

U.S. National Security Strategy and Anti-Terrorism Policies: Leaving Our Front Door Unlocked

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Outline

Topic: Anti-Terrorism

Narrow topic: Current homeland security and anti-terrorism policy are defined in the U.S. National Security Strategy and U.S. Department of Homeland Security's and U.S. Customs and Border Protection Agencies strategic plans. These documents view the act of terrorism as being political or criminal in nature. This conceptualization of our enemy does not adequately define the scope of the current threat, which is based on religious fundamentalism.

Thesis: The U.S. Department of Homeland Security's failure to correctly conceptualize our current enemy has resulted in the implementation of anti-crime measures that do not address the source of the current threat, our porous borders and our broken immigration and naturalization system.

I. Introduction/Overview

A. Define Counter Terrorism, and Anti-Terrorism

B. U.S. Anti-Terrorism Goals and Policies

II. Conceptualizing the Threat

A. Frameworks for Understanding Terrorism

B. Al-Qaida's Goals and the Religious Component

III. Securing the Homeland

A. U.S. Anti-Terrorism Efforts

B. Refocusing on the Primary Mission

IV. Preventing Terrorism

A. Immigration and Visa Requirements

B. Securing our Borders

V. Conclusion

Abstract

Current homeland security and anti-terrorism efforts in the United States are guided by the U.S. National Security Strategy and are further defined in the U.S. Department of Homeland Security's and U.S. Customs and Border Protection Agencies strategic plans. These documents primarily view the act of terrorism as being political or criminal in nature. These conceptualizations of terrorism have been sufficient in the past to address small scale domestic terrorism but fail to adequately define the scope and breadth of the current threat to the homeland, which is based on religious fundamentalism. The U.S. Department of Homeland Security's failure to correctly conceptualize our current enemy has resulted in the implementation of anti-crime measures that do not address the primary source of the current threat, our porous borders and our broken immigration and naturalization system.

U.S. National Security Strategy and Anti-Terrorism Policies: Leaving Our Front Door Unlocked

Since 9/11 the United States has greatly expanded its counter terrorism capabilities and has emphasized anti-terrorism training for first responders and the public. Counter terrorism is defined as “actions taken directly against terrorist networks and indirectly to influence and render global and regional environments inhospitable to terrorist networks” while anti-terrorism is defined as “any defensive measures used to reduce the vulnerability of individuals and property to terrorist acts, to include response and containment by local military and civilian forces” (DOD, 2010). This emphasis on security has successfully prevented any major terrorist events from occurring within the United States since 2001; with the possible exception of the Fort Hood shootings of 2009 (Slevin, 2009), which has since been characterized as workplace violence by the Secretary of Defense (Gates, 2010).

The U.S. Anti-Terrorism mission is outlined in the President’s National Security Strategy and further defined in the U.S. Department of Homeland Security’s strategic plan (Obama, 2010; Chertoff, 2008). The Department’s missions, not listed in order of emphasis, are as follows: prevent terrorism and enhance security, secure and manage our borders, enforce and administer our immigration laws, safeguard and secure cyberspace, and ensure resilience to disasters (Chertoff, 2008). On reading of the strategic plan for the Department of Homeland Security one can readily see that the authors are focusing their anti-terrorism efforts on criminal solutions and consider terrorist attacks on-par with other threats to national security such as natural disasters and attacks in cyberspace. This conceptualization of terrorism as politically motivated or criminal may have been sufficient to address terrorism in the pre-9/11 era. However, I believe that their strategic plan fails to adequately acknowledge the danger represented by Al-Qaida and

its affiliates to our homeland. This is highlighted by the fact that the terms Jihad, Muslim, and religious fundamentalism do not occur once in the entire document. The U.S. Department of Homeland Security's failure to correctly conceptualize the current enemy has resulted in the implementation of anti-crime measures that do not address the source of the current threat to the homeland, our porous borders and our broken immigration and naturalization system.

Conceptualizing the Threat

The failure of the Department of Homeland Security to appreciate and tailor its responses to our current enemy has resulted in an inability to stay focused on their primary mission, anti-terrorism. As a result, many of the security measures recently proposed and implemented by the Department are actually anti-crime measures (e.g., see Homeland Security Advisory Council, 2010). These and similar policies are championed by the Department because they believe that crime prevention is a cost effective way to protect against all-hazards, natural and manmade. Though a laudable activity, the direct involvement of the Department of Homeland Security in local crime prevention is open to question since working with communities to fight violent crime does not contribute directly to their primary mission. Why not? Because terrorists and their sympathizers rarely commit violent crime prior to their attack and most of the activities conducted in preparation for an attack are legal under U.S. law –such as talking about jihad, visiting possible targets, renting cars, purchasing guns, buying airline tickets, diesel fuel and fertilizer.

