Rethinking U.S. Efforts on Counterterrorism: Toward a Sustainable Plan Two Decades After 9/11

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Introduction

Nearly twenty years have passed since al-Qaeda terrorists carried out the attacks of September 11, 2001. During that interval, the United States has built a counterterrorism bureaucracy to manage, resource, and operationalize the nation's intelligence, law enforcement, and military response to the threat posed by al-Qaeda in particular and terrorism more broadly. This counterterrorism enterprise has been remarkably successful from a tactical perspective, foiling attacks and disrupting terrorist networks. But it has been less successful from a strategic vantage point, given that more people today are radicalized to violent extremism than in 2001, representing a more diversified and globally dispersed terrorist threat.

Countering terrorism remains one of the country's top international security priorities, but not the primary one. Domestically, countering terrorism still constitutes a priority for agencies like the Federal Bureau of Investigation and Department of Homeland Security. But when it comes to fighting terrorism overseas, the national mood has shifted toward a focus on those groups presenting threats to the homeland or Americans abroad, while addressing regional terrorist threats through intelligence and action by local partners. As the 2018 National Defense Strategy makes clear, "Inter-state strategic competition, not terrorism, is now the primary concern in U.S. national security." This reflects both the rise of Great Power and near power competition as strategic threats to U.S. national security and the success of Washington's twenty-year investment in counterterrorism and homeland security.

At a time of growing partisan polarization, the need to rationalize U.S. investment in counterterrorism represents a rare area of bipartisan agreement. According to one study, from fiscal

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¹ A shorter version of this paper was published by The Washington Institute for Near East Policy in March 2021 as part of its "Transition 2021" paper series.

² U.S. Dep't of Def., Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military's Competitive Edge 1 (2018), https://perma.cc/5FGD-DNTK.

year 2002 to 2017, the United States spent 16 percent of its entire discretionary budget on counterterrorism, totaling \$2.8 trillion or an average of \$186.6 billion annually over fifteen years.³ Great Power competition aside, the nation faces an array of critical challenges at home—from the public health and economic challenges caused by the Covid-19 pandemic to social and racial justice issues, infrastructure needs, climate change, and more—all of which demand significant investment at a time of shrinking budgets and a fast-growing federal deficit. Moreover, having appreciated the amount of time, money, and blood the United States is willing to expend to counter their inexpensive terrorist plots, U.S. adversaries believe that terrorism works.⁴

Leaders in both the Democratic and Republican Parties also stress the need to end "forever wars," focus counterterrorism resources on protecting the U.S. homeland, and rely on foreign partners to take the lead—with U.S. support—on addressing terrorism in their neighborhoods. The terrorist threats facing the United States are more dispersed today than they were on September 11, 2001, but there is now general agreement on the need to adopt a more sustainable posture on the counterterrorism mission.

I. RATIONALIZING COUNTERTERRORISM

Speaking in February 2017, Joint Chiefs chairman Gen. Joseph Dunford laid out a "4+1" framework guiding U.S. Department of Defense prioritization of international threats and the capabilities needed to address them. Countering terrorism and violent extremism represented the "plus one" in the framework, after strategic competition with China and Russia, and regional threats Iran and North Korea.⁵ But no clear direction followed about how to operationalize this declared shift in terms of resource allocation or mission prioritization. In fact, the production of three largely unaligned national security strategies only exacerbated the problem. In the words of one former senior U.S. counterterrorism official, "I would challenge anyone to read the National Security Strategy, National Defense Strategy, and the National Strategy to Counter Terrorism and tell me where we should spend our resources." The Biden administration's interim national security strategy guidance paper notes the need to "meet challenges not only from great powers and regional adversaries, but also violent and criminal non-state actors and extremists," among other threats from climate change to infectious disease and more. But like Trump administration

³ LAICIE HEELEY, STIMSON CENTER, COUNTERTERRORISM SPENDING: PROTECTING AMERICA WHILE PROMOTING EFFICIENCIES AND ACCOUNTABILITY 7 (2018), https://perma.cc/Q5YK-DPPG.

⁴ David Francis, *Here's Osama bin Laden's Letter to the American People*, FOREIGN POLICY (May 20, 2015, 10:43 AM), https://perma.cc/M8GW-3K9O.

⁵ Fred Dews, *Joint Chiefs Chairman Dunford on the '4+1 Framework' and Meeting Transnational Threats*, BROOKINGS INST. (Feb. 24, 2017), https://perma.cc/LZ4V-LPPT.

⁶ Former Senior U.S. Counterterrorism Official, Remarks to Chatham House Rule Expert Roundtable on this Report (Oct. 29, 2020).

WHITE HOUSE, INTERIM NATIONAL SECURITY STRATEGIC GUIDANCE 9 (2021), https://perma.cc/49NH-RG4J.

strategies, this interim guidance lacks direction on how to budget limited resources across these threats.

America's post-9/11 counterterrorism enterprise has been tremendously successful in protecting the country from catastrophic attack for the past twenty years. Now, policymakers are keen to capitalize on the U.S. investment in counterterrorism, build upon gains in protecting the homeland, foster alliances to share the burden of fighting terrorists abroad, and most critically, do all this in a financially sustainable manner. In the words of then presidential candidate Joe Biden, "We must maintain our focus on counterterrorism, around the world and at home, but staying entrenched in unwinnable conflicts drains our capacity to lead on other issues that require our attention, and it prevents us from rebuilding the other instruments of American power."

Terrorism poses a persistent but not an existential threat to the United States. Terrorist attacks grab the public's attention, skewing the inherently political process of developing and resourcing the national response, especially over time. But the United States faces a wide range of national security threats—nuclear programs, cybersecurity, environmental challenges, foreign espionage, transnational organized crime, election security, and failed states, to name a handful—and decades of investment to address one acute threat can cumulatively divert investment from other, equally pressing threats. Put simply, the goal of counterterrorism should be to transform the problem from a national security priority to a law enforcement issue. As a corollary, an updated stance should also include a non-binary approach to interstate asymmetric warfare, including adversaries' use of militant and terrorist proxies. This means seeing such counterterrorism efforts not in terms of victory or defeat, but rather as an ongoing effort—short of both war and peace—in which both lethal and nonlethal tools are employed to compete with adversaries and disrupt acts of terrorism.

In November 2019, Russell E. Travers, then acting director of the National Counterterrorism Center (NCTC), noted, "We will never eliminate terrorism, but a tremendous amount of good work has been done, which facilitates a conversation about comparative risk." That conversation should focus not only on comparative risk but also on cost. By investing so many resources into the counterterrorism mission for two decades, the United States built up the capability to run a highly efficient and effective rate of operations and other counterterrorism functions. But the inherent tradeoff was that all those dollars, intelligence resources, and more went to support primarily kinetic missions. Thus, two factors—widening the national security aperture to address

⁸ Joseph R. Biden, Jr., *Why America Must Lead Again*, FOREIGN AFFAIRS (Jan. 23, 2020), https://perma.cc/8ABQ-GCER.

⁹ See also Michael Eisenstadt, Wash. Inst. For Near East Policy, Focus 162, Operating in the Gray Zone: Countering Iran's Asymmetric Way of War (2020) (elaborating on fighting such hybrid warfare), https://perma.cc/OA32-CHER.

¹⁰ Russell E. Travers, Acting Director, Nat'l Counterterrorism Ctr., Counterterrorism in an Era of Competing Priorities, Address to the Policy Form at The Washington Institute 3 (Nov. 8, 2019), https://perma.cc/68E5-HHMH.

other priority threats, and making the counterterrorism mission more sustainable over the long term—now underlie the need to rationalize counterterrorism efforts.

The debate is not new; it just now has greater impetus. The desire to right-size the counterterrorism mission goes back at least two administrations. Talk of the need to rebalance U.S. counterterrorism efforts go back to at least 2011.¹¹ By 2013, the Obama administration instructed the Pentagon to pivot to Asia, but the Benghazi attack disrupted these plans. Instead of moving soldiers from Africa to Asia, Obama ultimately sent more resources to Africa than had been there before the pivot. The result was not a pivot to Asia but to Africa, described by some officials as the "360 degree pivot to Asia." In 2016, President Obama made the case for taking a "long view of the terrorist threat," which would necessarily have to be "a smart strategy that can be sustained." The key to developing a sustainable counterterrorism strategy, he added, "depends on keeping the threat in perspective" and avoiding overreach. 13

The terrorist threat is real and it is dangerous. But these terrorists want to cast themselves as the vanguard of a new world order. They are not. They are thugs and they are murderers, and they should be treated that way. Fascism threatened to overrun the entire world -- and we had to wage total war in response. Communism threatened not only to overturn a world order, but threatened nuclear holocaust -- so we had to build armaments and alliances to contain it. Today's terrorists can kill innocent people, but they don't pose an existential threat to our nation, and we must not make the mistake of elevating them as if they do. That does their job for them. It makes them more important and helps them with recruitment.¹⁴

Underscoring the fact that countering terrorism is an ongoing effort, President Obama added "it has been my conviction that even as we focus relentlessly on dismantling terrorist networks like al Qaeda and ISIL, we should ask allies to do their share in the fight, and we should strengthen local partners who can provide lasting security." President Trump made a similar pitch, highlighting in his National Strategy for Counterterrorism the importance of strong partnerships and a need for more efficiency in the counterterrorism mission set:

Whenever possible, the United States must develop more efficient approaches to achieve our security objectives, relying on our allies to degrade and maintain persistent pressure against terrorists. This means collaborating so that foreign governments take the lead

¹¹ Former Senior U.S. Counterterrorism Official, Remarks to Chatham House Rule Expert Roundtable on this Report (Nov. 10, 2020).

