

# COUNCIL ON FOREIGN RELATIONS

---

58 EAST 68TH STREET • NEW YORK • NEW YORK 10065  
Tel 212 434 9400 Fax 212 434 9800

## **“Tapping America’s Greatest National Asset: An Informed and Engaged Civil Society”**

Written Testimony before

a hearing of the

Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment  
Committee on Homeland Security  
United States House of Representatives

on

The Resilient Homeland: How DHS Intelligence Should Empower America to Prepare  
for, Prevent, and Withstand Terrorist Attacks

by

Stephen E. Flynn, Ph.D.  
Jeane J. Kirkpatrick Senior Fellow in National Security Studies  
Council on Foreign Relations  
[sflynn@cfr.org](mailto:sflynn@cfr.org)

Room 311  
Cannon House Office Building  
Washington, D.C.

10:00 a.m.  
May 15, 2008

**“Tapping America’s Greatest National Asset:  
An Informed and Engaged Civil Society”**

by  
Stephen E. Flynn, Ph.D.  
Jeane J. Kirkpatrick Senior Fellow  
for National Security Studies

Chairwoman Harman, Ranking Member Reichert, and distinguished members of the House Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, thank you for inviting me to provide an assessment of the current U.S. Government efforts to share intelligence and homeland security information with the American public. This issue has for too long received only cursory attention, and I commend your leadership for holding this important hearing today.

As a stepping off point, it is my strongly held view that the single greatest lapse in leadership in response to the attacks of September 11, 2001 was the failure of the White House and Congress to look beyond the U.S. military and the national and homeland security agencies in formulating its response to the terrorist threat. As a result, it has neglected the nation’s greatest asset: the legacy of American grit, volunteerism, and ingenuity in the face of adversity. Instead, the Bush Administration has sent a mixed message, declaring terrorism to be a clear and present danger while, at the same time, telling Americans to just go about their lives. Unlike during World War II when everyday people, industry leaders, and local and state officials were mobilized in a national effort, since 9/11, national security and homeland security officials have too often treated citizens as potential security risks to be held at arm’s length or like helpless children in need of protection.

Overwhelmingly, the national defense and federal law enforcement community have chosen secrecy over openness when it comes to providing the general public with details about the nature of the terrorist threat and the actions required to mitigate and respond to that risk. Officials reflexively assert that candor would only “provide ideas to the terrorist and spook the public.” Not only is this instinct shortsighted and counterproductive, I would argue it ignores what should have been one of the central lessons from the 9/11 attacks.

In retrospect, it is remarkable that Washington has done so little to enlist citizens and the private sector in addressing the vulnerability of the nation to catastrophic terrorism. 9/11 made clear two things. First, the targets of choice for current and future terrorists will be civilians and infrastructure. Second, safeguarding those targets can only be accomplished with an informed, inspired and mobilized public. The first preventers and the first responders are far more likely to be civilians and local officials, not soldiers or federal law enforcement officers.

The prevailing interpretation of September 11 focuses almost entirely on the three airliners that struck the World Trade Center towers and the Pentagon. President Bush

concluded from those attacks that the U.S. government needs to do whatever it takes to hunt down its enemies before they kill innocent civilians again. He has essentially said that this is a job that must be left to more fully empowered and resourced national security professionals. However, as I recently outlined in an article published in the March/April 2008 issue of *Foreign Affairs*, it is the story of United Airlines flight 93, the thwarted fourth plane which crashed 140 miles from its likely destination—the U.S. Capitol or the White House—that ought to have been the dominant 9/11 narrative.

United 93 passengers foiled al Qaeda without any help from the U.S. government. The North American Aerospace Defense Command (NORAD) could not intercept the flight. Officials did not even know that the plane had been hijacked. There were no federal air marshals aboard. The passengers of United 93 mobilized to thwart their terrorist hijackers because they knew the hijackers' intention. United 93 was the last of the hijacked planes to get off the ground. Once the terrorists took control, they did not prevent passengers from making urgent calls to family and friends. These passengers found out something that their counterparts on the three earlier flights discovered only after it was too late to act: that the terrorists were on a suicide mission, intent on using the commandeered jet airline as a deadly missile. Armed with that information, the everyday Americans aboard United 93 did something very important: they charged the cockpit and prevented the plane from reaching its intended target.

In the aftermath of September 11, Washington should have soberly embraced the implications of what was both an ironic and quintessentially American testament of national strength: that the legislative and executive centers of the U.S. federal government, whose constitutional duty is “to provide for the common defense,” were themselves defended that day by one thing along: an alert and heroic citizenry. With regret, government officials should have acknowledged that the brave passengers aboard United 93 accomplished what they did without an advance warning of the threat, despite the fact that intelligence had been collected by the U.S. government that terrorists were intent on using planes as missiles. That information had to be learned by way of frantic calls to family and friends during the height of the emergency.