Frameworks for Understanding Terrorism

There are five common frameworks for studying terrorism, where terrorism is defined as the calculated use of unlawful violence or threat of unlawful violence to cause fear; intended to

coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. The framework chosen to discuss terrorism and the threat it poses determines how one approaches the problem and the solutions proposed while implicitly placing some issues off the table (Schmid, 2004). The five frameworks are terrorism as crime, as politics, as religion, as war, and as propaganda. I will focus on the first three.

The terrorism as crime framework focuses on crime prevention (anti-terrorism) and crime investigation (bringing perpetrators to justice). This framework allows us to apply existing police and legal structures to address the problem; however it gives the initiative to the enemy by making a majority of our actions defensive since an actual crime must occur before an individual may be apprehended.

The terrorism as politics framework takes the long-view and seeks to understand terrorism as part of a political conflict between an underrepresented minority and a majority group, often represented by the government. In this paradigm the violence is initiated by one side or party, which gives the conflict asymmetric characteristics. Depending on the response of the majority party three outcomes are possible: Civil War, a protracted conflict, or stabilization as the parties work to resolve their dispute. This framework allows one to identify the root causes of the conflict and propose diplomatic solutions to the problem. A diplomatic solution is usually proposed after a period of instability and violence in the effected Nation-State and will be successful only if all parties have a desire for peace and are willing to negotiate.

The terrorism as religion framework is based on the concept of sacrifice. The word sacrifice comes from the Latin, “to make holy” (Faherty, 2010). In this paradigm, the perpetrators see themselves as having the moral high ground since what they are doing is seen as

being morally right. If members of the group are prepared to sacrifice themselves to achieve their goal, and the goal is based on a religious believe, then they are a member of a religious fundamentalist organization. Resolving conflict with terrorist organizations associate with this way of thought is inherently difficult since terrorists with this frame of mind see the world in black and white terms, leaving little middle ground for negotiation between the majority and minority group.

The current U.S. Anti-Terrorism policies for the homeland uses existing Local, State, and Federal police resources and new entities, such as the Transportation Security Administration, to improve security at our nation's airports and ports of entry (Chertoff, 2008). This is a direct outgrowth of seeing the terrorist threat as crime. The current U.S. National Security Strategy (Obama, 2010) seeks to understand the root causes of terrorism at home and abroad so that it can bring diplomatic resources to bear on the issue and resolve the conflict before it reaches our borders. Both of these concepts are valid frameworks for approaching the problem but do not adequately describe magnitude of the current threat.

Al-Qaida's Goals and the Religious Component

The U.S has disregarded the religious overtones of the current conflict and thus underestimates the staying power and long-term threat posed by our current enemy (Hoffman, 2002). This has placed us in danger since it ignores one of the cardinal rules of war, which is "If you know the enemy and know yourself, you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer a defeat" (Tzu, 2009). Al-Qaida has justified their attacks and gained followers from the ranks of Muslim fundamentalists by framing their actions as part of a larger holy war to recreate the Islamic empire in the Middle East. In their eyes the United States and our partners are seen as the

champion for all things western and a defender of the status quo in the Middle East, all of which must be cast out if they are to reach their ultimate objective.

The United States has ignored the threat from enemy infiltration and continues to overestimate our ability to develop diplomatic solutions to the problem. This last point is made clear when you compare the stated goals of Al-Qaida (i.e., the creation of an Islamic state governed by Sharia law, liberation of Muslim lands from every aggressor, and the liberation of the human being) with those of the United States. To meet Al-Qaida demands the United States would need to completely withdraw from the “land of Islam”, stop supporting “the corrupt and corrupting leaders” of Saudi Arabia, Kuwait, Egypt, Turkey, etc. and refrain from encouraging the development of Democratic governments in the Region (Blanchard, 2007). All of Al-Qaida’s goals run counter to President Obama’s strategic strategy, which is to “continue to retain a robust civilian presence commensurate with our strategic interests in the ... region” and to continue to “spread freedom and democracy abroad” (Obama, 2010).

Securing the Homeland

The Bush policy for counter terrorism focused on the identification of terrorist networks and destroying the threat early, preferable overseas. On the home front, the anti-terrorism mission was assigned to the new U.S. Department of Homeland Security, created by the Homeland Security Act of 2002, who was given the primary mission to “prevent terrorist attacks within the United States, reduce the vulnerability of the United States to terrorism, and to minimize the damage, and assist in the recovery, from terrorist attacks that do occur within the United States”. As the War on Terror approaches its tenth year the enemy, Muslim fundamentalist elements in the Middle East represented by Al-Qaida, have absorbed enormous losses (Gjelten, 2009). Although weakened by large losses in its professional cadre, Al-Qaida

and its partners remain a viable threat and are still capable of inflicting damage to the United States and its partners (Hoffman, 2002).