¹² Craig Whitlock, *At Pentagon, 'Pivot to Asia' Becomes 'Shift to Africa*,' WASH. POST (Feb. 14, 2013), https://perma.cc/AB95-DNMR.

¹³ Press Release, White House, Remarks by the President on the Administration's Approach to Counterterrorism (Dec. 6, 2016), https://perma.cc/LV4L-NEA7.

¹⁴ *Id*.

¹⁵ *Id*.

wherever possible, and working with others so that they can assume responsibility in the fight against terrorists.¹⁶

In fact, even before the release of the 2018 National Defense Strategy, the Department of Defense downgraded the counterterrorism mission from the first to the fifth of the top five international threats facing the country. Speaking in February 2017, Joint Chiefs Chairman Gen. Joseph E. Dunford laid out a "4+1" framework guiding Defense Department prioritization of international threats and the capabilities needed to address them. The four top priorities related to strategic competition with China and Russia, followed by regional threats Iran and North Korea. Countering terrorism and violent extremism represented the "plus one" in the "4+1" framework. The But in the years that followed, there has been little direction about how to operationalize this declared shift in terms of resource allocation or mission prioritization. In fact, the production of three largely unaligned national security strategies only exacerbated the problem. In the words of one former senior U.S. counterterrorism official, "I would challenge anyone to read the National Security Strategy, National Defense Strategy, and the National Counterterrorism Strategy and tell me where we should spend our resources." 18

The Trump administration's National Security Strategy, released in December 2017, focused on a broad range of threats, but on the issue of counterterrorism recommitted the United States to a two-pronged strategy of defensive measures to protect the homeland and going on the offence to "pursue threats to their source." The NSS argued, "There is no perfect defense against the range of threats facing our homeland. That is why America must, alongside allies and partners, stay on the offensive against those violent non-state groups that target the United States and our allies." The NSS listed several priority counterterrorism actions, including disrupting plots, taking direct military action, eliminating terrorist safe havens, disrupting financial and other means of support, and combating radicalization. In other words, the NSS doubled down on the counterterrorism mission set. But it did lay out two key markers: First, the NSS stressed the need for allies and partners, who also face the threat of terrorism, to share the burden of combating such groups and underscored the need for building partner capacity to do so. Second, it prioritized the use of direct military and other counterterrorism actions abroad in those cases where terrorist networks threatened the homeland or U.S. citizens. ²¹

The following month, in January 2018, the Trump administration released its National Defense Strategy, which explicitly prioritized great power competition above counterterrorism as the primary threat to U.S. national security: "Inter-state strategic competition, not terrorism, is now

¹⁶ WHITE HOUSE, NATIONAL STRATEGY FOR COUNTERTERRORISM ii (2018), https://perma.cc/83CR-5ZUE.

¹⁷ Dews, *supra* note 5.

¹⁸ Former Senior U.S. Counterterrorism Official, Remarks to Chatham House Rule Expert Roundtable on this Report (Oct. 29, 2020).

¹⁹ WHITE HOUSE, NATIONAL SECURITY STRATEGY 10 (2017), https://perma.cc/9NMM-P7JW.

²⁰ *Id.* at 11.

²¹ *Id*. at 4.

the primary concern in U.S. national security."²² Counterterrorism remained a top priority, however, and the guidance on how to operationalize this new prioritization of strategic threats never came. As a result, practitioners began reaching out to academics and experts to flesh out what a shift in the U.S. counterterrorism paradigm might look like.²³ And since most intelligence community agencies and budgets fall under the purview of the Defense Department, an internal departmental decision to shift budgets away from counterterrorism and toward great power competition risked undermining the overall U.S. government counterterrorism mission.

The release of the National Strategy for Counterterrorism in October 2018 only exacerbated the problem by setting maximalist and unachievable goals for the counterterrorism mission, even as the National Defense Strategy sought to right-size counterterrorism in relation to other national security priorities. The "end state" laid out in the NSCT is nothing less than "the terrorist threat to the United States is eliminated."

Acting in accordance with this strategy, we will defeat our enemies, just as we have defeated the purveyors of oppression, fascism, and totalitarianism in previous wars. We will always remember September 11, 2001, and the sacrifices made by so many brave patriots in defense of our country against the evil scourge of terrorism. With that same spirit of service and self-sacrifice, we will safeguard the homeland, protect our way of life, and eliminate our enemy's ability to threaten our country. We are a nation at war—and it is a war that the United States will win.²⁵

Just six weeks in office, the Biden administration released its Interim National Security Strategic Guidance which, while refraining from putting counterterrorism in binary win-or-lose terms, also called for countering terrorism and addressing other threats without providing a sense of how to balance them.

As it happens, turning the corner on counterterrorism will require less investment in expensive hard power (military) and much more investment in inexpensive soft power (intelligence, diplomacy, civilian capacity building).²⁶ That shift will entail a period of rebalancing, along with a transition period of burden shifting among partners and allies. U.S. military commanders were among the first to recognize this need. In 2013, then U.S. Central Command (CENTCOM) commander Gen. Jim Mattis stated, "The more that we put into the State Department's diplomacy,

²² U.S. DEP'T OF DEF., *supra* note 2.

²³ See, e.g., Michael Nagata, Lt. Gen. U.S. Army, Dir. Strategic Operational Planning, National Counterterrorism Center, Taking Stock of U.S. Counterterrorism Efforts Since 9/11 (July 10, 2018), https://perma.cc/E55R-T5BJ; Avi Bass, *The Future of Regional Cooperation in the War on Terror*, WASH. INST. FOR NEAR EAST POLICY (Sept. 19, 2018) (summarizing remarks by Matthew Levitt, Stephen Tankel, Tricia Bacon, and Barak Mendelsohn), https://perma.cc/BLM6-WKJS.

²⁴ WHITE HOUSE, *supra* note 16, at 1.

²⁵ *Id.* at ii

²⁶ KATHERINE ZIMMERMAN, AM. ENTER. INST., BEYOND TERRORISM: DEFEATING THE SALAFI-JIHADI MOVEMENT 31 (2019).

hopefully the less we have to put into a military budget as we deal with the outcome of an apparent American withdrawal from the international scene."²⁷

Former defense secretary Robert Gates expressed the dominant post-9/11 line of argument about combating terrorism when he said it is "better to fight them on their 10-yard line [abroad] than on our 10-yard line [at home]." Today, a top to bottom review of U.S. counterterrorism activities around the world is necessary to prevent the momentum of twenty years of kinetic operations from driving policy. Strategy should direct which toolsets are employed, not the other way around. There are risks, however, in inverting the longstanding model of a U.S.-led and partner-enabled global counterterrorism model and primarily focusing only on those terrorists with the intent and capability to conduct attacks targeting the U.S. homeland or Americans abroad. For example, Somalia's al-Shabab terrorist group did not appear to present a threat to the homeland, until it did. The same is true for the Yemen-based al-Qaeda in the Arabia Peninsula (AQAP). Islamic State— and al-Qaeda-affiliated groups in Africa may not present a near-term threat to the United States today, but they too have the ability to shift quickly toward targeting the U.S. homeland. Whatever the specific circumstances, the United States will need more (and more timely) intelligence. Its military redeployments will have to be planned accordingly.

Any shift in policy must seek a maximum return on the twenty-year U.S. investment in counterterrorism while also preserving the many advances made during this period. For instance, maintaining residual troop deployments in key locations may be necessary to manage and keep control of global challenges, although not with the intention of resolving them.³¹ Small counterterrorism missions in places like Afghanistan, Iraq, Syria, or Africa may be necessary to prevent terrorist groups from holding territory or plotting foreign attacks from safe havens. Such deployments need not entail U.S.-led missions; they could be in support of partner-led initiatives, such as the French-led Operation Barkhane in Africa's Sahel region. In Iraq, where 2,500 U.S. troops are deployed, NATO announced plans to increase its military deployment from 500 to 4,000 troops and to expand its training mission beyond Baghdad.³²

In other cases, where terrorist groups threaten the U.S. homeland or American interests abroad, the United States should continue to take the lead on counterterrorism missions, with as much

²⁷ Zach Silberman, *The Military Understands Smart Power*, U.S. GLOB. LEADERSHIP COAL. (Mar 8, 2013), https://perma.cc/BVJ4-T2RF.

²⁸ Interview by Jeffrey Engel and Mike Nelson with Robert Gates, Former Sec'y of Def., University of Virginia Miller Center (July 9, 2013), https://perma.cc/2R9L-22BX.

²⁹ Press Release, U.S. Dep't of Justice, Kenyan National Indicted for Conspiring to Hijack Aircraft on Behalf of the Al Qaeda–Affiliated Terrorist Organization Al Shabaab (Dec. 16, 2020), https://perma.cc/8E2P-PGFS.

³⁰ Peter Finn, *Al-Awlaki Directed Christmas 'Underwear Bomber' Plot, Justice Department Memo Says*, WASH. POST (Feb. 10, 2012), https://perma.cc/78ZV-W4PK.

