, only nine percent supported such attacks; in Indonesia, the number was five percent. It is common to observe that Bin Laden's poll ratings have fallen precipitously in recent years because Al Qaeda-inspired violence has taken the lives of so many Muslim civilians since 2001. The Maryland poll suggests that citizens of Islamic countries, as elsewhere, overwhelmingly disapprove of all indiscriminate violence against civilians, no matter who carries it out, and no matter what the cause – attitudes that encompass strong disapproval of Al Qaeda's tactics and indiscriminate aerial bombardment by U.S. forces alike.

Al Qaeda has brought its political isolation on itself. Unlike Hezbollah or Muslim Brotherhood-derived movements in the Sunni Muslim world, Al Qaeda has never provided social services to its followers or built an effective political wing. Its leaders have succeeded in speaking to the political grievances of many Muslims, and the issues Al Qaeda leaders have highlighted – the Israeli-Palestinian conflict, the presence of U.S. military forces in Muslim countries – still resonate with many of the Muslims surveyed. Yet the outlook of Bin Laden and Al-Zawahiri is not merely political. It is also millenarian, in the sense that both of them believe, as they often repeat, that they have been called by God to lead a war whose outcome is pre-ordained and will only finish at the end of Earthly time. This investment in a narrative that diminishes the significance of contemporary affairs seems to have been one factor in the failure of Al Qaeda's leaders to conceive, pursue and build a contemporary political movement to support what most people regard as terrorism but which they would regard as their guerrilla or military activity. In any event, whatever the explanations, it is now clear that the construction of a political strategy has proven to be beyond their abilities. Al Qaeda's political appeal seems to have crested and barring provocative mistakes by the United States, or allies such as India and Israel, it is hard to see how that appeal can be broadly revived. That is not to say that anti-American Islamist violence is necessarily waning. Even a small, politically isolated group can wreak havoc if it enjoys physical havens and the ability to recruit talented individuals willing to commit suicide in an attack.

Indeed, Al Qaeda remains resilient and dangerous. Its central or original organization and leadership remains in the field. As my colleague Peter Bergen has documented, one transparent measure of the degree of pressure Al Qaeda feels in its homeland along the Afghan-Pakistani border is the number of media releases it has been able to organize. In 2008, its border media operations seemed to come under pressure and

the number of Al Qaeda releases fell by half. In 2009, however, despite the heavy pressure of the American drone attacks and the reported deaths of a number of Al Qaeda commanders, the media operation rebounded. /2 A succession of trans-national plots (many, fortunately, unsuccessful) where evidence clearly implicates support from Al Qaeda technicians or leaders in Pakistan or elsewhere makes clear that the group retains enough breathing space to launch operations that could claim at least several hundred lives in an instance. Careful analysis of the open-source evidence from this string of international conspiracies since the attack on the London subway system in July 2005 suggests that Al Qaeda's ability to organize and fund multi-participant, long-lived, complex terrorist conspiracies such as the one carried out on 9/11 is diminished, although the September 2006 planes bombing conspiracy in Britain offers a reminder that the group's ambitions on this scale have persisted. Flight 253 is a case whose dimensions and character – an attack of limited or no strategic significance, but potentially devastating nonetheless – is consistent with the pattern of Al Qaeda-linked or Al Qaeda-generated plots in recent years.

Regional Affiliates

In a political-military sense, Al Qaeda's greatest potential today probably lies in the violence and ambitions pursued by regional actors in its network. Whether it is correct to call these regional groups Al Qaeda-linked varies from case to case and is in any event difficult to assess confidently from the open source record. What can be said with high confidence is that these groups are often Al Qaeda-related or even Al Qaeda-inspired. I refer here first of all to explicit Al Qaeda "branches" or "franchises" such as the one now based in Yemen and operating on the Arabian peninsula; the remnant franchise in Iraq; or the self-described Al Qaeda units operating sporadically in North Africa. But I also refer to linked or related groups such as Al-Shatab[ck] in Somalia or a complex of India-focused radical groups based in Pakistan, such as Lashkar-e-Taiba, which has long-lived historical connections to Al Qaeda.

Currently, from the perspective of U.S. security and global interests, the most dangerous of these regional groups appear to be those in Yemen, but even more so, in the Afghanistan-Pakistan region.

The flight 253 plot brought to the fore a pattern of evidence about Al Qaeda's resilience in Yemen that had been accumulating for some time. The group's presence and connections in Yemen's Islamist militias and movements dates back about two decades. More recently, after Saudi Arabia routed out Al Qaeda from the kingdom in the period from 2003 to about 2005, Yemen became a refuge and a regional haven. Its proximity to Somalia has also been a factor. The Yemeni government has often been reluctant to attack Al Qaeda and related groups fully for political reasons and because it has other problems to contend with, such as the emerging Saudi-Iranian proxy war that has been taking place in Yemen's north. When the government has attacked Al Qaeda cells in collaboration with the United States the strikes have not always been effective, and the open source record suggests that much of Al Qaeda's Yemeni leadership remains in tact.

More encouragingly, however, that same record suggests that Al Qaeda's local tribal, geographical and recruitment base in Yemen remains relatively narrow and isolated, confined almost entirely to Abyan and Shabwa provinces.

