



Final Report on 9/11 Commission Recommendations

December 5, 2005

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Part I: Homeland Security, Emergency Preparedness and Response

| RECOMMENDATION | GRADE |
|----------------|-------|
|----------------|-------|

EMERGENCY PREPAREDNESS AND RESPONSE

Provide adequate radio spectrum for first responders

F (C if bill passes)

The pending Fiscal Year 2006 budget reconciliation bill would compel the return of the analog TV broadcast (700 Mhz) spectrum, and reserve some for public safety purposes. Both the House and Senate bills contain a 2009 handover date—too distant given the urgency of the threat. A 2007 handover date would make the American people safer sooner.

Establish a unified Incident Command System

C

Although there is awareness of and some training in the ICS, hurricane Katrina demonstrated the absence of full compliance during a multi-jurisdictional/statewide catastrophe—and its resulting costs.

Allocate homeland security funds based on risk

F (A if House provision passes)

Congress has still not changed the underlying statutory authority for homeland security grants, or benchmarks to insure that funds are used wisely. As a result, homeland security funds continue to be distributed without regard for risk, vulnerability, or the consequences of an attack, diluting the national security benefits of this important program.

Critical infrastructure risks and vulnerabilities assessment

D

A draft National Infrastructure Protection Plan (November 2005) spells out a methodology and process for critical infrastructure assessments. No risk and vulnerability assessments actually made; no national priorities established; no recommendations made on allocation of scarce resources. All key decisions are at least a year away. It is time that we stop talking about setting priorities, and actually set some.

Private sector preparedness

C

National preparedness standards are only beginning to find their way into private sector business practices. Private sector preparedness needs to be a higher priority for DHS and for American businesses.

TRANSPORTATION SECURITY

National Strategy for Transportation Security

C-

DHS has transmitted its National Strategy for Transportation Security to the Congress. While the strategy reportedly outlines broad objectives, this first version lacks the necessary detail to make it an effective management tool.

Improve airline passenger pre-screening

F

Few improvements have been made to the existing passenger screening system since right after 9/11. The completion of the testing phase of TSA's pre-screening program for airline passengers has been delayed. A new system, utilizing all names on the consolidated terrorist watch list, is therefore not yet in operation.

Improve airline screening checkpoints to detect explosives

C

While more advanced screening technology is being developed, Congress needs to provide the funding for, and TSA needs to move as expeditiously as possible with, the appropriate installation of explosives detection trace portals at more of the nation's commercial airports.

Checked bag and cargo screening

D

Improvements here have not been made a priority by the Congress or the administration. Progress on implementation of in-line screening has been slow. The main impediment is inadequate funding.

BORDER SECURITY

Better terrorist travel strategy

Incomplete

The first Terrorist Travel Strategy is in development, due to be delivered by December 17, 2005 as required by PL 108-458.

Comprehensive screening system

C

We still do not have a comprehensive screening system. Although agencies are moving ahead on individual screening projects, there is lack of progress on coordination between agencies. DHS' new Screening Coordination Office still needs to establish and implement goals for resolving differences in biometric and traveler systems, credentialing and identification standards.

Biometric entry-exit screening system

B

The US-VISIT system is running at 115 airports and 15 seaports, and is performing secondary screening at the 50 busiest land borders. But border screening systems are not yet employed at all land borders, nor are these systems interoperable. The exit component of the US-VISIT system has not been widely deployed.

International collaboration on borders and document security

D

There has been some good collaboration between US-VISIT and Interpol, but little progress elsewhere. There has been no systematic diplomatic effort to share terrorist watchlists, nor has Congress taken a leadership role in passport security.

Standardize secure identifications

B-

The REAL ID Act has established by statute standards for state-issued IDs acceptable for federal purposes, though states' compliance needs to be closely monitored. New standards for issuing birth certificates (required by law by December 17, 2005) are delayed until at least spring 2006, probably longer. Without movement on the birth certificate issue, state-issued IDs are still not secure.

Part II: Reforming the Institutions of Government

| RECOMMENDATION | GRADE |
|----------------|-------|
|----------------|-------|

THE INTELLIGENCE COMMUNITY

Director of National Intelligence

B

The framework for the DNI and his authorities are in place. Now his challenge is to exercise his authorities boldly to smash stovepipes, drive reform, and create a unity of effort—and act soon. He must avoid layering of the bureaucracy and focus on transformation of the Intelligence Community. The success of this office will require decisive leadership from the DNI and the president, and active oversight by the Congress.

National Counterterrorism Center

B

Shared analysis and evaluation of threat information is in progress; joint operational planning is beginning. But the NCTC does not yet have sufficient resources or personnel to fulfill its intelligence and planning role.

