

110TH CONGRESS
2^D SESSION

S. 3637

To provide for an annual comprehensive report on the status of United States efforts and the level of progress achieved to counter and defeat Al Qaeda and its related affiliates and undermine long-term support for the violent extremism that helps sustain Al Qaeda's recruitment efforts, as carried out under a broad counterterrorism strategy.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 17), 2008

Mr. CASEY (for himself and Mr. HAGEL) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide for an annual comprehensive report on the status of United States efforts and the level of progress achieved to counter and defeat Al Qaeda and its related affiliates and undermine long-term support for the violent extremism that helps sustain Al Qaeda's recruitment efforts, as carried out under a broad counterterrorism strategy.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Success in Countering
5 Al Qaeda Reporting Requirements Act of 2008".

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Al Qaeda and its related affiliates attacked
4 the United States on September 11, 2001 in New
5 York, New York, Arlington, Virginia, and
6 Shanksville, Pennsylvania, murdering almost 3000
7 innocent civilians.

8 (2) Osama bin Laden and his deputy Ayman al-
9 Zawahiri remain at large.

10 (3) In testimony to the Select Committee on In-
11 telligence of the Senate on February 5, 2008, Direc-
12 tor of National Intelligence J. Michael McConnell
13 stated, “Al-Qa’ida has been able to retain a
14 safehaven in Pakistan’s Federally Administered
15 Tribal Areas (FATA) that provides the organization
16 many of the advantages it once derived from its base
17 across the border in Afghanistan”.

18 (4) The July 2007 National Intelligence Esti-
19 mate states, “Al Qaeda is and will remain the most
20 serious terrorist threat to the Homeland”.

21 (5) In testimony to the Permanent Select Com-
22 mittee on Intelligence of the House of Representa-
23 tives on February 7, 2008, Director of National In-
24 telligence Michael McConnell stated, “Al-Qa’ida and
25 its terrorist affiliates continue to pose significant
26 threats to the United States at home and abroad,

1 and al-Qa'ida's central leadership based in the bor-
2 der area of Pakistan is its most dangerous compo-
3 nent.”.

4 (6) The “National Strategy for Combating Ter-
5 rorism”, issued in September 2006, affirmed that
6 long-term efforts are needed to win the battle of
7 ideas against the root causes of the violent extremist
8 ideology that sustains Al Qaeda and its affiliates.
9 The United States has obligated resources to sup-
10 port democratic reforms and human development to
11 undercut support for violent extremism, including in
12 the Federally Administered Tribal Areas in Pakistan
13 and the Sahel region of Africa. However, 2 reports
14 released by the Government Accountability Office in
15 2008 (“Combating Terrorism: The United States
16 Lacks Comprehensive Plan to Destroy the Terrorist
17 Threat and Close the Safe Haven in Pakistan’s Fed-
18 erally Administered Tribal Areas” (GAO–08–622,
19 April 17, 2008) and “Combating Terrorism: Actions
20 Needed to Enhance Implementation of Trans-Sahara
21 Counterterrorism Partnership” (GAO–08–860, July
22 31, 2008)) found that “no comprehensive plan for
23 meeting U.S. national security goals in the FATA
24 have been developed,” and “no comprehensive inte-

1 grated strategy has been developed to guide the
2 [Sahel] program’s implementation”.

3 (7) Such efforts to combat violent extremism
4 and radicalism must be undertaken using all ele-
5 ments of national power, including military tools, in-
6 telligence assets, law enforcement resources, diplo-
7 macy, paramilitary activities, financial measures, de-
8 velopment assistance, strategic communications, and
9 public diplomacy.

10 (8) In the report entitled “Suggested Areas for
11 Oversight for the 110th Congress” (GAO–08–235R,
12 November 17, 2006), the Government Accountability
13 Office urged greater congressional oversight in as-
14 sessing the effectiveness and coordination of United
15 States international programs focused on combating
16 and preventing the growth of terrorism and its un-
17 derlying causes.