We will never know what might have happened aboard American Flight 11 or United Flight 175—the two planes flown into the World Trade Center towers in New York—if those passengers knew what their counterparts on United 93 were able to learn. But we do know that complying with the terrorist demand to remain quietly in their seat would have been an appropriate response for people who were relying for guidance on the pre-9/11 incidents of air hijackings. The pre-9/11 protocol was for passengers to do what they were told and leave it to professional negotiators or SWAT teams to deal with the captors after the plane landed. Had the U.S. government been open about this risk, would the other plane passengers been more alert to the possibility that they were not involved in a conventional hijacking? Would they have decided to marshal a counterattack? Sadly, it never occurred to senior officials to share this critical information with the general public. Despite otherwise exemplary work, even the 9/11 Commission failed to discuss this issue in their final report. And, if anything, when it comes to developing responses to plausible threat scenarios, the instinct within the U.S. Department of

Homeland Security and across the U.S. government has been for officials embrace secrecy instead of openness.

The discounting of the public can be traced to a culture of secrecy and paternalism that now pervades the national defense and federal law enforcement communities. Though, in historical terms, this culture has relatively recent roots. From the founding of the American republic through World War II, everyday citizens were presumed to be willing and able to contribute to the nation's security in times of war. It was only during the Cold War that the general public was increasingly relegated to the sidelines. The immediacy, complexity, and lethality of the threat of nuclear weapons placed the fate of millions in the hands of a few. Combating Soviet espionage during this high-stake conflict resulted in an extensive classification system premised on sharing information only with well-vetted individuals who were assigned specific duties that provided them with "a need to know." Despite the passage of nearly two decades since the fall of the Berlin Wall, this secretive system remains almost entirely intact. The sanctions for not protecting classified information from unlawful disclosure include arrest and imprisonment.

Today we live in an era in which the most likely battlegrounds will lie outside the conventional military realm. Terrorists will increasingly target civilians and critical infrastructure which places a premium on creating open and inclusive processes that provide meaningful information about threats and vulnerabilities to the citizens and private sector leaders. These groups are the nation's best positioned resources for devising and implementing plans for safeguarding likely targets, responding to attacks—as the United 93 story highlights—and recovering from them should prevention efforts fail.

There is another vital imperative for placing greatest emphasis on information sharing: it is the key ingredient for building the kind of societal resilience that is essential to depriving al Qaeda and other terrorists of the fear dividend they hope to reap by attempting to carry out catastrophic attacks. In military terms, the United States is too large—and al Qaeda's capacity too limited—for an attack to cause damage that could weaken U.S. power in any meaningful way. What they can hope for is to spawn enough fear to spur Washington into overreacting in costly and self-destructive ways.

Fear arises from the awareness of a threat coupled with a feeling powerless to deal with it. Although it is impossible to eliminate every threat that causes fear, Americans do have the power to manage fear as well as their reactions to it. However, for nearly seven years, Washington has been sounding the alarm about weapons of mass destruction and radical jihadists while providing the American people with no meaningful guidance on how to deal with these threats or the consequences of a successful attack. This toxic mix of fear and helplessness jeopardizes U.S. security by increasing the risk that the U.S. government will overreact in the event of another terrorist attack.

What the Department of Homeland Security should be doing is arming Americans with greater confidence in their ability to prepare for and recover from terrorist strikes and

disasters of all types. Bolstering confidence in our resilience will cap fear and in turn undermine much of the incentive our current and future adversaries have for incurring the costs and risks of targeting the U.S. homeland.

The United States should be striving to develop the kind of resilience that the British displayed during World War II when V-1 bombs were raining down on London. Volunteers put the fires out, rescued the wounded from the rubble, and then went on with their lives until air-raid warnings were sounded again. More than a half century later, the United Kingdom showed its resilience once more after suicide bombers attacked the London Underground with the intent of crippling the city's public transportation system. That objective was foiled when resolute commuters showed up to board the trains the next morning.

The approach the Department of Homeland Security should be pursuing is to gather and share as much threat, response, and recovery information as possible with private industry and state and local emergency responders. At the same time, it must place far greater emphasis on informing and engaging the American public. The key is to target the relevant audience with threat information that is matched with specific guidance on how to respond to the threat. To sound alarms about the threat without providing people with details on what they should do only needlessly stokes anxiety. This is the fundamental problem with the color-coded national alert system.