³¹ Richard Fontaine, *The Case Against Foreign Policy Solutionism*, FOREIGN AFFAIRS (Feb. 8, 2021), https://perma.cc/9GB7-Q5N5.

³² Lara Jakes & Eric Schmitt, *Seeking Fresh Start with Iraq, Biden Avoids Setting Red Lines with Iran*, N.Y. TIMES (Feb. 20, 2021), https://perma.cc/YNJ8-U76C.

partner support as possible. This includes those circumstances in which Washington perceives the terrorist threat differently from its allies, such as regarding groups like Lebanese Hezbollah and Iran's other terrorist proxies. Here, European and other allies are unlikely to lead but may be convinced to play supportive roles under U.S. leadership.

Clearly, any effort to rebalance the counterterrorism mission against other threats and budget constraints must consider the world as it is, not as we might like it to be, which includes significant terrorist threats. Speaking in June 2020, Lieutenant General (Ret) Michael Nagata, former Director of NCTC's Directorate of Strategic Operational Planning, put it bluntly:

The time has come to acknowledge the stark fact that despite enormous expenditures of blood/treasure to 'kill, capture, arrest' our way to strategic counterterrorism success, there are more terrorists globally today than on 9/11, and COVID-19 will probably lead to the creation of more.³³

Nearly two decades after 9/11, Travers noted, the U.S. government's database of known or suspected terrorists "has grown by almost a factor of 20."³⁴ Therefore, even as U.S. officials consider rationalizing the counterterrorism mission, they cannot be complacent about the threats from both foreign and domestic violent extremist groups, including homegrown and domestic violent extremists inspired by a wide range of radical ideologies.

President George W. Bush was famously planning a pivot to Asia when al-Qaeda carried out the 9/11 attacks. The current National Defense Strategy's paradigm shift to focus on interstate competition is therefore only viable so long as the United States continues to successfully prevent any significant attack on the homeland. Moreover, appropriate rebalancing of resources between counterterrorism and other national security priorities is crucial. Intelligence officials worry, for example, that the United States could pull all forces out of Afghanistan and then suffer an attack on U.S. soil traced back to terrorists based there or tied to the Taliban.³⁵ Thus, there is a clear necessity of finding the significant areas of overlap between counterterrorism and Great Power competition.

In the current climate, it is also important to recognize that not all foreign military deployments constitute "forever wars" and that countering terrorism and engaging in Great Power competition are not mutually exclusive. Moreover, U.S. officials must be careful not to subvert their own efforts by undercutting critical intelligence capabilities, many of which were developed to combat terrorism but are just as applicable to interstate competition. Indeed, building partnerships is

³³ Paul Cruickshank & Don Rassler, A View from the CT Foxhole: A Virtual Roundtable on COVID-19 and Counterterrorism with Audrey Kurth Cronin, Lieutenant General (Ret) Michael Nagata, Magnus Ranstorp, Ali Soufan, and Juan Zarate, in 13 CTC SENTINEL 1 (2020), https://perma.cc/53ED-JWSP.

³⁴ Travers, *supra* note 10, at 4.

³⁵ Telephone Interview with U.S. Counterterrorism Official (Oct. 30, 2020).

critical to instituting burden-sharing alliances, and Washington often secures its seat at the table—whether the issue is countering terrorism, contending with Iranian or North Korean missile and nuclear programs, or pushing back on Russian or Chinese aggression—because of its unparalleled intelligence-collection capability.

II. COUNTERTERRORISM IN THE CONTEXT OF INTERSTATE COMPETITION

Like counterterrorism, Great Power competition reflects one or, at most, several lines of effort within the larger set of U.S. strategic national security considerations. Neither pursuit itself constitutes a discrete strategic goal or framework. Therefore, shifting resources too wildly in one direction or another risks overcorrecting the application of limited resources toward one or another line of effort.

In the eyes of some, the United States can either prepare for Great Power competition or fight "peripheral wars" in places like Syria or Yemen that are remnants of an outdated fight against terrorism—not both. With proper strategic planning, however, the two efforts can be mutually reinforcing, not mutually exclusive. Indeed, the few military deployments necessary to maintain an effective counterterrorism posture are the polar opposite of "forever wars" in their size, cost, and risk, and should be pursued in support of international coalitions and local allies. Above and beyond their counterterrorism value, such alliances will prove critical to pushing back on Great Power and near power competitors. Moreover, these deployments should be used to support diplomatic and other soft power tools, not the other way around. As then presidential candidate Joe Biden wrote in early 2020, "Too often we have relied solely on the might of our military instead of drawing on our full array of strengths." 37

Global competition with the likes of Russia and China will demand that the United States consider not only its own set of interests but the needs and threat perceptions of its local partners as well. Focusing solely on Great Power competition in the U.S. relationship with other countries risks ignoring these countries' counterterrorism (and other) concerns, which are often among their top priorities. As terrorism expert Brian Michael Jenkins notes, "Counterterrorism assistance is a currency." That currency buys goodwill and partnership on a wide array of other interests, including Great Power competition. The flipside is also true: if the United States declines to help other countries address their counterterrorism needs, it creates a vacuum that will be filled by states like Russia and China, or Iran and Turkey. These states will not intervene in helpful ways, and they will use limited power to outsize effect.

³⁶ Benjamin Denison, *Confusion in the Pivot: The Muddled Shift from Peripheral War to Great Power Competition*, WAR ON ROCKS (Feb. 12, 2019), https://perma.cc/P8G7-BGUJ.

³⁷ Biden, *supra* note 8.

³⁸ Brian Michael Jenkins, *The Future Role of the U.S. Armed Forces in Counterterrorism*, in 13 CTC SENTINEL 24, 37 (2020), https://perma.cc/UML5-MY88.

In a U.S. cost-benefit analysis, counterterrorism activities in Africa offer a useful case. These account for about 0.3 percent of Defense Department personnel and budgetary resources and involve primarily training and advising roles.³⁹ In December 2019, as part of his review of global deployments, then defense secretary Mark Esper proposed a major drawdown of U.S. forces from West Africa in "a push to reduce post-9/11 missions battling terrorist groups, and instead to refocus Pentagon priorities on confronting so-called Great Powers like Russia and China."⁴⁰ One explanation was that Africa-based terrorist threats do not threaten the U.S. homeland, as the commander of U.S. Africa Command testified before Congress.⁴¹ Fast-forward to December 2020, when the Justice Department indicted a Kenyan national for conspiring to hijack an aircraft to conduct a 9/11-style terrorist plot on behalf of al-Shabab.⁴² These threats develop quickly when terrorists operate in relative safe havens, undermining the efficacy of the homeland-threat litmus test.

Whether or not al-Qaeda, the Islamic State, or other terrorist groups in Africa pose an immediate threat to the U.S. homeland, Africa has become a terrorist hotbed, with violent extremist incidents in the Sahel doubling every year since 2015.⁴³ It would be folly to wait until that threat metastasizes and strikes the homeland before putting some skin in the game to help counter terrorism in Africa. Such efforts could be partner-led and U.S.-enabled with a focus on leveraging America's unique intelligence capabilities, and they need not involve the deployment of large numbers of soldiers. To be sure, they should focus not only (or even primarily) on military support but rather on civilian counterterrorism capacity building. Furthermore, given burgeoning Russian and Chinese activity in Africa, premising a redeployment from the continent—which is small, affordable, and effective—on the need to shift to Great Power competition rings hollow. In a letter to Defense Secretary Esper raising their concerns about a possible reduction of U.S. forces in Africa, a bipartisan group of U.S. lawmakers underscored this point: "China and Russia have made aggressive, targeted investments in African countries as both powers look to expand their influence in the region. Over the past two decades, China has positioned itself as the continent's largest trading partner. Since 2015, Russia has signed more than 20 bilateral military cooperation agreements with African states."44 A small, light U.S. counterterrorism presence in Africa would appear to constitute smart policy from the perspective of both counterterrorism and interstate competition.

³⁹ Lara Seligman & Robbie Gramer, *U.S. Officials Worry Looming Military Cuts in Africa Are 'About Politics'*, FOREIGN POLICY (Jan. 28, 2020, 1:25 PM), https://perma.cc/X5GD-KGAK.

⁴⁰ Helene Cooper, Thomas Gibbons-Neff, Charlie Savage & Eric Schmitt, *Pentagon Eyes Africa Drawdown as First Step in Global Troop Shift*, N.Y. TIMES (Dec. 24, 2019), https://perma.cc/Z4F6-V3TX.

⁴¹ Kyle Rempfer, *African Terrorist Groups 'Aren't Necessarily a Threat to the Homeland,' AFRICOM Leader Says*, MILITARY TIMES (Mar. 7, 2019), https://perma.cc/RU44-K7XG.

⁴² Press Release, *supra* note 29.

⁴³ Robbie Gramer, *U.S. to Ramp Up Counterterrorism Efforts in Sahel Region*, FOREIGN POLICY (Dec. 20, 2019, 1:11 PM), https://perma.cc/OHX5-A5ZX.

⁴⁴ Press Release, Congressman Anthony Brown, Brown And Bipartisan Group Of Lawmakers Raise Concerns With The Potential Reduction Of Forces In Africa (Jan. 14, 2020), https://perma.cc/EQ9M-6UBE.