18 (9) Section 140(a) of the Foreign Relations Au-
19 thorization Act, Fiscal Years 1988 and 1989 (22
20 U.S.C. 2656f(a)) requires that the Secretary of
21 State submit annual reports to Congress that detail
22 key developments on terrorism on a country-by-coun-
23 try basis. These Country Reports on Terrorism pro-
24 vide information on acts of terrorism in countries,
25 major developments in bilateral and multilateral

1 counterterrorism cooperation, and the extent of
2 State support for terrorist groups responsible for the
3 death, kidnaping, or injury of Americans, but do not
4 assess the scope and efficacy of United States
5 counterterrorism efforts against Al Qaeda and its re-
6 lated affiliates.

7 (10) The Executive Branch submits regular re-
8 ports to Congress that detail the status of United
9 States combat operations in Iraq and Afghanistan,
10 including a breakdown of budgetary allocations, key
11 milestones achieved, and measures of political, eco-
12 nomic, and military progress.

13 (11) The Department of Defense compiles a re-
14 port of the monthly and cumulative incremental obli-
15 gations incurred to support the Global War on Ter-
16 rorism in a monthly Supplemental and Cost of War
17 Execution Report.

18 **SEC. 3. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20 (1) 7 years after the attacks on September 11,
21 2001, Al Qaeda and its related affiliates remain the
22 most serious national security threat to the United
23 States, with alarming signs that Al Qaeda and its
24 related affiliates recently reconstituted their strength

1 and ability to generate new attacks throughout the
2 world, including against the United States;

3 (2) there remains insufficient information on
4 current counterterrorism efforts undertaken by the
5 Federal Government and the level of success
6 achieved by specific initiatives;

7 (3) Congress and the American people can ben-
8 efit from more specific data and metrics that can
9 provide the basis for objective external assessments
10 of the progress being made in the overall war being
11 waged against violent extremism;

12 (4) the absence of a comparable timely assess-
13 ment of the ongoing status and progress of United
14 States counterterrorism efforts against Al Qaeda
15 and its related affiliates in the overall Global War on
16 Terrorism hampers the ability of Congress and the
17 American people to independently determine whether
18 the United States is making significant progress in
19 this defining struggle of our time; and

20 (5) the Executive Branch should submit a com-
21 prehensive report to Congress, updated on an annual
22 basis, which provides a more strategic perspective
23 regarding—

24 (A) the United States' highest global
25 counterterrorism priorities;

1 (B) the United States' efforts to combat
2 and defeat Al Qaeda and its related affiliates;

3 (C) the United States' efforts to undercut
4 long-term support for the violent extremism
5 that sustains Al Qaeda and its related affiliates;

6 (D) the progress made by the United
7 States as a result of such efforts;

8 (E) the efficacy and efficiency of the
9 United States resource allocations; and

10 (F) whether the existing activities and op-
11 erations of the United States are actually di-
12 minishing the national security threat posed by
13 Al Qaeda and its related affiliates.

14 **SEC. 4. ANNUAL COUNTERTERRORISM STATUS REPORTS.**

15 (a) IN GENERAL.—Not later than July 31, 2009, and
16 every July 31 thereafter, the President shall submit a re-
17 port, to the Committee on Foreign Relations of the Sen-
18 ate, the Committee on Foreign Affairs of the House of
19 Representatives, the Committee on Armed Services of the
20 Senate, the Committee on Armed Services of the House
21 of Representatives, the Committee on Appropriations of
22 the Senate, the Committee on Appropriations of the House
23 of Representatives, the Select Committee on Intelligence
24 of the Senate, and the Permanent Select Committee on
25 Intelligence of the House of Representatives, which con-

1 tains, for the most recent 12-month period, a review of
2 the counterterrorism strategy of the United States Gov-
3 ernment, including—

4 (1) a detailed assessment of the scope, status,
5 and progress of United States counterterrorism ef-
6 forts in fighting Al Qaeda and its related affiliates
7 and undermining long-term support for violent extre-
8 mism;