Undertaking this approach will require far more interaction with the private sector and civil society than the Department of Homeland Security can currently support. For instance, the private sector liaison office at DHS that has been capably led since its inception by Assistant Secretary Al Martinez-Fonts has only 15 civil service positions supported by seven contractors. The office responsible for Ready.Gov and the Citizen Corps is less than half that size. Citizen Corps has been funded at only \$15 million per year, roughly what the United States is spending each and every hour in Iraq. The vast majority of contact the public has with the Department of Homeland Security arises from its interactions with its operational agencies like TSA, CBP, ICE, the U.S. Coast Guard, and the Secret Service. The law enforcement and security missions of these organizations have frequently translated into strained and even adversarial relationships with private industry and the general public.

This is a formula that guarantees failure. When it comes to protecting the critical foundations that support our way of life and quality of life there are few law enforcement or security officials in government who have an intimate understanding of the design and operation of the complex infrastructure or who are capable of recognizing the real versus the perceived issues. And since federal, state, and local agencies rarely work well together, if they are left to their own devices, the result is bound to be a mix of unacknowledged gaps and misguided or redundant requirements.

The problem boils down to this: the design, ownership, and day-to-day operational knowledge of many of America's most essential systems rest almost exclusively with the private sector, both domestic and foreign. But the security of these systems throughout

and following the Cold War era has been handled almost exclusively by military, national security, and federal law enforcement professionals. Government officials are unable to protect things about which they have only a peripheral understanding and over which they have limited jurisdiction, and the market, left on its own, is unlikely to provide the socially desired level of security and dependability.

What is required is a truly collaborative approach which engages civil society and taps extensive private-sector capabilities and ingenuity for managing risk and coping with disasters. A critical barrier to advancing collaboration is excessive secrecy throughout the federal government reinforced by a reflexive tendency to classify material or to designate it as “For Official Use Only” or “Treat as Classified.” This instinct is enormously counterproductive since it holds the process of information system hostage to a completely overwhelmed and increasingly dysfunctional security clearance process. In order to successfully accomplish its core mission, the Department of Homeland Security should be taking the lead within the federal government in instituting controls to prevent the inappropriate classification of information and to work aggressively to declassify material so that vital information reaches the people who are best positioned to act on it.

The Department of Homeland Security should be provided with a clear mandate for public outreach and 750 new positions to be deployed to major cities around the country and at its headquarters. Each morning these individuals should arrive at their office and respond to this question: “Who needs homeland security-related information and how can I work to get it to them?” DHS should be the chief federal conduit for sharing intelligence and threat, response, and recovery information with the nation. They should lead the charge of moving the intelligence community away from its Cold War “need-to-know” paradigm and towards the essential “near-to-share” paradigm that today’s threat imperative requires.

Three tactical changes should be made immediately to help signal the overdue change in direction on information sharing. First, DHS should abandon the color-coded national alert system. Its fatal flaw is that it provides no meaningful guidance to the general public on what they should do. An alert system will never work at the national level. It must be tailored to regions, communities, and sectors where there is a known audience. Second, DHS should embrace the notion of “resilience” as a core strategic objective. Resilience is a concept that has the advantage of being an adult-like acknowledgment that disasters cannot always be prevented, but pragmatic measures can be taken to minimize the risk of occurrence and the consequences that can flow from them. In addition, resilience can only be achieved by an open and inclusive process that serves as a check on the secretive instincts of security professionals. Third, DHS must commit itself to making information sharing with local officials, the private sector, and the general public a two-way street with robust capabilities in place to support this. Only if DHS is committed to leading a team-effort will it achieve its mission.

In the end, it is essential that the next Administration revisit the excessive reliance President Bush has placed on the U.S. military and intelligence community for dealing with the dangers associated with terrorism. These capabilities were developed for a

different adversary, in a different time during which a closed and secretive culture was justifiable. However, America's greatest asset has always been and remains the industry, inventiveness, and patriotism of its people. Actively engaging the public in the work of managing the hazards of our post-9/11 world must be the top priority for the next President and the U.S. Congress.

Thank you and I look forward to responding to your questions.

---

*Stephen Flynn is the Jeane J. Kirkpatrick senior fellow for National Security Studies at the Council on Foreign Relations. He is the author of the *The Edge of Disaster: Rebuilding a Resilient Nation* (Random House, 2007) and *America the Vulnerable* (HarperCollins, 2004). Dr. Flynn is a Consulting Professor at the Center of International Security and Cooperation at Stanford University; a Senior Fellow at the Wharton School's Risk Management and Decision Processes Center at the University of Pennsylvania; and a member of the Marine Board of the National Research Council. He spent twenty years as a commissioned officer in the U.S. Coast Guard, was awarded the Legion of Merit, and retired at the rank of Commander. During his time on active duty he had two commands at sea, served in the White House Military Office during the George H.W. Bush administration, and was director for Global Issues on the National Security Council staff during the Clinton administration. He holds a Ph.D. and M.A.L.D. from the Fletcher School of Law and Diplomacy and a B.S. from the U.S. Coast Guard Academy.*