Similar considerations apply to the Middle East. Looking back at 2020, CENTCOM commander Gen. Kenneth F. McKenzie Jr. noted, "Russia and China exploited the ongoing and regional crises, financial and infrastructure needs, perception of declining U.S. engagement, and opportunities created by COVID-19 to advance their objectives across the Middle East." Syria, in particular, exemplifies another small, inexpensive, low-risk military deployment that yielded high counterterrorism dividends and prevented the spread of a dangerous regional conflict. In contrast, according to one analyst, "the Kremlin's primary motivation in Syria was limiting American influence in world affairs and projecting its own great power status, not fighting terrorism."

The U.S.-led mission in eastern Syria, which involves significant international and local partner participation, is a cornerstone of the counter–Islamic State coalition's ongoing effort to fight remaining IS elements and prevent the group's resurgence following its March 2019 territorial defeat. By late 2019, some 2,000 U.S. Special Forces in Syria anchored a local contingent of some 60,000 Syrian fighters to combat Islamic State. ⁴⁷ The U.S. force in Syria also supports ongoing efforts to target al Qaeda elements in Syria, including those intent on carrying out attacks targeting U.S. interests such as Hurras al-Din. In September 2020, a U.S. drone attack near Idlib killed a senior al Qaeda leader whose network was reportedly planning attacks against Western targets, including the United States. 48 U.S. forces at the al-Tanf military base also serve as a bulwark against Russian, Iranian, and Iranian proxy forces. 49 Withdrawing the small deployment of U.S. forces from Syria—which President Trump announced he planned to do several times—would create a power vacuum that Russia would fill. As an example, shortly after U.S. troops abandoned a military base near Aleppo, Russian forces took over the U.S.-built facility.⁵⁰ By any measure, Syria policy lies at the intersection of U.S. counterterrorism and interstate competition challenges.⁵¹ "In short," former counter-IS coalition coordinator Brett McGurk has argued, "the U.S. campaign against ISIS [as the Islamic State is also known] is not—

⁴⁵ Gen. Kenneth F. McKenzie Jr., Commander of Central Command, Address Before the Middle East Institute (Feb. 8, 2021), https://perma.cc/N2UV-R3DK.

⁴⁶ ANNA BORSHCHEVSKAYA, FOREIGN POLICY RESEARCH INST., THE RUSSIAN WAY OF WAR IN SYRIA: THREAT PERCEPTION AND APPROACHES TO COUNTERTERRORISM 4 (2020), https://perma.cc/3RVZ-VGCB.

⁴⁷ Brett McGurk, *Hard Truths in Syria*, FOREIGN AFFAIRS (Apr. 16, 2019), https://perma.cc/S8PR-QXC3.

⁴⁸ Eric Schmitt, *U.S. Commandos Use Secretive Missiles to Kill Qaeda Leaders in Syria*, N.Y. TIMES (Sept. 24, 2020), https://perma.cc/4RMT-ZG9J.

⁴⁹ Courtney Kube, *Inside the Remote U.S. Base in Syria Central to Combating ISIS and Countering Iran*, NBC NEWS (Oct. 22, 2018, 8:09 PM), https://perma.cc/RVZ3-5LZ2.

⁵⁰ Russia Lands Forces at Former U.S. Air Base in Northern Syria, REUTERS (Nov. 15, 2019, 4:48 PM), https://perma.cc/K33X-5UGN.

⁵¹ See AARON Y. ZELIN, WASH. INST. FOR NEAR EAST POLICY, SYRIA AT THE CENTER OF POWER COMPETITION AND COUNTERTERRORISM 1 (2021) ("Whatever the current focus, counterterrorism and Great Power dynamics converge in one country in particular—Syria—site of the greatest counterterrorism threat to the U.S. homeland and Russia's largest play to reassert its global influence."), https://perma.cc/ELS3-7RPF.

and never was—an "endless war" of the sort that Trump decried in his February 2019 State of the Union address." ⁵²

It was designed from the beginning to keep the United States out of the kind of expensive entanglements that Trump rightly condemns. Iraqis and Syrians, not Americans, are doing most of the fighting. The coalition, not just Washington, is footing the bill. And unlike the United States' 2003 invasion of Iraq, this campaign enjoys widespread domestic and international support.⁵³

General McKenzie, the CENTCOM commander, similarly anticipated that U.S. and NATO forces would maintain "a long-term presence" in Iraq, not only to fight the Islamic State but as a check against Iranian and Iranian-proxy activities in the country.⁵⁴ Such deployments are critical to contain threats and curb the activities of state actors, while building up local partner capability to do so independently. By February 2021, McKenzie made this point clear: "Our goal moving forward is to continue to develop and enable the ability of our local partners to maintain the fight against ISIS in their respective areas without external assistance."⁵⁵

Today, interstate strategic power competition is more and more manifested in the use of militant and terrorist proxies. Consider the extensive role of Shia militias in Syria acting as proxies for Iran and Russia,⁵⁶ Shia militias operating as Iranian proxies in Iraq,⁵⁷ Russian mercenaries fighting in Libya with Russian logistical support,⁵⁸ or reports of Russian offers of bounties to Afghan militants to kill U.S. troops in Afghanistan.⁵⁹ Separatist rebels in Ukraine used advanced weaponry they received from Russia,⁶⁰ while Iran enabled Houthis in Yemen to deploy surface-to-surface missiles, precision-guided anti-ship missiles, and weaponized drone swarm attacks.⁶¹ Iran's attack on Saudi oil installations at Abqaiq involved drones launched by Shia militant groups

⁵² McGurk, *supra* note 47.

⁵³ Id

⁵⁴ Eric Schmitt, *Top General in Middle East Says U.S. Troop Levels Will Drop in Iraq and Syria*, N.Y. TIMES (Aug. 12, 2020), https://perma.cc/8EZ5-LX2L.

⁵⁵ McKenzie, *supra* note 45.

⁵⁶ Phillip Smyth, From Karbala to Sayyida Zaynab: Iraqi Fighters in Syria's Shia Militias, in 6 CTC SENTINEL 28 (2013), https://perma.cc/UM4H-AEQ5; Mohammed Hardan, Russia, Iran Compete for Influence in Syria via Private Security Companies, AL-MONITOR (Feb. 4, 2021), https://perma.cc/47S7-D9S5.

⁵⁷ Michael Eisenstadt & Michael Knights, *Mini-Hezbollahs, Revolutionary Guard Knock-Offs, and the Future of Iran's Militant Proxies in Iraq*, WAR ON ROCKS (May 9, 2017), https://perma.cc/AET4-V74L.

⁵⁸ Michelle Nichols, *Russia Steps Up Support for Private Military Contractor in Libya: UN Report*, REUTERS (SEPT. 2, 2020, 4:34 PM), https://perma.cc/9N8S-TL6E.

⁵⁹ Charlie Savage, Eric Schmitt & Michael Schwirtz, *Russia Secretly Offered Afghan Militants Bounties to Kill U.S. Troops, Intelligence Says*, N.Y. TIMES (June 26, 2020), https://perma.cc/A96G-8BXC.

⁶⁰ Thomas Grove & Warren Strobel, *Special Report: Where Ukraine's Separatists Get Their Weapons*, REUTERS (July 29, 2014, 6:15 AM), https://perma.cc/NR4A-4C4J.

⁶¹ Michael Knights, Countering Iran's Missile Proliferation in Yemen, WASH. INST. FOR NEAR EAST POLICY (Nov. 8, 2017), https://perma.cc/H3E3-T3NC.

in Iraq,⁶² while drone attacks targeting Saudi Arabia in 2021 underscored the increasingly integrated operational activities of Iran's proxies in Iraq and Yemen.⁶³ Groups like Hezbollah already point to America's interest in shifting to great power competition with Russia and China as evidence that the U.S. might consider approaching militant groups differently.⁶⁴ Any effort to address Iran's aggressive regional activities will have to contend with Tehran's asymmetric warfare in the gray zone between war and peace.⁶⁵ Pushing back on Russian and Chinese adventurism around the world will include areas of operation where counterterrorism tools and partnerships can play critical roles in a broader interstate competition.

"We can be strong and smart at the same time," in Biden's assessment. "There is a big difference between large-scale, open-ended deployments of tens of thousands of American combat troops, which must end, and using a few hundred Special Forces soldiers and intelligence assets to support local partners against a common enemy. Those smaller-scale missions are sustainable militarily, economically, and politically, and they advance the national interest." As a rule of thumb, small counterterrorism missions carried out in coordination with allies and partners naturally align with Great Power and regional competition.

Great power competition even bleeds into homeland security where domestic violent extremism is concerned. Americans who engage in domestic terrorism here in the United States create vulnerabilities that actors like Russia can amplify through influence operations. At a highly polarizing political and social moment in American history, opportunities abound for competitors to create wedges in American society. The transnational nature of the white supremacist, accelerationist anti-government, and other right-wing extremist movements creates opportunities for state adversaries. According to the Soufan Center, "the emerging epicenter of [white supremacist extremists] seems to be in Ukraine and Russia," with some 17,000 people from over 50 countries traveling to fight in the conflict in Ukraine. "Just as jihadists have used conflicts in Afghanistan, Chechnya, the Balkans, Iraq, and Syria to swap tactics, techniques, and procedures and to solidify transnational networks, so too are [white supremacist extremists] using Ukraine as a battlefield laboratory." Not surprisingly, U.N. member states alerted the UN's

⁶² David Sheppard, Anjli Raval, Simeon Kerr & Ahmen Al Omran, *US Blames Iran for Attacks on Saudi Oil Plants*, FIN. TIMES (Sept. 14, 2019), https://perma.cc/9S2M-DK7B.