9 (2) a judgment on the geographical region in
10 which Al Qaeda and its related affiliates pose the
11 greatest threat to the national security of the United
12 States;

13 (3) an evaluation of the extent to which the
14 counterterrorism efforts of the United States cor-
15 respond to the plans developed by the National
16 Counterterrorism Center and the goals established in
17 overarching public statements of strategy issued by
18 the executive branch;

19 (4) a description of the efforts of the United
20 States Government to combat Al Qaeda and its re-
21 lated affiliates and undermine violent extremist ide-
22 ology, which shall include—

23 (A) a specific list of the President’s highest
24 global counterterrorism priorities;

1 (B) the degree of success achieved by the
2 United States, and remaining areas for
3 progress, in meeting the priorities described in
4 subparagraph (A); and

5 (C) efforts in those countries in which the
6 President determines that—

7 (i) Al Qaeda and its related affiliates
8 have a presence; or

9 (ii) acts of international terrorism
10 have been perpetrated by Al Qaeda and its
11 related affiliates;

12 (5) the specific status and achievements of
13 United States counterterrorism efforts, through mili-
14 tary, financial, political, intelligence, and para-
15 military elements, relating to—

16 (A) bilateral security and training pro-
17 grams;

18 (B) law enforcement and border security;

19 (C) the disruption of terrorist networks;
20 and

21 (D) the denial of terrorist safe havens and
22 sanctuaries;

23 (6) a description of United States Government
24 activities to counter terrorist recruitment and
25 radicalization, including—

1 (A) strategic communications;

2 (B) public diplomacy;

3 (C) support for economic development and
4 political reform; and

5 (D) other efforts aimed at influencing pub-
6 lic opinion;

7 (7) United States Government initiatives to
8 eliminate direct and indirect international financial
9 support for the activities of terrorist groups;

10 (8) a cross-cutting analysis of the budgets of all
11 Federal Government agencies as they relate to
12 counterterrorism funding to battle Al Qaeda and its
13 related affiliates abroad, including—

14 (A) the source of such funds; and

15 (B) the allocation and use of such funds;

16 (9) an analysis of the extent to which specific
17 Federal appropriations—

18 (A) have produced tangible, calculable re-
19 sults in efforts to combat and defeat Al Qaeda,
20 its related affiliates, and its violent ideology; or

21 (B) contribute to investments that have ex-
22 pected payoffs in the medium- to long-term;

23 (10) statistical assessments, including those de-
24 veloped by the National Counterterrorism Center, on
25 the number of individuals belonging to Al Qaeda and

1 its related affiliates that have been killed, injured, or
2 taken into custody as a result of United States
3 counterterrorism efforts; and

4 (11) a concise summary of the methods used by
5 National Counterterrorism Center and other ele-
6 ments of the United States Government to assess
7 and evaluate progress in its overall counterterrorism
8 efforts, including the use of specific measures,
9 metrics, and indices.

10 (b) INTERAGENCY COOPERATION.—In preparing a
11 report under this section, the President shall include rel-
12 evant information maintained by—

13 (1) the National Counterterrorism Center and
14 the National Counterproliferation Center;

15 (2) Department of Justice, including the Fed-
16 eral Bureau of Investigation;

17 (3) the Department of State;

18 (4) the Department of Defense;

19 (5) the Department of Homeland Security;

20 (6) the Department of the Treasury;

21 (7) the Office of the Director of National Intel-
22 ligence,

23 (8) the Central Intelligence Agency;

24 (9) the Office of Management and Budget;

1 (10) the United States Agency for International
2 Development; and

3 (11) any other Federal department that main-
4 tains relevant information.

5 (c) REPORT CLASSIFICATION.—Each report required
6 under this section shall be—

7 (1) submitted in an unclassified form, to the
8 maximum extent practicable; and

9 (2) accompanied by a classified appendix, as
10 appropriate.

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