In the Pakistan-Afghanistan region, Al Qaeda's like-minded allies are far more robust. The number of sworn Al Qaeda members operating along the Afghan-Pakistan border today is probably only a few hundred, according to multiple open source estimates. The Afghan Taliban's fighting force is typically estimated, by comparison, to be in the range of twenty-five thousand. The Pakistani Taliban, some of whose sections seem to be the most closely linked to Al Qaeda, number in the thousands at the least. India-focused groups such as Lashkar, having enjoyed collaborative support from the Pakistani state for so many years, are larger still. Lashkar and other India-focused groups, such as Jaish-e-Mohammed, Lashkar-e-Jhangvi, as well as splinters and others, have been able to recruit talented operatives from educated classes and urban centers. Lashkar's ranks include scores of volunteer doctors and other post-graduate professionals. If one of these sub-networks did carry out a spectacular attack, the overwhelming likelihood is that it would be directed against India, which would again raise the specter of disruptive military conflict, undermining U.S. efforts in Afghanistan. The potential of these India-focused groups, with or without clandestine collaboration by Pakistani security forces or A.Q. central, to repeat or exceed the scale of the provocative attack carried out in Mumbai on November 26, 2008, presents, in my judgment, one of the most serious current threats to U.S. interests in the complex of risks and dangers posed by Al Qaeda.

Implications for Policy

In a strategic or global sense, Al Qaeda seems to be in the process of defeating itself. Its political isolation in the Muslim world has set the stage for the United States and allied governments, with persistence, concentrated effort, and perhaps some luck, to finally destroy central Al Qaeda's leadership along the Afghan-Pakistan border. Such an achievement would not only provide justice for the victims of 9/11, it would also contribute to the freedom of maneuver enjoyed by the United States in the region and globally, by drawing to an end the debilitating, destabilizing narrative of hunt-and-escape that has elevated the reputations of Bin Laden and Al-Zawahiri for so long.

More broadly, with or without success in the pursuit of Al Qaeda's leadership, the group's self-isolation should provide a fundamental framework for U.S. counterterrorism policy, particularly in the communications sphere. That policy should be constructed to patiently reinforce Al Qaeda's political isolation. (The hunt for Bin Laden and Al-Zawahiri, by Predator drone and otherwise, may have a countervailing effect in the short run, but the effort to finally destroy Al Qaeda's central leadership is nonetheless essential.) The most effective U.S. approach will be to call attention to Al Qaeda's depredations and weaknesses, through proxies as much as possible, while taking no action itself that might reconnect Al Qaeda to its former political, financial and recruiting support. Fortunately, in strategic communications, Al Qaeda's own actions speak most effectively for themselves – the ghoulish spectacle of a young Nigerian "taught" to

commit suicide by detonating explosives hidden in his underwear was hardly the image of noble war that Al Qaeda would require to recover its lost standing. American communications matter less, but as with Al Qaeda, actions always provide the clearest and most effective signals, particularly in a media era characterized by nearly infinite numbers of channels. Closing Guantanamo, repudiating torture, reaffirming American constitutional values, engaging constructively with the Israeli-Palestinian conflict, affirming the sanctity of civilian life in military conflict, are all examples of specific acts by the Obama Administration – attempted or completed – that by themselves can contribute to a successful strategic communications policy aimed at Al Qaeda's continued political isolation.

In the more kinetic realm, the analysis above argues for a clear-eyed, calibrated forward defense aimed at Al Qaeda's most resilient military strengths – namely, its surviving leadership and its most potent regional networks. In Yemen, this will require a multi-pronged support to incent and resource efforts by the Yemeni government. Open unilateral action by the United States would be counterproductive because it might broaden the narrow social and tribal base exploited by Al Qaeda in the country.

In the Afghanistan-Pakistan region, the problem of Al Qaeda's resilience, expressed through the revolutionary ambitions of the Taliban and other radical groups in both countries, provides the context for the Obama Administration's policy decisions of last fall, which I will not re-analyze here. However, the assessment of Al Qaeda above does point to a potential gap in the Administration's recently announced Af-Pak policies. To prevail in Afghanistan on the timetable announced by the Administration, the pursuit of cooperation by the Pakistan Army has become a high priority. The Army's commanders, in turn, have repeatedly resisted urgings that it take aggressive action against Al Qaeda-affiliated groups – not only the Afghan Taliban's leadership, and sections of the Pakistani Taliban such as the Haqqanni network, but also the India- and Kashmir-focused groups operating on Pakistani soil as well, elements of which were responsible for the Mumbai attack of 2008. (To be sure, the Pakistan Army has legitimate reasons to resist American entreaties for action now. The Army is overstretched, its counterinsurgency capabilities are mixed, if improving, and its capacity to take on multiple internal groups at once is questionable. Yet the Army also has a clear historical record of lacking the will to abandon its policies of using dangerous Islamist militias, including some affiliated with Al Qaeda, as proxies in its regional competition with India.) A risk facing the Obama Administration is that, in its anxiety to avoid aggravating the Pakistan Army and political establishment by making demands about Kashmir- and India-focused groups (at a time when the Administration's risks and investments are heavily located in Afghanistan) it may leave relatively unmolested the very regional networks that the evidence suggests have the talent, time and space to carry out ambitious violence, whether it is in India or elsewhere.