⁶³ Michael Knights, *Drones Over Riyadh: Unpacking the Iran Threat Network's Tactics*, WASH. INST. FOR NEAR EAST POLICY (Jan. 29, 2021), https://perma.cc/W5DG-6RRE.

⁶⁴ David A. Daoud (@DavidADaoud), TWITTER (Feb. 16, 2021, 2:51 PM) ("65-Nasrallah: Clear US Biden admin's priority is China and Russia. China is economic threat to US, unbearable to Americans. This could be reason, in initial phase, how to deal w/ME issues differently. Not moral difference, but admission of realities: Iran, Syria, Yemen resilience."), https://perma.cc/8S5L-7EA8.

⁶⁵ See EISENSTADT, supra note 9, at vii ("Washington has often granted Tehran unnecessary leeway in the conduct of its gray zone operations due to fears of escalation and 'all-out war'—fears that the regime encourages.").

⁶⁶ Biden, supra note 8.

⁶⁷ SOUFAN CTR., WHITE SUPREMACY EXTREMISM: THE TRANSNATIONAL RISE OF THE VIOLENT WHITE SUPREMACIST MOVEMENT 31 (2019), https://perma.cc/C8ZH-ABGT.

Counterterrorism Executive Directorate to their "increasing concern at the growing and increasingly transnational threat posed by extreme right-wing terrorism." ⁶⁸

President Biden intends for his foreign policy agenda to "place the United States back at the head of the table," because "the world does not organize itself." Failure to play that leading role will lead to one of two outcomes, Biden warned. "Either someone else will take the United States' place, but not in a way that advances our interests and values, or no one will, and chaos will ensue. Either way, that's not good for America."

III. INVESTING IN ALLIANCES AND PARTNERSHIPS

One key area of overlap among the three U.S. national security strategies noted earlier is the desire to work with partners and increase their capabilities. To be sure, U.S. counterterrorism agencies like the FBI and Central Intelligence Agency have developed extremely close working relationships with their foreign counterparts, especially when it comes to sharing information about plots in one another's countries. But broadening U.S. efforts to work "by, with, and through" allies and local partners around the world on military counterterrorism missions will be easier said than done given America's recent track record of abandoning local allies on short notice. More broadly, convincing partner nations to form burden-sharing alliances with the United States to address threats close to their borders will only be possible once the United States has taken tangible action to restore its credibility as a reliable long-term partner.

The Trump administration's counterterrorism strategy declared that the United States "must relentlessly focus on countering terrorism that jeopardizes American citizens and interests," and not "dilute our counterterrorism efforts by attempting to be everywhere all the time, trying to eradicate all threats." The Biden administration's Interim National Security Strategic Guidance similarly pledges not to engage in "forever wars" and to "right-size" the U.S. military presence in the Middle East "to the level required to disrupt international terrorist networks, deter Iranian aggression, and protect other vital U.S. interests." Yet developing, regional threats must also be addressed to prevent their growth into global threats targeting the U.S. homeland. Recall, for example, that President Barack Obama dismissed the Islamic State as the "junior varsity squad," in comparison to al-Qaeda, just six months before the group seized territory the size of Britain spanning parts of Iraq and Syria. America failed to foresee the IS threat, and then had no choice but to create a global coalition to inflict battlefield defeat upon the group.

⁶⁸ COUNTER-TERRORISM COMM. EXEC. DIRECTORATE, UNITED NATIONS SEC. COUNCIL, CTED TRENDS ALERT: MEMBER STATES CONCERNED BY THE GROWING AND INCREASINGLY TRANSNATIONAL THREAT OF EXTREME RIGHT-WING TERRORISM 3 (2020), https://perma.cc/6DRE-QCTK.

⁶⁹ Biden, *supra* note 8.

⁷⁰ WHITE HOUSE, *supra* note 16, at 11.

⁷¹ WHITE HOUSE, *supra* note 7, at 15.

⁷² David Remnick, Going the Distance, NEW YORKER (Jan. 19, 2014), https://perma.cc/H3W7-53G7.

Therefore, to address terrorist threats that do not imminently jeopardize U.S. citizens and interests, the United States must build robust, sustainable, long-term alliances and coalitions focused on conditions conducive to fragility, radicalization, and violent extremism. Washington can and should take the lead on efforts where U.S. interests are most acutely at risk, but it should also very actively support other partner-led efforts. Partners will be far more willing to lead if the United States demonstrates a commitment to play small but critical enabling roles.

Under President Trump, the United States withdrew from a laundry list of international treaties and institutions, took a dismissive attitude toward America's traditional European allies, belittled the NATO alliance, and dispensed with alliance building in favor of highly transactional and, typically, bilateral international engagement. Trump's policies led one European counterterrorism official to comment, "Does the Trump administration not understand that its actions in Syria are undermining our national security? We are not an ocean away from Syria; the problem is at our back door."

The Biden administration's need to restore U.S. credibility as a partner is all the more urgent following the Trump administration's multiple knee-jerk announcements on military withdrawals from Syria. Defending his October 2019 decision to withdraw troops, President Trump tweeted that the United States "can always go back & BLAST!" should the Islamic State make a comeback. To which Brett McGurk—who served as the president's envoy to the counter-IS coalition—responded, "Actually, you can't. Who is going to sign up with us? Who is going to fight with us?" To

"Diplomacy requires credibility," Biden noted, adding that "in the conduct of foreign policy, and especially in times of crisis, a nation's word is its most valuable asset." The first step in that direction is holding close consultations with partners and allies to determine how they prioritize the national security threats facing their countries and finding areas of common cause. Such meetings also present opportunities to help shape partners' and allies' threat perceptions, and build consistency between U.S. and partners' and allies' threat perceptions. There is broad consensus on the threats posed by the Islamic State and al-Qaeda, for example, although sharp divisions—over matters like the Turkish incursion into northern Syria and whether to repatriate foreign fighters—have defined how key countries address these threats. The Similarly, disagreements persist over the

⁷³ See, e.g., Jean Galbraith, *Trump Administration Announces Withdrawal from Four International Agreements*, 113 Am. J. INT'L L. 132, (2019); Alexander Smith & Shannon Pettypiece, *NATO Gathering Descends into Acrimony as Trump Criticizes Allies*, NBC NEWS (Dec. 4, 2019, 6:04 AM), https://perma.cc/JJ97-KKGA.

⁷⁴ Matthew Levitt & Aaron Y. Zelin, *Repatriating Western Jihadists: The Impact of U.S. Syria Policy*, WASH. INST. FOR NEAR EAST POLICY (Feb. 27, 2019), https://perma.cc/8G8B-LZ47.

⁷⁵ Bobby Allyn & Rachel Martin, Former Trump Envoy: Syria Withdrawal Is 'Haphazard' and 'Almost Unprecedented', NPR (Oct. 8, 2019, 1:31 PM), https://perma.cc/KZ5A-42PR.

Biden, supra note 8.
 Charles Thépaut & Matthew Levitt, The Counter-ISIS Coalition Has Much to Do After Baghdadi's Death, WASH.
 INST. FOR NEAR EAST POLICY (Nov. 8, 2019), https://perma.cc/X82V-ZURX.

threat level and the appropriate response to Lebanese Hezbollah, Iraqi and other Shia militias, and Iranian operations such as assassination and bombing plots in Europe in recent years.⁷⁸

The United States needs to "do stuff," as the truism goes, to get allies to participate in and contribute toward alliances. This means leading on some counterterrorism lines of effort and supporting on others. As Secretary of State Antony Blinken acknowledged, U.S. allies "raise the questions of the durability of some of the actions we're taking," and the only effective answer to those questions is U.S. actions, not words. ⁷⁹ In order to convince allies to share more of the counterterrorism burden abroad, the United States must first convince them it will follow through on its commitments. The United States is the only country in the world with the assets capable of supporting military counterterrorism deployments over time, including key support functions such as airborne refueling, transport and logistics, and intelligence, surveillance and reconnaissance (ISR). In the words of one European official, "The enabling capacity of the United States is monumental." ⁸⁰

The United States will also have to invest in building partners' capacity so that they can gradually assume more roles. In this formulation, any real burden sharing will have to be preceded by burden shifting, a process that will allow partners to develop their capabilities. Traditionally, moreover, the allied commitment to military counterterrorism missions decreases as the U.S. military posture declines. This calls for maintaining small American advise-and-assist efforts to support partner-led missions.