This loss has caused Al-Qaida to increasingly use amateurs and local walk-ons, local radicals who serve as foot soldiers, to conduct its attacks. This transition is now occurring in the United States. This year three attempted bombers have been arrested in the U.S. and several bombs have been intercepted that were sent by cargo plane to destinations in the United States from Yemen. These bombing attempts, known as the Time Square Bomber, D.C. Metro Bomber, and the Christmas Tree Lighting Bomber, were all attempted by naturalized American citizens originally from Muslim countries while the cargo plane attempts reverted to a tried-and-true method for attacking a distant enemy, the mail bomb (Elliot, 2010; Department of Justice, 2010; Markon, 2010; Thomas, 2010).

Our past counter terrorism efforts have been reactive approaches focusing on retaliation, and interdiction. As we enter this new phase of the War, America needs to refocus its energy on prevention of terrorism at home. Our overseas counter terrorism areas of emphases will remain diplomacy, as we work to address the root cause of the conflict by working with Nation-States in the region, and interdiction as we continue our efforts to locate and destroy the leadership of Al-Qaida and its partner organizations (Stepanova, 2003). On the home front, we need to implement sustainable anti-terrorism policies by addressing our ineffective immigration policies that allow potential threats to enter our country through the front door as legal students and tourists while allowing millions of illegal aliens to cross our border into the United (Skinner, 2006).

The Department of Homeland Security's primary mission is to prevent terrorist attacks within the United States. However in its strategic planning documents the anti-terrorism mission is described as just one of many, which now include crime prevention, port and border security,

protecting our natural resources, and facilitating commerce by enabling the legitimate movement of goods across our borders (Chertoff, 2008; Wills, Predd, Davis, and Brown, 2009). To address this array of missions the Department has taken an all-hazards approach and is developing policies and regulations that reduce redundancy while championing activities that compliment two or more of their missions (Government Accountability Office, 2005). This is seen as a cost effective use of limited resources. The downside of this approach is that the Department is now expending significant resources on areas that do not support its primary mission.

Preventing Terrorism

To prevent terrorism from occurring at home the Department of Homeland Security and the U.S. Government in general must refocus its efforts on protecting the homeland from foreign aggression. Thankfully, the Department of Homeland Security's U.S. Customs and Border Protection Agency has maintained its anti-terrorism focus (Customs and Border Protection Agency, 2007). However, Customs and Border Protection Agency has not received the resources required to effectively police our borders and ports of entry (Thompson, 2005; Coryn, 2010). The United States must regain control of its borders and ensure that all foreign visitors (i.e., on visas), resident aliens, and immigrants who enter this country pass security and background screening. Why is this necessary? Because in a recent study it was found that nearly 45% of illegal immigrants currently living in the U.S. had come here legally and then overstayed their visa or travel permit (Robbins, 2010). The importance of this enforcement issue becomes clear when it is considered in light of the fact that all nineteen individuals involved in 9/11 entered the United States legally and six had expired visas when they boarded the planes on 9/11.

Currently, the maximum duration of stay for B-1 business and B-2 tourist visas is six months while and F-1 student visas are open-ended permits that are valid as long as the student is enrolled fulltime in an accredited institution of higher education (Department of State, 2010). In the case of B-1/2 visas, the actual duration of stay is determined by the immigration officer on arrival. The wide variation in declared length of stay makes it imperative to have a coordinated tracking system to monitor the entry and exit of each alien who enters the United States. Currently only a small percentage of the ports-of-entry track exits and the systems that are used do not fully interface with the entry tracking system (Robbins, 2010). Addressing this issue will help minimize the current problem where visitors have left the country yet are still carried on our tracking systems. This will address concerns regarding identity theft. Lastly, with modern technology banks now know where and when every financial transaction occurs. Having access to the financial transactions of visitors and students who overstay their visas would assist the Immigration and U.S. Customs Enforcement agency in quickly apprehending and deporting violators.

The last three attempted terror attacks in the United States were conducted by naturalized American citizens and at least 63 American citizens have been charged or convicted for terrorism related crimes since 2009 (Lieberman, 2010). Many of these individuals immigrated to the U.S. legally and later became American citizens. Presumably these individuals went through a background check when obtaining their visas and a security check on entering the United States and again three to five years later during their naturalization process. This implies that the way we screen those applying for citizenship and long-term visas failed to identify radical tendencies and propensity for violence. The background checks currently performed during the naturalization process look for past criminal involvement or financial problems. Though

appropriate as far as they go, these background checks are based on the underlying assumption that applicants for citizenship will be approved unless derogatory information is found. As the United States enters into the second phase of our War on Terror, this concept may need to be turned on its head. In the future in addition to having a job, passing a written test and criminal background check, and doing well at the naturalization interview (Citizenship and Immigration Services, 2010) there should be a second interview, perhaps with a lie detector test, to determine if the applicants actually support the principles and ideals of the U.S. Constitution and have renounced all foreign allegiances.