1/World Public Opinion.org, February 25, 2009
2/Testimony by Peter Bergen, Senate Foreign Relations Committee, TK Date, 2009
3/Forthcoming paper on Al Qaeda in Yemen by Barak Barfi, for the New America Foundation

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Steve Coll is president of New America Foundation, and a staff writer at *The New Yorker* magazine. Previously he spent 20 years as a foreign correspondent and senior editor at *The Washington Post*, serving as the paper's managing editor from 1998 to 2004. He is the author of six books, including *The Deal of the Century: The Break Up of AT&T* (1986); *The Taking of Getty Oil* (1987); *Eagle on the Street*, based on the Pulitzer Prize-winning account of the SEC's battle with Wall Street (with David A. Vise, 1991); *On the Grand Trunk Road: A Journey into South Asia* (1994), *Ghost Wars: The Secret History of the CIA, Afghanistan and Bin Laden, from the Soviet Invasion to September 10, 2001* (2004); and *The Bin Ladens: An Arabian Family in the American Century (2008).*

Mr. Coll's professional awards include two Pulitzer Prizes. He won the first of these, for explanatory journalism, in 1990, for his series, with David A. Vise, about the SEC. His second was awarded in 2005, for his book, *Ghost Wars*, which also won the Council on Foreign Relations' Arthur Ross award; the Overseas Press Club award and the Lionel Gelber Prize for the best book published on international affairs during 2004. Other awards include the 1992 Livingston Award for outstanding foreign reporting; the 2000 Robert F. Kennedy Memorial Award for his coverage of the civil war in Sierra Leone; and a second Overseas Press Club Award for international magazine writing. Mr. Coll graduated Phi Beta Kappa, Cum Laude, from Occidental College in 1980 with a degree in English and history. He lives in Washington, D.C.

DISCLOSURE FORM FOR WITNESSES
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION

INSTRUCTION TO WITNESSES: Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 111th Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

Witness name: **Mr. Steve Coll**

Capacity in which appearing: (check one)

X Individual

___Representative

If appearing in a representative capacity, name of the company, association or other entity being represented:_____

FISCAL YEAR 2010 none

federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant

FISCAL YEAR 2009 none

federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant

FISCAL YEAR 2008 none

Federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant

Federal Contract Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

Federal agencies with which federal contracts are held:

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

Aggregate dollar value of federal contracts held:

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

Federal Grant Information: If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

Federal agencies with which federal grants are held:

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

Aggregate dollar value of federal grants held:

Current fiscal year (2010):_____;
Fiscal year 2009:_____;
Fiscal year 2008:_____.

WITNESS RESPONSES TO QUESTIONS ASKED DURING THE HEARING

JANUARY 27, 2010

RESPONSE TO QUESTION SUBMITTED BY MR. SHUSTER

Mr. COLL. Abu Yahya Al-Libi is the nom de guerre of a Libyan-born jihadi who has fought in and around Afghanistan since at least the early 1990s. He became a celebrity after his escape from Bagram Prison outside of Kabul in 2005. Some analysts have praised his communication skills; he has some education and has been able to exploit in propaganda stories about chatting with American prison guards at Bagram as well as his daring escape. It is doubtful that any al Qa'ida leader will ever gain the global reputation that Osama Bin Laden enjoyed at the height of his popularity, but Libi does represent a charismatic example of the generation of jihadis shaped by the battlefield and prison narratives that followed the September 11 attacks and the wars in Afghanistan and Iraq. [See page 29.]

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

JANUARY 27, 2010

QUESTIONS SUBMITTED BY MR. SKELTON

Mr. SKELTON. Should the United States engage countries such as Yemen using security cooperation alone or should U.S. policy be broader and focus on development and reform irrespective of the host-nation commitment to U.S. policy and cooperation on counterterrorism issues?

Mr. CLARKE. [The information referred to was not available at the time of printing.]

Mr. SKELTON. You have been working counterterrorism issues for decades, and serving at very senior levels of the U.S. government has given you perhaps a unique vantage point in terms of organizational changes in the federal government that have occurred since 9/11. Can you provide us with an overview of how our government—and in particular the Department of Defense—has been working together in light of the continually evolving threat posed by al Qa'ida? Where and what do we need to improve? What types of inefficiencies still exist that could potentially be exploited by our enemies?

Mr. CLARKE. [The information referred to was not available at the time of printing.]

Mr. SKELTON. How do you assess the risk that Americans fighting alongside groups like al Shabaab in Somalia will return to the United States intent on attacking the homeland?

Mr. ZARATE. The al Shabaab and the jihadi battlefield in Somalia continue to attract radicalized recruits and support from around the world, including individuals from the United States. Unfortunately, a series of recent cases, including announcements on August 5, 2010, by the Attorney General of new arrests in the United States for terrorist support to al Shabaab, underscore this festering problem. The pipeline of Americans, both non-African converts to Islam and American-Somalis, to fight in Somalia with al Shabaab raises the direct concern that such fighters and radicalized individuals will be trained and then redeployed to commit attacks in the United States. This has been a central concern of U.S. counterterrorism officials since 2005.

