



America at Risk

Memo

Protect America Month: Providing for the Common Defense in the 21st Century

The Heritage Foundation's Protect America Month is a month-long campaign focusing on the need for increased defense spending in the 21st century. America still faces serious threats in the world and now is not the time to weaken our military through defense budget cuts.

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Keeping the Homeland Free, Safe, and Prosperous

Jena Baker McNeill

President Barack Obama once said that “we have real enemies in the world. These enemies must be found. They must be pursued and they must be defeated.”¹

Obama, then a candidate for the U.S. Senate, spoke these words at the 2004 Democratic National Convention. Just four years later, however, he would use his first day in office as President to issue an executive order to close the Guantanamo Bay detention facility within one year and another order limiting what interrogation techniques the Central Intelligence Agency may use to obtain information from terrorist detainees.

The President would next go to Egypt and make a speech in Cairo, where he would address the topic of “violent extremism” but never use the word terrorism—a trend that has continued in statements made by Secretary of Homeland Security Janet Napolitano. He would then move to prosecute foreign terrorists—including Khalid Sheikh Mohammed, one of the masterminds behind multiple terrorist plots against the United States—in civilian courts.

These actions, coupled with the Administration's lackadaisical support for the PATRIOT Act, a vital tool for gathering intelligence on terrorist operations, have made it clear that President Obama has changed course in terms of counterterrorism.

This new policy is not just a difference in ideas about what works in terms of winning the war on terrorism,

but a conflict about whether there is even an actual war to be won. The message coming from the Obama Administration is that terrorism will now be treated as a law enforcement matter.

Same Threat, Weaker Strategy

The recent failed Times Square bomb plot and the attempted Christmas Day bombing raise serious questions about this strategy. Both incidents were committed by a known enemy, from a known terrorist network, through a known tactic. These were the same types of plots that we had prevented successfully 29 other times since 9/11. Yet, if Umar Farouk Abdulmutallab had been able to light his pants on fire the first time or had Faisal Shahzad been a better bomb maker, both of these plots easily could have had very unhappy endings.

What followed the Times Square plot, however, was an attempt by the Administration to spin the foiled plot into a victory in battling terrorism. Certainly, the ability of law enforcement, emergency responders, and everyday citizens to help stop both terrorist acts from happening was a positive development; however, the fact that the U.S. was unable to stop this plot earlier, despite sufficient intelligence and knowledge that terrorists have been attempting these types of attacks since 9/11, is nothing to be celebrated.

The Administration even seemed to admit the weakness inherent in using everyday criminal law in national security situations by immediately beginning an effort to broaden the public safety exemptions of Miranda rights to accommodate extended interroga-

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tion of terrorist suspects. Heritage Foundation Senior Research Fellow James Carafano aptly points out that “for an Administration touting that it can battle terrorism through ‘law enforcement,’ it looks pretty bad when the nation’s senior law enforcement officer starts admitting that the law is not adequate to deal with battling terrorism.”²

The 31 foiled plots since 9/11 provide a clear lesson in what actually works in stopping terrorist attacks. Acting as though these terrorist plots can be handled as a simple law enforcement matter underestimates the threat we face. The foiled plots demonstrate the importance of a robust counterterrorism strategy that is clearly focused on stopping terrorism in the earliest stages. This involves working in other nations like Afghanistan and Pakistan to root out terrorist sanctuaries.

The U.S. also needs to maintain quality intelligence gathering and robust information sharing between state and local law enforcement and U.S. allies. The 2006 liquid explosives plot, where the U.S. was able to work with the United Kingdom to foil a plan to bring down 10 airplanes at once, is an example of how this type of information sharing and intelligence works.

Feel-Good Security vs. Real Security

Despite clear evidence demonstrating the right formula, the Administration has often touted homeland

security measures that, while they may make everyone feel safer, do not actually help to stop terrorism. For example, in the aftermath of the Christmas Day bomb plot, the Obama Administration began throwing money and knee-jerk security measures at Transportation Security Administration security lines in an effort to look good on terrorism. From millions of dollars for full body scanners to new rules that would single out secondary inspection for 14 countries, these measures looked great on paper but did not address the real problem effectively.

The fundamental breakdown that led to the Christmas Day plot was that the government had failed in its effort to share information from the intelligence community with law enforcement on the ground. This, not more money spent or more regulations at the airport, would have foiled the Christmas Day plot.

The preference for feel-good security is not limited to the White House. Congress has become a breeding ground for irresponsible security policies that focus on spending money rather than providing more secu-

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ity. This is largely the result of the chaotic system of congressional oversight over homeland security, where some 108 committees, subcommittees, and commissions have oversight responsibility over the Department of Homeland Security. Such a bureaucratic, overly political, and confusing system leads inevitably to ridiculous security proposals, some of which have even become law.

A robust counterterrorism system is one that attempts to stop terrorism before it even starts, but making such an effort effective requires a commitment from top-level leadership. It requires maintenance and cultivation by leaders in Congress. And it requires a homeland security enterprise capable of bringing state and local law enforcement, allies and friends overseas, and the private sector together to effect change.

As President Obama once stated, we do in fact have real enemies in this world. They will not sit back

1. “Barack Obama’s Remarks to the Democratic National Convention,” *The New York Times*, July 27, 2004, at <http://www.nytimes.com/2004/07/27/politics/campaign/27TEXT-OBAMA.html?pagewanted=all&position=?pagewanted=all> (May 17, 2010).

2. James Carafano, “Exclusive: Is America’s Luck on the Terror Front Running Out?” *Family Security Matters*, May 11, 2010, at http://www.familysecuritymatters.org/publications/id.6183/pub_detail.asp (May 17, 2010).

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just because we do. But the Obama Administration's counterterrorism policy takes the U.S. backwards, not forwards, in terms of keeping America free, safe, and prosperous. As a result, America is undoubtedly at risk.

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PROTECT AMERICA

The 21st century will be a dangerous place if America fails to protect itself and its allies.

*This product is part of the Protect America Initiative, one of 10 transformational initiatives in our **Leadership for America** campaign.*