Here, the U.S. supporting role in Operation Barkhane is instructive. France has deployed some 5,000 soldiers to the Sahel region under the operation, fighting terrorists alongside the armies of the G5 Sahel (Mauritania, Mali, Chad, Burkina Faso, and Niger). The Niger-based U.S. contingent consists of 800–1000 personnel serving in support roles, with aerial missions generally flown out of bases outside Africa. "With very few assets, the United States are [sic] providing asymmetric value not only from a tactical viewpoint, but also in terms of its strategic effect," a U.S. Defense Department official explained. Over time, Washington significantly reduced its level of support, while European forces have filled the gap. Brig. Gen. Cyril Carcy— the French air force officer who serves as Operation Barkhane's deputy commander—noted, however, that "even though our dependency on the United States has diminished, we really need their help, as

⁷⁸ Matthew Levitt, *Iran's Deadly Diplomats*, in 11 CTC SENTINEL 10 (2018), https://perma.cc/32NW-7283. Matthew Levitt, *'Fighters Without Borders': Forecasting New Trends in Iran Threat Network Foreign Operations Tradecraft*, in 13 CTC SENTINEL 1 (2020), https://perma.cc/7FM9-99TT.

⁷⁹ Interview by Mary Louise Kelly, NPR, with Tony Blinken, U.S. Sec'y of State (Feb. 16, 2021), https://perma.cc/TYR3-KZSE.

⁸⁰ European Official, Remarks to Chatham House Rule Expert Roundtable on this Report (Nov. 17, 2020).

⁸¹ No 'Immediate' Reduction of France's Sahel Force, Says Macron, FRANCE 24 (Feb. 16, 2021, 12:14 AM), https://perma.cc/9263-KD7Z.

⁸² Murielle Delaporte, *U.S. Military Support in Sahel: Allies at Work*, BREAKING DEF. (May 14, 2020, 12:40 PM), https://perma.cc/B8HF-AYVD.

everything will take us longer...What takes us a month right now would take us a month-and-a-half without the U.S. help."83

Such an approach, however, requires investing more resources in terrorism prevention efforts and not just in more drones and Special Forces to "find, fix and finish" today's terrorists. Unfortunately, over the past two decades U.S. counterterrorism policy and programming abroad have been overly militarized, without commensurate investment in civilian terrorism prevention capabilities. Both at home and abroad, investing in terrorism prevention programs will be critical to getting ahead of the radicalization challenge, whatever the ideology driving the violent extremism.

The United States should thus draw on its civilian departments and agencies to help foreign countries strengthen their ability to address radicalization, arrest and try terrorism suspects within the rule of law and with respect for human rights, and work with private and nongovernmental partners to build resilient communities. An example of an effective U.S. program is the State Department's Counterterrorism Partnerships Fund (CTPF). Working with the Departments of Homeland Security and Justice, the CTPF focuses on building up foreign partners' law enforcement responses to terrorism, reforming the security sector, strengthening counterterrorism legal frameworks, prosecuting terrorism suspects, handling terrorist inmates, and other civilian tasks. While military capacity building is an essential component of any counterterrorism program, it must be coupled with investment in partners' civilian departments and agencies, such as ministries of justice, interior and corrections, among others. Shifting away from an overreliance on expensive hard power, and investing heavily in soft power instead, is the key to handling the fundamentally social underpinnings of the terrorism challenge, even as military capacity building must have a place in any counterterrorism program.⁸⁴

"Ultimately," General McKenzie cautioned, "enduring stability in the Middle East will not hinge on military capabilities unless they're reduced to a point that invites further instability." A U.S. presence in key regions generates its own antibodies, which, in partnership with allies, can prevent conflict regions from spiraling out of control, creating conditions in which extremism grows and drawing in Great Power and near power competitors. But as underscored in the 2020 Strategy to Prevent Conflict and Promote Stability—a U.S. interagency plan submitted to Congress as required under the Global Fragility Act of 2019—military force should be only one part of the solution. While generating support for preventive or crisis management efforts can be difficult, such initiatives are especially important to break the cycle of fragility and should be prioritized in areas where today's strategic investment can mitigate tomorrow's overwhelming crisis. For example, small amounts of U.S. financial support could fund local efforts to facilitate meaningful

⁸³ *Id*.

⁸⁴ Matthew Levitt, *America May Have Unlocked a Key to Fighting Terrorism—and It Doesn't Involve Drones*, WASH. POST (Jan. 7, 2016), https://perma.cc/8SEP-ZM2A.

⁸⁵ McKenzie, supra note 45.

security and justice sector reforms, enhance provision of essential services, reduce corruption, and enfranchise disengaged sectors of society such as women, children, and minorities. As the strategy notes, "Strategic investments in prevention can save billions of U.S. dollars and achieve better outcomes over the long run." It is a struggle, however, to get funding today to address tomorrow's threats.

Finally, America must address its domestic terrorism problem. In the eyes of many allies, the United States now functions as a *de facto* safe haven for transnational white supremacist and farright violent extremists. The January 6, 2021, insurrection threatened not only U.S. domestic institutions but also national security interests and foreign policy priorities. As an exporter of rightwing extremism, the United States has seen its image tarnished, undermining one of its best tools to draw partners to join counterterrorism efforts around the world. "For almost two decades," Russell Travers, the former acting NCTC director, noted, "the United States has pointed abroad at countries who are exporters of extreme Islamist ideology. We are now being seen as the exporter of white supremacist ideology."

Of course, counterterrorism burden sharing may not always be possible. Even close partners who share a common overall sense of terrorist threats may prioritize them differently, or apply a different risk/reward calculus for any given action. But America's closest allies tend to seek its partnership. "There might be some level of post-traumatic stress disorder" as a result of the Trump administration's isolationism, unilateralism, and impulsive withdrawals in places like Syria, a European official explained. "But at the end of the day, all Europeans want a strong security partnership with the U.S. The question is whether this cooperation will be limited to core missions (identifying and sharing information about terrorist networks) or if we can move beyond this and together address the breeding grounds of terrorism and stabilization missions (Syria, Iraq, the Sahel)." The key to making the latter development more likely may come down to the United States revisiting its traditional reluctance to share decisionmaking with its European partners, and European partners revisiting their traditional discomfort over burden sharing. 90

IV. (RE)BUDGETING FOR COUNTERTERRORISM

By definition, shifting away from two decades of counterterrorism premised on an aggressive forward defense posture and toward one more focused on indicators and warning means assuming some greater level of risk. The nightmare scenario counterterrorism officials desperately want to

 $^{^{86}}$ U.S. Dep't of State, United States Strategy to Prevent Conflict and Promote Stability 7 (2020), https://perma.cc/G7DL-LVD3.

⁸⁷ COUNTER-TERRORISM COMM. EXEC. DIRECTORATE, *supra* note 68, at 3.

⁸⁸ Travers, supra note 10, at 14.

⁸⁹ European Official, Remarks to Chatham House Rule Expert Roundtable on this Report (Nov. 17, 2020).

⁹⁰ Charles Thépaut, Wash. Inst. For Near East Policy, Policy Note 88, A New West in the Middle East: Toward a Humbler, More Effective Model of Transatlantic Cooperation 4 (2020), https://perma.cc/FES6-2KEM.

avoid involves pulling U.S. forces out of key locations where terrorist groups are active, only to suffer an attack on the homeland due to the loss of key intelligence capabilities. If an aviation plot succeeded because the watch-listing system was out of date, or if an attack linked back to an area from which U.S. troops recently withdrew, the response from both the public and the political class would be severe. In the words of one former U.S. counterterrorism official, "Force investments in counterterrorism are not completely rational; they become emotional once there's been an attack." ⁹¹

To mitigate such risks, the United States must rewire counterterrorism intelligence budgets to ensure they are not gutted by default as the Defense Department pivots to address other pressing national security issues. Over the past twenty years, counterterrorism programs were largely driven by military efforts to take the fight to the enemy. While counterterrorism intelligence operations were deeply embedded in the military mission, funding for these operations abroad was scaffolded on military budgets. U.S. dollars and intelligence capabilities were overwhelmingly invested in supporting kinetic operations. Likewise, foreign intelligence collection programs—including those that directly support FBI investigations, watch-listing of known or suspected terrorists (KSTs), and other domestic counterterrorism efforts were driven by these military counterterrorism operations abroad. As the United States shifts away from this military posture, the funding and personnel who trickled down to support other key elements of the counterterrorism community will presumably also shift, with the military, to other mission sets. It is critical that policymakers and strategic planners disentangle the funding for counterterrorism intelligence collection from the larger military budget bins in which they currently reside to prevent the loss of key support to downstream counterterrorism activities. 92

Beyond the \$23.1 billion in the Military Intelligence Program, much of the \$62.7 billion in the larger National Intelligence Program also falls under the Defense Department. As a result, counterterrorism officials worry that as the intelligence community is driven by the National Defense Strategy to focus on interstate competition, a lack of budgetary transparency could leave the community ill-prepared to continue supporting the counterterrorism mission set at the levels necessary to provide effective indicators and warning. One official put it this way:

Today's counterterrorism infrastructure is built on kinetic actions and tools and this leaves us a bit exposed...We have technical capabilities around the world—SIGINT [signals intelligence], overhead ISR, etc.—and this drives collection for all kinds of things. It's

⁹¹ Former Senior U.S. Counterterrorism Official, Remarks to Chatham House Rule Expert Roundtable on this Report (Nov. 10, 2020).

⁹² Telephone Interview with U.S. Counterterrorism Official (Dec. 18, 2020).

⁹³ U.S. intelligence community budget figures are for 2020. *See U.S. Intelligence Community Budget*, OFFICE OF THE DIR. OF NAT'L INTELLIGENCE, https://perma.cc/5GKY-55GL.