There are three key factors that raise concerns that the al Shabaab will serve as a platform for deployment of Westerners to attack in the homeland:

- The al Shabaab's view that it forms part of al Qa'ida's global network as well as continued interaction between al Qa'ida elements in East Africa with the al Shabaab make it likely that al Shabaab will try to project force and its influence beyond Somalia—either on its own or at the prompting of al Qa'ida elements. The al Shabaab's July 2010 suicide attacks in Kampala are troubling because they demonstrate the group's willingness to attack beyond the borders of Somalia against a perceived enemy. In addition, the al Shabaab seems particularly willing to try to bait U.S. intervention and reaction, which makes their potential actions against U.S. interests more variable and less susceptible to deterrence.
- With the presence of Americans and other Westerners in al Shabaab training camps who could travel relatively easily back to the United States, there is greater opportunity for the al Shabaab to deploy an individual or group to the United States to commit an act of terror. The reality that the first American suicide bomber in October 2008, Shirwa Ahmed, was an American-Somali who attacked a site in Somalia serves as a clear warning that Americans can be radicalized and deployed as suicide attackers. With others following in his footsteps in Somalia and the failed Times Square car bomb, the concerns about a possible American committing an act of terror in the Homeland have only grown.
- Events over the last 18 months have perhaps taught the al Shabaab a lesson. To project force into the United States—even with a failed attack (as seen vividly in the Detroit airline incident and the bungled Times Square car bomb)—may be a success. With perceptions of U.S. overreaction to the Detroit and Times Square events, groups like al Shabaab may now believe that disruption vice destruction in the United States is a worthy goal. They also may have learned the lesson from regional groups and allies of al Qa'ida, like al Qa'ida

in the Arabian Penninsula and the Pakistan Taliban, that deployment of just one operative for an attack can raise the group's profile and inject fear into American society—and could perhaps lure the United States into a direct military confrontation.

These factors combined with the continued allure of Somalia as a perceived battlefield make it likely that the al Shabaab—on its own or as a proxy for al Qa'ida—will attempt to deploy an operative into the United States for an attack. Fortunately, there are counterweights to this possibility. The al Shabaab is under increasing pressure within Somalia, and its recruits—Westerners or otherwise—have been concentrated on maintaining and expanding control of territory in Somalia. In addition, within the United States there is intense focus by law enforcement and the intelligence community on this potential—since 2006—and the recent cases revealed publicly demonstrate law enforcement's continued focus on any pipeline—human or financial—to Somalia. Finally, the Somali-American community in urban areas like Minneapolis have begun to recognize that they have a problem in their midst and have cooperated with law enforcement to try to prevent the radicalization of Somali-American youth.

Mr. SKELTON. If we are seeing al Qa'ida-affiliate threats spread from South Asia to the Arabian Peninsula, where do you believe is the next potential region of instability and what specifically can we do to address this evolving threat?

Mr. ZARATE. I have described the evolving violent Sunni extremist problem as a terrorist Hydra—with AQ Core (made up of the senior leadership and cadre of historical al Qa'ida present largely in Western Pakistan); AQ affiliates and allies (to include groups like al Qa'ida in the Arabian Penninsula, al Qa'ida in the Islamic Maghreb, al Qa'ida in Iraq, al Shabaab, the Pakistan and Afghan Taliban, Islamic Jihad Union); and AQ-inspired individuals and cells all operating in a global battlefield. The most dangerous manifestations of regional expansion for al Qa'ida lie in the relationships with regional organizations that have ideological, historical, and logistical ties to AQ Core as well as small groups of radicalized individuals who are committed to the strategic goals and actions defined and prompted by al Qa'ida.

Aside from Afghanistan and Pakistan and all the groups operating in those countries (including Lashkar-e-Taiba, Haraka ul Jihad I Islami (HUJI), and HUJI–Bangladesh), the United States needs to worry about physical safe haven in numerous parts of the world which provide the opportunity for Sunni terrorist allies to recruit, train, mingle, and strategize together. The arc from Yemen through Somalia and East Africa to Southern Sudan and the Maghreb provides the most important and dangerous arc of instability and opportunity for our terrorist enemies. The growing radicalization in Central Asia—to include southern Russia and western China—is of concern especially with organizations like the Islamic Jihad Union and the East Turkestan Islamic Movement (ETIM) operating aggressively in the region and beyond. The problem of extremism in the Gulf, Iraq, Egypt, and the Levant needs to be watched carefully, though al Qa'ida has had difficulty in establishing bases in the countries of this region after crackdowns in the post 9/11 period. Finally, the problems of "pocket havens"—small communities of radicalized individuals who are susceptible to recruitment and enlistment on their own or by organized terrorist groups—need to be treated seriously. These pockets can be found in refugee camps (e.g., Palestinian camps in Lebanon), particular villages (e.g., Tetuan in Morrocco), and in urban environments among disaffected minorities (e.g., certain Muslim subcommunities in Europe and North America).

The most important thing that can be done is to empower and enlist regional and local actors to take up the task of disrupting active al Qa'ida and terrorist activity while also trying to prevent and counteract the radicalization of susceptible populations. This model will look different in each instance depending on the environment and how the threat is materializing, but the key remains local engagement and cooperation by security and law enforcement agencies, aid agencies, and credible community voices. The United States can always be helpful by providing information, capacity, and relevant enablers. The example of Southeast Asia's success in addressing the terrorist threat is informative, with capable and willing countries working together with the assistance of Australia and the United States to disrupt terrorist cells, prevent radicalization, build collective capabilities and defenses, and to engage in counterinsurgency efforts where needed.