The federal government's undemanding visa requirements and failure to secure our borders and ports-of-entry has enabled members of foreign organized crime syndicates, drug cartels, and terrorist organizations to enter into the United States through the front door and to walk and fly across our borders nearly at will (Cornyn, 2010). Foreign criminal organizations are now active in all 50 States and the District of Columbia. Many of these organizations have histories of using military style weapons in response to police raids and have targeted Judges and members of law enforcement for assassination in their home countries (Shanty and Mishra, 2007). The third, terrorist organizations, are obtaining funding from shadow NGO's and charities and weapons through their association with criminal elements (Jacobson, 2010).

The success of these organizations in infiltrating and taking root in the United States is not surprising considering that on average 850,000 illegal aliens per year have successfully entered the United States since 2000 (Ohlemacher, 2006). Of the 1.2 million people apprehended in the United States in 2005, 165,000 were not Mexican and 650 were from countries of special interest; where countries of special interest is defined as "countries that could export individuals that could bring harm to our country in the way of terrorism" (McCaul, 2006; Skinner, 2006).

Federal law enforcement authorities estimate that they apprehend only 10% to 30% of the illegal aliens entering the country (McCaul, 2006). This means that at least 1,500 individuals from countries of special interest successfully infiltrate our country each year, or in military terms one Brigade. Note that this number does not include individuals who entered our country legally and later allowed their visas to expire.

Conclusion

For the United States to achieve its primary anti-terrorism goal, to prevent terrorist attacks from occurring within our borders, we must first prevent the entry of illegal aliens into our country and actively seek out and immediately deport aliens who violate their visas or our immigration laws. The U.S. Department of Homeland Security's failure to consider the religious fundamentalist base of the current threat has resulted in a lack of emphasis on immigration law enforcement and has resulted in a preoccupation with the all-hazards approach and anti-crime efforts. To correct this, the Department, in conjunction with the U.S. Department of State, must work on fixing our broken immigration and naturalization system and plugging the holes in our porous borders.

The failure to appreciate this threat can be seen in the President's current budget proposal for Fiscal Year 2011. This request cuts the Secure Border Initiative by more than 25%, the High Intensity Drug Trafficking Area program by more than 12%, and when initially proposed would have cut the number of Border Patrol enforcement officers by 181 agents (Cornyn, 2010). Additionally, the number of illegal aliens apprehended by the U.S. Border Patrol has dropped from a high of 1.6 million in Fiscal Year 2000 to a ten year low of 556,041 in 2009 (Border Patrol, 2010). Some of this decrease may be attributed to the current economic recession and the construction of border fencing in major urban areas such as San Diego. Notwithstanding the

down economy, if the removal of illegal aliens were truly a national priority apprehension rates should have increased, not decreased, over time since the available pool of targets is so large – recently estimated to be 12 million individuals (Ohlemacher, 2006).

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ATSS-BAR

10 December 2010

MEMORANDUM FOR Faculty Advisor

SUBJECT: Anti-Terrorism

1. Thesis Statement. The U.S. Department of Homeland Security's failure to correctly conceptualize our current enemy has resulted in the implementation of anti-crime measures that do not address the source of the current threat, our porous borders and our broken immigration and naturalization system.
2. Discussion. Current homeland security and anti-terrorism policy are defined in the U.S. National Security Strategy and U.S. Department of Homeland Security's and U.S. Customs and Border Protection Agencies strategic plans. These documents view the act of terrorism as being political or criminal in nature. This conceptualization of our enemy does not adequately define the scope of the current threat, which is based on religious fundamentalism.
3. Conclusion. For us to achieve our primary anti-terrorism goal, to prevent terrorist attacks from occurring within the United States, we need to prevent the entry of illegal aliens into our country and actively seek out and deport those who violate our immigration laws.
4. Counterpoint. Focusing on crime prevention and implementing policies that protect against all-hazards, natural and manmade, is cost effective and reduces the need to monitor the movement of undocumented workers in our country, a majority of which pose no terrorist threat.
5. Haines Award. I request that the Haines Award Selection Board consider this paper for the General Haines Award for Excellence in research. USASMA American Psychological Association (APA) Style Handbook, USASMA American Psychological Association (APA) Style Reference Handbook, USASMA American Psychological Association (APA) Writing Style Handbook, and *Writing Research Papers*, 11th Edition by James D. Lester are the guides used in the preparation of this research paper.

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