⁹⁴ Telephone Interview with U.S. Counterterrorism Official (Oct. 30, 2020).

there to support kinetic efforts, but it is needed for Treasury, FBI, case files, watch lists, and lots more. 95

General Nagata explains further: "The lion's share of our investments since 9/11 in developing new CT capability and capacity has gone primarily toward the identification, illumination, targeting and tracking, and, as we say in the counterterrorism world, 'the finishing' of terrorists and terrorist plots." This drove "extraordinary investments in new intelligence community capabilities, a revolution in military affairs when it comes to combating irregular and insurgent forces," along with the efforts to defend borders and disrupt plots. 96

From now on, some investments that facilitated this "revolution in military affairs" will need to be reallocated so that they still support the counterterrorism mission, even as it shifts away from a principally military focus to one based on indicators and warnings. The mission may now require fewer armed drones but more drones with sensors and other intelligence collection platforms. "Today, the information we need for many counterterrorism efforts comes from tool sets primarily created to support the kinetic mission," one senior counterterrorism official explained. "Now, we need to invest in collection; less warfighter, more NSA." The terrorist threats persist even as the United States seeks to recalibrate its counterterrorism mission set away from predominantly military and kinetic tools, putting greater pressure on the intelligence community to see threats over the horizon.

The United States must significantly increase investment in nonkinetic counterterrorism tools. The good news is that these are far less expensive than the weapons systems needed for military operations. Countering radicalization and terrorism financing, preventing terrorist travel, adjudicating the status of detained foreign fighters and their families, and contesting terrorist use of the Internet are some of the issue sets requiring increased fiscal resources, staffing, and policy support. Unfortunately, while dedicated people in and out of government work on these issues, "they universally suffer from significant resource shortfalls, and—most important—they would benefit from the constant and durable policy support that kinetic CT approaches enjoy today." 98

Securing a dedicated, sustainable counterterrorism budget as the Defense Department shifts to address other national security priorities is critical but not sufficient. Before the counterterrorism burden moves toward indicators and warning, funds must be provided to kick-start an intelligence community (IC) modernization program and develop long-overdue innovations to address today's terrorist challenges. The U.S. counterterrorism community has undoubtedly seen plenty of duplication of effort, and departments and agencies could better utilize existing counterterrorism

⁹⁵ Telephone Interview with U.S. Counterterrorism Official (Dec. 18, 2020).

⁹⁶ Nagata, *supra* note 23.

⁹⁷ Telephone Interview with U.S. Counterterrorism Official (Dec. 18, 2020).

⁹⁸ Nagata, *supra* note 23.

resources, but without early investment in IC innovation, the enterprise cannot be expected to shoulder the shift from a forward military defense to intelligence forewarning of potential threats.

Forecasting threats based on intelligence is an art, not a science, and despite herculean efforts, the U.S. intelligence community has been caught flat-footed more than once. In 2009, the intelligence community considered AQAP a regional threat, until Christmas Day "underwear bomber" Umar Farouq Abdulmutallab nearly blew up Northwest Airlines Flight 253 over Detroit. The following year, a bombing plot in Times Square was tied back to the Pakistani Taliban, a group the IC had assessed to be a solely regional threat in South Asia.⁹⁹ Then, in 2014, the rise of the Islamic State caught the United States unprepared. Looking back at this failure four years later, General Nagata put it bluntly: "The fact that ISIS suddenly emerged as a strategic surprise for the United States only four years ago should be a sobering realization for all of us." ¹⁰⁰

While the United States must find new ways to collect information as it reduces its military footprint—fewer boots on the ground will inherently mean fewer opportunities for recruiting sources and collecting, e.g., human intelligence (HUMINT)—the most pressing need is not for collection but for data management. As Russell Travers explained when he headed NCTC, "If we're going to get the intelligence right, we need to get the electrons right. Data is everything: whether looking for strategic trends, or conducting tactical level analysis associated with individuals and networks; data is the life blood of the CT community." Put another way, "the data challenges we face are extraordinarily complex, particularly when we're dealing with information that is invariably incomplete, generally ambiguous, and often wrong." And the amount of data is overwhelming: as of late 2019, NCTC dealt with an average of 300 threats to U.S. embassies and consulates a year, and handled more than 10,000 incoming terrorism-related reports a day. Those reports included some 16,000 names to be dealt with daily. 103

To keep up with the pace of digital data, the intelligence community desperately needs investment in artificial intelligence and machine learning capabilities, which in turn requires significant investment in technology infrastructure to support such systems. It will also require focused efforts to enlist people with AI skill sets. Here, the final report of the National Security Commission on Artificial Intelligence deserves much attention. As the report notes, AI is especially well suited to help with forecasting: "AI will help intelligence professionals find needles in haystacks, connect the dots, and disrupt dangerous plots by discerning trends and discovering previously hidden or masked indications and warnings. AI-enabled capabilities will improve every stage of the intelligence cycle from tasking through collection, processing, exploitation, analysis,

⁹⁹ Travers, *supra* note 10, at 7.

¹⁰⁰ Nagata, *supra* note 23.

¹⁰¹ Travers, *supra* note 10, at 7.

¹⁰² *Id*.

¹⁰³ *Id.* at 8.

and dissemination."¹⁰⁴ Data management does not excite policymakers, but it is critical to counterterrorism. As the AI Commission noted in its 2019 interim report, "the government is well positioned to collect useful information from its worldwide network of sensors. But much of that data is unlabeled, hidden in various silos across disparate networks, or inaccessible to the government...Even more data is simply expelled as 'exhaust' because it is not deemed to be immediately relevant."¹⁰⁵

As terrorists exploit emerging technologies, counterterrorism tools must also adapt. Key examples include countering terrorist use of drones and other unmanned aerial systems, encrypted communication, and indirect mobilization to violence of inspired followers around the world via social media platforms. By using biometrics and other countermeasures, officials can address terrorist groups' production of sophisticated counterfeit travel documents.

The intelligence community, which is insulated by nature, will also need to expand its relationships with the private sector, especially in the technology field. U.S. government engagement with the industry-led Global Internet Forum to Counter Terrorism offers one promising model. Another is the National Cyber-Forensics and Training Alliance, which has proven an effective vehicle for public-private information sharing related to cybercrime. ¹⁰⁶

To make all this work, the counterterrorism enterprise needs significant top-down support, direction, and strategic planning. The budgetary gymnastics needed to enable rationalization of the counterterrorism mission set will be painful, and will not happen if departments and agencies are asked nicely. "We are a Government of Departmental Sovereignty—the way we're designed, the way money is appropriated, and the way Congressional oversight works," Travers noted. Twenty years after 9/11, the United States risks making critical management mistakes all over again. As the 9/11 Commission Report lamented: "It is hard to 'break down stovepipes' where there are so many stoves that are legally and politically entitled to have cast-iron pipes of their own." To address this problem, the 9/11 Commission called for the establishment of a national counterterrorism center, but once founded, NCTC was given authority only to coordinate and convene, not to compel cooperation.

Integrating strategy and effort across departments and agencies is supposed to happen at the National Security Council, but going back to the Obama administration and through the Trump administration, Travers noted, "there's been a degree of downsizing and deemphasizing National

¹⁰⁴ NAT'L SEC. COMM'N ON ARTIFICIAL INTELLIGENCE, FINAL REPORT 109 (2021), https://perma.cc/5K5R-9CY5_

¹⁰⁵ NAT'L SEC. COMM'N ON ARTIFICIAL INTELLIGENCE, INTERIM REPORT 34 (2019), https://perma.cc/5MCC-M345.

¹⁰⁶ About Us, NAT'L CYBER-FORENSICS AND TRAINING ALL., https://perma.cc/L9MB-FURE.

¹⁰⁷ Travers, *supra* note 10, at 11.

¹⁰⁸ NAT'L COMM'N ON THE TERRORIST ATTACKS UPON THE UNITED STATES, THE 9/11 COMMISSION REPORT: FINAL REPORT OF THE NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES 403 (2004), https://perma.cc/9CAD-N29D.

Security Council integration."¹⁰⁹ That will have to change for the kind of budgetary realignment necessary to make a counterterrorism rationalization possible. As one official explained,

The way the U.S. government works is that budgets are divided up by departments and agencies and by bins and allocations for specific priorities, like counterterrorism. What we now need to do is find ways to cross-pollinate funding for these intelligence community capabilities so we can address multiple priorities and problem sets. Doing this will require bureaucratic and budgeting jujitsu as we implement changes that will have real world near-to mid-term impacts on big budgets. ¹¹⁰

Another area where the White House could play a hands-on role and direct the interagency toward greater integration and less redundancy would be through the NCTC's Directorate for Strategic and Operational Planning (DSOP). When empowered, DSOP has played a critical role in helping departments and agencies measure and evaluate counterterrorism efforts, identify gaps, and assess risk.¹¹¹ It can also play an interagency coordination role on in-the-weeds but critical issues like watch-listing and screening or other low-visibility issues that, left uncoordinated, risk leading to strategic failures. Although the trend in recent years has been to undervalue this directorate, "the DSOP model could provide a mechanism for the government to get beyond departmental stovepipes; but that would require a willingness to invest in the greater good—consciously thinking beyond narrow departmental and agency equities." ¹¹²

In an era of financial austerity, strategic planning for U.S. national security would be better conceptualized as Venn diagrams highlighting areas of overlap, not an array of parallel silos. Intelligence capabilities should be integrated into a national security enterprise such that they can be drawn upon to support multiple mission sets, from Russia or China, to Iran or North Korea, to counterterrorism, cybersecurity, and public health. Doing so, however, requires White House direction and congressional bipartisanship to take on ingrained bureaucratic habits and territoriality, especially when it comes to budget allocations for counterterrorism. The goal must be to align departments' budgets and priorities so that they optimize counterterrorism and other resources. For example, departments and agencies should be required to identify areas of mission overlap, even though that is not how they typically operate or how they are funded and structure their budgets.