Mr. SKELTON. In your written testimony, you talk about how al Qa'ida's public support is declining and how they have essentially politically isolated themselves since 2005. In addition to the policy options you discuss, how specifically can the United States take advantage of this downward trend in the popularity of al Qa'ida and what strategies would you recommend?

Mr. COLL. The best strategy is to work through others in the Islamic world—particularly to help highlight the narratives of Muslim and other civilian victims of al

Qa'ida's indiscriminate bombing, and to publicize polling data that documents the abhorrence that most Muslims feel toward suicide bombing. Directing financial support, through proxies if possible, to civil society and human rights groups in Muslim-majority countries who help victims of terrorist violence is one specific idea that would push in this direction. Direct arguments made by American officials are less likely to be effective.

QUESTION SUBMITTED BY MR. SMITH

Mr. SMITH. Should the United States engage countries such as Yemen using security cooperation alone or should U.S. policy be broader and focus on development and reform irrespective of the host-nation commitment to U.S. policy and cooperation on counterterrorism issues?

Mr. CLARKE. [The information referred to was not available at the time of printing.]

QUESTIONS SUBMITTED BY MS. SANCHEZ

Ms. SANCHEZ. In your testimony you talked about the effective use of U.S. Special Operations Forces (SOF) to build national capacity of our foreign counterparts and partners. With this in mind, and considering high-priority regions of concern, where should SOF concentrate their efforts geographically to enhance partnerships and limit or mitigate threats posed by AQ and AQ affiliates?

Mr. ZARATE. The U.S. Special Forces (SOF) and the relationships and capacities they have built and continue to build around the world are critical to our long-term counterterrorism success. Counterterrorism operations around the world will often depend directly on the discipline and effectiveness of small units able to target and disrupt terrorist activity surgically. SOF helps to build that worldwide capacity and network that is advantageous to U.S. interests.

The SOF's resources are best spent with countries that are aligned with U.S. interests, have the willingness to engage in the terrorism fight, and will be important to local and regional disruption of emerging terrorist threats. Those special forces from countries that have been active with the United States in war zones like Afghanistan and Iraq are prime candidates as force-multiplying partners in building further global capabilities.

The most critical of the special forces engagements globally will come with countries that can serve as regional enablers for their neighbors to address existing and future threats. In East Africa, this includes work with Ethiopian, Kenyan, and Ugandan forces. In the Middle East, this means continuing to build the capabilities of strong partners like Jordan, the United Arab Emirates, Saudi Arabia, Morocco, and Iraq. In Southeast Asia, this means working collectively with Australian special forces to build the capabilities of Singaporean, Thai, and Indonesian forces. With our special forces and existing capable allies, we need to be building credible partners in key parts of the world where al Qa'ida and its allies have potential footholds to ensure it cannot gain safe haven or expand its global reach.

Ms. SANCHEZ. In your testimony you talked about a need to reset strategic communications on a nonpartisan basis. What specific strategic communications strategies would you offer policy makers as we consider the morphing AQ threat of 2010 and beyond?

Mr. COLL. The most important priority is to conceive of strategic communications policy so that it fits with the media technologies of our time. To date, American strategic communications thinking has remained rooted in the "broadcast tower" or one-to-many paradigm of the Cold War era. Anyone who keeps a Facebook or Twitter account will recognize that many-to-many is the new paradigm. Innovators at the State Department such as Alec Ross, Secretary of State Clinton's adviser on how digital technology creates opportunities for diplomacy, offers an example of the new thinking that the government requires. The next step is to think about how models of many-to-many communication can be distributed to reinforce Muslim public opinion that is already hostile to al Qa'ida and its tactics. This will require some risk-taking that public diplomacy thinkers have so far found difficult.

QUESTION SUBMITTED BY MS. TSONGAS

Ms. TSONGAS. One of the most disturbing aspects of al Qa'ida's demonstrated elasticity and adaptability is its use of the Internet to attract new followers and facilitate radicalization. The Internet has allowed al Qa'ida to reach out beyond the con-

straints of regional borders and the geographical locations of its training camps to spread the extremist mindset and encourage newcomers to act on the ideology's call to violence.

This ability to harness the Internet is especially concerning due to the emerging threat of "homegrown" terrorist and domestic radicalization. In fact, the Center for Strategic and International Studies "Transnational Threats Update" that came out last month (Volume 7, Number 9, Nov-Dec 2009), stated that the threat of domestically radicalized recruits "has manifested itself as a possibility in more than 20 cases since 9/11, and at least a dozen in the past year."

And Mr. Coll wrote last week in a piece for the New American Foundation titled "Threats" (January 18, 2009) that al Qa'ida "has evolved into a jihadi version of an Internet-enabled direct-marketing corporation structured like Mary Kay, but with martyrdom in place of pink Cadillacs."

As the Senate Committee on Homeland Security and Government Affairs reported in its 2008 Staff Report on violent Islamist Extremism, the Internet, and the Homegrown Terrorist Threat, one of the primary drivers of the expanding al Qa'ida threat to our homeland is the use of the Internet to enlist individuals to joint in violent extremism without ever really affiliating with a terrorist organization.

So as we look forward and try to analyze what the U.S. should do to better prevent future terrorist attacks and ultimately defeat and eliminate al Qa'ida, understanding the emerging threat of the Internet in radicalization is a critical aspect.