¹⁰⁹ Travers, *supra* note 10, at 11.

¹¹⁰ Telephone Interview with U.S. Counterterrorism Official, (Dec. 18, 2020).

¹¹¹ Travers, *supra* note 10, at 11.

¹¹² Russell Travers, *Addressing Our Whole-of-Government Deficit in National Security*, JUST SECURITY (Dec 8, 2020), https://perma.cc/3JQ7-JF5G.

V. STRATEGIC RECOMMENDATIONS

The U.S. government has limited resources for addressing a long list of national security and other top-line priorities, such as the Covid-19 pandemic. So, even as terrorist threats persist, it makes sense that there is general bipartisan support—if not specific willingness to assume the inherent political risk—for reassessing the U.S. counterterrorism enterprise as the twentieth anniversary of 9/11 approaches. What follows are a several suggested guideposts for a serious review and reorientation of U.S. counterterrorism:

- 1. Counterterrorism efforts should not be viewed in terms of victory or defeat, but rather as an ongoing effort—short of both war and peace. These efforts must include both lethal and nonlethal tools to compete with adversaries and disrupt acts of terrorism.
- 2. Under any reorganization, the U.S. military will still play critical counterterrorism roles, both leading in cases where terrorism threatens the homeland or American interests abroad and supporting partner-led efforts elsewhere around the world. Such deployments, however, must be made strategically and based on a list of circumstances under which U.S. assets would be deployed in small but open-ended rotations or quick-reaction forces, in lead or support roles. The circumstances could include threats to the homeland, low-cost/high-dividend counterterrorism opportunities, and scenarios in which failure to participate could incur costs in the area of Great Power competition.
- 3. The move from a primarily U.S.-led, partner-enabled model to a model (where possible) in which partners lead and the United States enables must happen over time. A period of gradual rebalancing between the two, as well as a transition period of *burden shifting* among partners and allies, will have to precede an effective model of *burden sharing*.
- 4. Diplomacy is a significantly undervalued counterterrorism tool that is critical to building partnerships and alliances to address terrorism and other shared threats. Turning the corner on counterterrorism will require less investment in expensive military

hard power, and significantly more investment in inexpensive diplomatic soft power. In the future, Washington should invest in structures and systems to facilitate multilateral counterterrorism partnerships.

- 5. The move from U.S.-led, partner-enabled military counterterrorism missions to partner-led, U.S.-enabled missions (where possible) will require that Washington repair its damaged credibility and demonstrate the staying power to meet its alliance commitments over the long term. The United States will find it difficult to work "by, with, and through" local allies if those allies question its reliability. The first step in the right direction is holding close consultations with partners and allies to determine how they prioritize the national security threats facing their countries and finding areas of common cause. Aside from its own commitment of troops and resources, the United States is uniquely qualified to convene and coordinate the activities of like-minded states. Still, as Washington seeks to convince partners and allies to take on bigger roles in countering terrorism, its standing will be enhanced if it decisively addresses white supremacist and other forms of transnational terrorism emanating from within America's borders.
- 6. A hallmark of the past two administrations has been the use of Special Operations forces to train and equip local partners and to build their military capacity to combat terrorism. But this military support for frontline partners, while the United States stayed on the sidelines of large-scale armed conflicts, promoted an overly militarized approach to counterterrorism by U.S.-trained partners. To be sure, military capacity building is an essential component in the counterterrorism toolkit. But it has not been coupled with the necessary investment in building U.S. partners' civilian departments and agencies—e.g., ministries of justice, interior, and corrections, among others. To succeed in the long term, military and intelligence efforts must be part of a broader approach to counterterrorism that includes robust and capable civilian elements.
- 7. The United States cannot capture and kill its way out of a problem driven by underlying grievances, conflict, and instability and nurtured by radical ideologies. While fighting terrorists who wish to do harm to American interests, U.S. counterterrorism policy should also include a much broader focus on terrorism prevention. Indeed, drumming up support for preventive or crisis management efforts can be difficult, but such efforts are especially important to break the cycle of fragility and should be prioritized in areas where today's strategic investment can mitigate tomorrow's overwhelming crisis. To

achieve strategic success in applying nonkinetic tools to the terrorism problem, General Nagata notes, the United States will have to demonstrate the same sustained commitment and "ruthless experimentation" that it applied over the past two decades to developing its kinetic counterterrorism toolkit. At the same time, terrorism prevention strategies must be prioritized to match commitment to strategic plans. Asserting overly broad commitments makes no sense if they do not reflect budgetary realities. Here, too, commitments must be made strategically and based on a list of circumstances under which the United States will invest in such efforts. They must then be subjected to robust metrics and evaluations to determine if they are working.

- 8. While looking over the horizon to prevent tomorrow's long-term crises, counterterrorism practitioners should highlight action on near-term issues with the potential to create outsize terrorist threats over the near and medium term. For example, the unresolved status of Islamic State operatives in detention camps in Syria, and that of their families in refugee and displaced persons camps such as al-Hawl, presents a critical challenge and a potential incubator for another generation of violent extremists. Most urgently, the international community must address the squalid living conditions and lack of security in such camps. Next, world actors must design a coordinated response to the challenges complicating efforts to detain and prosecute IS prisoners. Foreign terrorist fighter (FTF) flows represent another immediate concern that, if left unaddressed, will present significant future challenges. FTF flows, like those of fighters to IS in Syria and Iraq, occur in waves. Understanding why such waves occur in certain places at certain times is critical to preventing the next one from forming.
- 9. In facilitating a shift away from a military-focused counterterrorism posture and toward one focused on indicators and warning, policymakers and strategic planners must disentangle the funding for intelligence collection from the larger military budget bins within which they currently reside to prevent the loss of key support to downstream counterterrorism activities. Over the years, foreign intelligence collection programs that directly support homeland security efforts were driven by military counterterrorism operations abroad. As the United States shifts away from a primarily military counterterrorism posture, the funding and personnel who trickled down to support other key elements of the counterterrorism community will also shift, with the military, to other mission sets absent the necessary budgetary changes. National Security Council oversight and NCTC strategic planning will be necessary to break down the "departmental"

¹¹³ Nagata, *supra* note 23.

sovereignty" that defines how the U.S. government is structured and how budgets are set. Doing so will also enable strategic-level consideration of areas where counterterrorism and other missions, such as Great Power competition, naturally overlap.

10. The U.S. intelligence community requires significant investments to address the extraordinarily complex data challenges that come with sifting through, digesting, integrating, and acting on vast amounts of data that is not only unstructured, but unstructured in different ways depending on its source. The shift away from the current forward defense counterterrorism posture—which has indeed worked rather well to date but is no longer sustainable—to one dependent on intelligence analysis and forecasting will demand a substantial initial investment in artificial intelligence and machine learning capabilities, and in the underlying technology infrastructure to support such systems.

11. As the United States recalibrates its counterterrorism posture after twenty years of taking the fight overseas, agencies and departments focused on countering terrorism at home will inevitably feel more pressure. Moving away from a forward defense will thus require upping investment in homeland security and counterterrorism agencies. Threats to the homeland remain significant from foreign and domestic terrorist groups alike. Targeted violence and terrorism prevention programs warrant greater investment, given that Homeland Security Department and other studies have repeatedly highlighted that violent extremism in the United States—whether white supremacist or Islamist in nature—is a largely homegrown phenomenon. Homeland Moreover, the numbers do not lie: right-wing extremists were responsible for 75 percent of extremist-related murders in the United States over the past decade.

12. U.S. leaders, from the president to members of Congress down to the state and local levels, must commit themselves to building a sense of resilience among the American public. They must communicate to the public that terrorism is a tactic, and its complete defeat is neither achievable nor necessary. Leaders should avoid language suggesting terrorism will end or be defeated, and speak about terrorism instead as a danger to be taken seriously but one that does not present an existential threat to the country—

¹¹⁴ TRMS Exclusive: DHS Document Undermines Trump Case for Travel Ban, MSNBC (Mar. 2, 2017), https://perma.cc/Q6A7-BWKC.

¹¹⁵ ADL Finds Domestic Extremist Murders in 2020 Overwhelmingly Linked to Far-Right Extremists, ANTI-DEFAMATION LEAGUE (Feb. 3, 2021), https://perma.cc/38FL-BEZR.

even though it is extremely scary and dangerous. The goal should be to reduce terrorism to a low-level threat that law enforcement can address as it does other threats like active shooter incidents at schools and movie theaters. Building resilience now is critical so that today's effort to rationalize the counterterrorism mission can withstand the political impact of the next inevitable terrorist attack.