Mr. Zarate, given your extensive experience in providing and advising strategic direction for combating terrorism, can you provide your opinion as to the way forward to preventing al Qa'ida from harnessing the power of the Internet to spread radical and violent Islamic ideologies and recruit from inside the borders of the U.S.

Can you address both the technological and the communication aspects of addressing this threat? Do we have the necessary cultural understanding and communication skills to counteract the propaganda produced by al Qa'ida and its affiliates? If not, how do we develop the necessary skill sets?

Mr. ZARATE. The Internet has become a global accelerant to al Qa'ida's cause, giving it reach well beyond its geographic bounds and creating the sense of a global, virtual caliphate that is attractive to adherents around the world. The allure of the al Qa'ida-inspired narrative and radicalization is growing stronger in Western countries among disaffected individuals. The approach to the Internet is complicated for the United States given our constitutional devotion to First Amendment principles and the necessary openness of communication via the Internet.

There are three key avenues of engagement on the Internet for the United States:

- The United States and allies should be monitoring closely and exploiting the communications and virtual interactions of suspect individuals and groups online. Intense monitoring and disruptive actions that result should create a sense of mistrust among violent Islamist extremists online that will help mute or restrict their use of the Internet as an all-purpose recruitment, training, funding, and deployment tool.
- The United States should educate and leverage the private sector, including the Internet Service Providers when appropriate, to police the Internet and to filter Web sites that run counter to legal and contractual obligations.
- Most importantly, the United States should enlist, encourage, and enable private sector actors and foreign counterparts to counter the messages and presence of extremists online. There should be a form of cyber-privateering that empowers certain groups and individuals to counter the enemy's extremist ideologies, through direct theological and moral challenge, satire and humor, and the availability of alternate positive channels for those who may be searching for meaning and identity online.

There are limitations to what the U.S. Government can do—based on law and effectiveness. There is not enough expertise in the U.S. Government to do this all; the U.S. Government is not a credible voice in these online extremist venues and among susceptible populations; and there are constitutional limits to what the U.S. Government can do if its message could affect or be seen as directed toward U.S. citizens or a U.S. audience. Importantly, these limitations point to the need for others—foreign governments and non-state actors and networks—to be engaged online to counter the violent Islamist extremist ideology and related communities emerging. Fortunately, we are beginning to see just this, with American Muslims beginning to counter extremist messages online with videos, Web sites, and blogs.

QUESTIONS SUBMITTED BY MR. WILSON

Mr. WILSON. The President has recently announced the suspension of all Guantanamo Bay detainees being released to Yemen. However, detainees are still being released to marginal countries, with two being released to Algeria just last week. Historical data also points to the fact that one in five released detainees returns to terrorist activities. Algeria's neighbor, Libya, has been on the State Department's list of nations which sponsor terrorism, and it is arguable that conditions in the region are ripe for a resurgence of terrorist activity. Given this, shouldn't we take a good hard look at to which countries we allow detainees to return? Additionally, should the list of nations with "State Sponsored" terrorism be updated and expanded to include those nations which provide terrorists with a safe haven?

Mr. CLARKE. [The information referred to was not available at the time of printing.]

Mr. WILSON. Much attention has been given, and rightfully so, to al Qa'ida's growth in the Middle East, Arabian Peninsula, and North Africa. However, many countries in South America are exhibiting signs of being ripe for the growth of terrorist movements: heavy narcotics trades, governments largely seen as illegitimate and growing unemployment. What are the opportunities to ensure we are not caught blindsided by the growth of terrorism in this region?

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Mr. WILSON. In recent years, separatist groups, such as Somalia's al Shabaab, have pledged their support to al Qa'ida. Arguably, their pledge comes from financial and armament motivation, as opposed to aligned religious ideologies. With the increase in separatist movements in Northern Africa, in places such as Sudan, Eritrea, and Algeria, and domestic unrest with the al-Houthi rebellion in Yemen, what measures are, or may be taken, to prevent the spread of al Qa'ida's reach to these movements?

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Mr. ZARATE. The problem of returning detainees held in Guantanamo (GTMO) in a manner that both protects U.S. national security interests and upholds our obligations to protect the individuals' human rights has bedeviled both the Bush and Obama Administrations. The problem has grown more acute with the remaining population in GTMO comprising a more dangerous population of terrorist operatives than the original collection of GTMO detainees. Because of the nature of the remaining population, the recidivism rates are likely to be much higher than past released detainees. In addition, from past transfers of GTMO detainees, we know that security guarantees and rehabilitation programs are not fool-proof and that some of the returned detainees will decide to return to the battlefield.

This reality then puts a premium on the U.S. Government's risk calculus tied to each release and the level of confidence we have in the ability and willingness of a host government to constrain the former detainees' ability to rejoin the fight or serve as an inspirational recruiter for terrorist causes. The United States should therefore review carefully the state of a recipient country's security, the status of al Qa'ida-related groups or cells in that country, the vulnerability of the community in which the detainee will be returned, and the capability of that country to adhere to its security and human rights agreements. This calculus, especially after the attempted attack on December 25th, has forced the Obama Administration to halt all but one of the GTMO transfers to Yemen.

The question of whether countries that provide terrorists safe haven should be listed as state sponsors of terror is an important one. Certainly, those countries that actively support or are willfully blind to the use of their territory by known and recognizable terrorist organizations should be candidates for listing as state sponsors of terror. The level of knowledge and complicity of senior elements in the government for such safe haven must play into that determination.

This, however, is different from the situation in which terrorists are taking advantage of the weaknesses or geography of a country, whose government attempts to control its territory or does not have the means to do so effectively. If there is a willingness to control territory and to deny safe haven, then that government should not be considered a state sponsor of terrorism. Even so, there needs to be open recognition of those parts of the world that present terrorist and transnational illicit networks the physical space to organize and mingle, as well as a recognition that sovereign states may not be able to police their territory. Because of the importance of safe haven to international security, there needs to be a renewed focus not just by host governments but by regional actors and the international community to help deny safe havens with capacity building, active measures to quarantine or fill safe havens with government controls, and a new international legal framework and understanding of the need to deny safe haven.

Mr. WILSON. Much attention has been given, and rightfully so, to al Qa'ida's growth in the Middle East, Arabian Peninsula, and North Africa. However, many countries in South America are exhibiting signs of being ripe for the growth of terrorist movements: heavy narcotics trades, governments largely seen as illegitimate and growing unemployment. What are the opportunities to ensure we are not caught blindsided by the growth of terrorism in this region?

Mr. ZARATE. The problem of Sunni or Shia-based terrorism in South America cannot be ignored. At a minimum, there is a potential that human smuggling networks and transnational organized criminal networks (to include drug cartels and gangs) could be used by terrorist organizations, like al Qa'ida or Hizballah, to gain entry of operatives undetected into the United States. There is also the potential that diaspora communities in South America could serve as covers for operatives to recruit, train, raise funds, and deploy against U.S. interests. Tied to this problem is the reach of transnational criminal networks—with the logistics and funding to help those willing to pay—and the permissive environment created by regimes like Venezuela and Nicaragua to allow nefarious actors to operate. These dangers are exacerbated by an increasing Iranian presence in the region thanks to commercial, financial, and governmental relationships with Venezuela.

These potential dangers require the United States to monitor vigilantly the transnational networks that could be used to smuggle terrorists, the suspect individuals who may be embedded in diaspora communities, and any signal of growing radicalization of Latin American populations. Most importantly, this requires building and maintaining awareness, capacity, and cooperation with key governments and related authorities in the region since most of the work of detecting suspect terrorist and criminal activity will fall to local and national authorities.

Mr. WILSON. In recent years, separatist groups, such as Somalia's al Shabaab, have pledged their support to al Qa'ida. Arguably, their pledge comes from financial and armament motivation, as opposed to aligned religious ideologies. With the increase in separatist movements in Northern Africa, in places such as Sudan, Eritrea, and Algeria, and domestic unrest with the al-Houthi rebellion in Yemen, what measures are, or may be taken, to prevent the spread of al Qa'ida's reach to these movements?

Mr. ZARATE. It is critical to constrain the global reach of al Qa'ida by preventing or breaking its connections with local and regional groups that could be ideologically aligned and used as strategic footholds globally. It is also important to distinguish between groups like the al-Houthis in Yemen, who are Shia, from the global Sunni extremist movement led by al Qa'ida, as well as distinguishing local grievances with no violent Islamist extremist connections from the broader global movement.

Constraining al Qa'ida's reach requires numerous steps, to include the following:

- Pressuring the AQ Core to the extent that they are not able to provide strategic or tactical guidance or support to their regional networks or potential allies;
- Preventing the financial ties that often bind such groups;
- Decapitating the leadership of regional groups with the deepest and historical ties to AQ Core, while preventing and interdicting the injection of key leadership or guidance to the regional affiliates;
- Assisting regional governments to attack the infrastructure of the local or regional affiliates (thereby forcing them to focus on survival and local issues versus AQ's global agenda);
- Messaging by credible voices about the foreign nature of AQ, the antithetical and destructive agenda and interests of the AQ-led movement, and the likely losing strategy of garnering more attention from security authorities by associating with AQ; and
- Through local authorities, identifying and pacifying existing sectarian or local conflicts that could be exploited by al Qa'ida to radicalize and recruit adherents

and create a new battlefront (e.g., the Christian/Muslim conflict in Nigeria; tensions in Southern Thailand).

Mr. WILSON. The President has recently announced the suspension of all Guantanamo Bay detainees being released to Yemen. However, detainees are still being released to marginal countries, with two being released to Algeria just last week. Historical data also points to the fact that one in five released detainees returns to terrorist activities. Algeria's neighbor, Libya, has been on the State Department's list of nations which sponsor terrorism, and it is arguable that conditions in the region are ripe for a resurgence of terrorist activity. Given this, shouldn't we take a good hard look at to which countries we allow detainees to return? Additionally, should the list of nations with "State Sponsored" terrorism be updated and expanded to include those nations which provide terrorists with a safe haven?

Mr. COLL. The United States should not return prisoners to countries with documented records of torture and prisoner abuse. As to "state sponsors" of terrorism, whether it is that legal mechanism or another comparable one, it is important for the United States to make transparent and reasonable judgments about what the capacity of weak governments is to prevent their sovereign territory from becoming a sanctuary, and to hold governments accountable to a reasonable standard of action. It would be foolish to make policy on the basis of wishful thinking about the capacity of weak governments; equally, it would be foolish to appease or accommodate states that are doing less than they can to prevent terrorists from operating on their territory.

Mr. WILSON. Much attention has been given, and rightfully so, to al Qa'ida's growth in the Middle East, Arabian Peninsula, and North Africa. However, many countries in South America are exhibiting signs of being ripe for the growth of terrorist movements: heavy narcotics trades, governments largely seen as illegitimate and growing unemployment. What are the opportunities to ensure we are not caught blindsided by the growth of terrorism in this region?

Mr. COLL. Mexico provides an example of how instability and political violence caused by non-state actors can affect the interests of the United States even where terrorism against American citizens or interests is not at issue. Promoting the strength of democratic Latin American governments and ensuring equitable economic growth through trade, public investment, safety nets, and middle-class formation will provide the best opportunities for sustainable stability in the region.

Mr. WILSON. In recent years, separatist groups, such as Somalia's al Shabaab, have pledged their support to al Qa'ida. Arguably, their pledge comes from financial and armament motivation, as opposed to aligned religious ideologies. With the increase in separatist movements in Northern Africa, in places such as Sudan, Eritrea, and Algeria, and domestic unrest with the al-Houthi rebellion in Yemen, what measures are, or may be taken, to prevent the spread of al Qa'ida's reach to these movements?

Mr. COLL. Each of the cases mentioned here is distinctive and complex. Each must be examined in its specific setting. Promoting democracy, human rights and the rule of law as core American principles should be the bedrock foundation of fine-tuned regional strategies.

QUESTIONS SUBMITTED BY MRS. MCMORRIS RODGERS

Mrs. MCMORRIS RODGERS. In December 2009 President Obama spoke at West Point and stated that "our overarching goal remains . . . to disrupt, dismantle and defeat al Qa'ida in Afghanistan and Pakistan, and to prevent its capacity to threaten America and our allies in the future. To meet that goal . . . we must deny al Qa'ida a safe haven. We must reverse the Taliban's momentum and deny it the ability to overthrow the government." If Guantanamo Bay detainees are brought into the U.S. to stand trial, aren't we giving al Qa'ida a platform and opening ourselves up to risk of al Qa'ida taking a deeper interest and striking here in the United States?

Mr. CLARKE. [The information referred to was not available at the time of printing.]

Mrs. MCMORRIS RODGERS. Last week in Afghanistan, a suicide bomber attempted to gain access to the Afghan Central Bank, leaving half a dozen Taliban members and 5 Afghanis dead, including 3 security guards. From this attack on an Arab financial institution, can we surmise that terrorist groups and the Taliban are fighting separately and each are in need of financing? What steps does Afghanistan need to have in-place to protect its financial interests against extremist groups?

Mr. ZARATE. The attack on the Afghan Central Bank is less a reflection of the need for financing by the Taliban and more a symbolic attempt to hit one of the

key institutions of the central government—one that has garnered much support from the United States and the international community. Criminal ventures play a part in filling the Taliban's coffers, but the various factions of the Taliban and its leadership have multiple sources of funding—from the narcotics trade and hostage-taking to extortion and foreign donors. They will continue to use all means to fund their activities and the insurgency.

Mrs. MCMORRIS RODGERS. What can the U.S. do to assist Afghanistan, but especially Pakistan and Yemen, to improve their own efforts in preventing or stemming the flow of illicit funds to the al Qa'ida terrorist network?

Mr. ZARATE. Disrupting the flow of terrorist funds in active war zones or in less developed economies can often prove difficult, since the most effective tools the U.S. Government has to affect the flows of illicit funds through the international financial system are less effective in these contexts. That said, there are a number of things that can be done to help build the capacity of countries like Afghanistan, Yemen, and Pakistan to prevent the flows of funds to terrorist groups and actors—and steps the U.S. Government can take on its own.

In the first instance, the United States must work directly with the host governments to apply financial regulatory scrutiny and enforcement resources on those individuals and entities—including charities—that have already been identified as serving as funding conduits for al Qa'ida, the Taliban, and related terrorist groups.

Second, the United States can assist by creating targeted information and analysis for action. Over the past few years, the United States has done this well by creating field-based financial intelligence analysis units ("threat finance cells") in Iraq and Afghanistan.

Importantly, this also requires monitoring of cash flows into these countries—via couriers—as well as value transfer via the hawala system. This requires capable and willing customs officials and regulators who understand how cash is moved and how the hawaladars operate. These officials and their governments must then be willing to enforce effectively (and without corruption) relevant reporting and financial oversight laws.

Creating asset forfeiture laws that provide bonuses and asset sharing for effective interdictions and application of the law can help incentivize and decrease the risks of corruption, if the programs are administered well. The United States and foreign entities, like the World Bank and IMF, have helped establish the framework for these efforts. In addition, the use of mobile banking and automatic deposits increases the security and transparency of payments and undermines the ability of corrupt or nefarious actors to use the flow of paper money to fund their activities.

These efforts should dovetail with attempts to bring formal financial services into developing and poor economies. The advent of mobile banking technologies, as seen in Afghanistan and Southeast Asia, will help communities and individuals who had previously relied on informal methods of holding and moving money take an evolutionary leap toward formal banking. This trend will give authorities a better chance at monitoring, tracking, and disrupting the flow of some illicit transfers while ensuring that individuals have access to necessary banking services.

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