Create FBI national security workforce

C

Progress is being made—but it is too slow. The FBI's shift to a counterterrorism posture is far from institutionalized, and significant deficiencies remain. Reforms are at risk from inertia and complacency; they must be accelerated, or they will fail. Unless there is improvement in a reasonable period of time, Congress will have to look at alternatives.

New missions for CIA Director

Incomplete

Reforms are underway at the CIA, especially of human intelligence operations. But their outcome is yet to be seen. If the CIA is to remain an effective arm of national power, Congress and CIA leadership need to be committed to accelerating the pace of reforms, and must address morale and personnel issues.

Incentives for information sharing

D

Changes in incentives, in favor of information sharing, have been minimal. The office of the program manager for information sharing is still a start-up, and is not getting the support it needs from the highest levels of government. There remain many complaints about lack of information sharing between federal authorities and state and local level officials.

Government-wide information sharing

D

Designating individuals to be in charge of information sharing is not enough. They need resources, active presidential backing, policies and procedures in place that compel sharing, and systems of performance evaluation that appraise personnel on how they carry out information sharing.

Homeland airspace defense

B-

Situational awareness and sharing of information has improved. But it is not routine or comprehensive, no single agency currently leads the interagency response to airspace violations, and there is no overarching plan to secure airspace outside the National Capital region.

CIVIL LIBERTIES AND EXECUTIVE POWER

Balance between security and civil liberties

B

The debate surrounding reauthorization of the PATRIOT Act has been strong, and concern for civil liberties has been at the heart of it. Robust and continuing oversight, both within the Executive and by the Congress, will be essential.

Privacy and Civil Liberties Oversight Board

D

We see little urgency in the creation of this Board. The President nominated a Chair and Vice Chair in June 2005, and sent their names to the Senate in late September. To date, the Senate has not confirmed them. Funding is insufficient, no meetings have been held, no staff named, no work plan outlined, no work begun, no office established.

Guidelines for government sharing of personal information

D

The Privacy and Civil Liberties Oversight Board has not yet begun its work. The DNI just named a Civil Liberties Protection Officer (November 2005).

CONGRESSIONAL AND ADMINISTRATIVE REFORM

Intelligence oversight reform

D

The House and Senate have taken limited positive steps, including the creation of oversight subcommittees. However, the ability of the intelligence committees to perform oversight of the intelligence agencies and account for their performance is still undermined by the power of the Defense Appropriations subcommittees and Armed Services committees.

Homeland Security committees

B

The House and Senate have taken positive steps, but Secretary Chertoff and his team still report to too many bosses. The House and Senate homeland security committees should have exclusive jurisdiction over all counterterrorism functions of the Department of Homeland Security.

Declassify overall intelligence budget

F

No action has been taken. The Congress cannot do robust intelligence oversight when funding for intelligence programs is buried within the defense budget. Declassifying the overall intelligence budget would allow for a separate annual intelligence appropriations bill, so that the Congress can judge better how intelligence funds are being spent.

Standardize security clearances

B

The President put the Office of Management and Budget (OMB) in charge of standardizing security clearances. OMB issued a plan to improve the personnel security clearance process in November 2005. The Deputy Director of OMB is committed to its success. All the hard work is ahead.

Part III: Foreign Policy, Public Diplomacy, and Nonproliferation

| RECOMMENDATION | GRADE |
|----------------|-------|
|----------------|-------|

NONPROLIFERATION

Maximum effort by U.S. government to secure WMD

D

Countering the greatest threat to America’s security is still not the top national security priority of the President and the Congress.

FOREIGN POLICY

Long-term commitment to Afghanistan

B

Progress has been made, but attacks by Taliban and other extremists continue and the drug situation has worsened. The U.S. and its partners must commit to a long-term economic plan in order to ensure the country’s stability.

Support Pakistan against extremists

C+

U.S. assistance to Pakistan has not moved sufficiently beyond security assistance to include significant funding for education efforts. Musharraf has made efforts to take on the threat from extremism, but has not shut down extremist-linked madrassas or terrorist camps. Taliban forces still pass freely across the Pakistan-Afghanistan border and operate in Pakistani tribal areas.

Support reform in Saudi Arabia

D

Saudi authorities have taken initial steps but need to do much more to regulate charities and control the flow of funds to extremist groups, and to promote tolerance and moderation. A U.S.-Saudi strategic dialogue to address topics including reform and exchange programs has just started; there are no results to report.

Identify and prioritize terrorist sanctuaries

B

Strategies have been articulated to address and eliminate terrorist sanctuaries, but they do not include a useful metric to gauge progress. There is little sign of long-term efforts in place to reduce the conditions that allow the formation of terrorist sanctuaries.

Coalition strategy against Islamist terrorism

C

Components of a common strategy are evident on a bilateral basis, and multilateral policies exist in some areas. But no permanent contact group of leading governments has yet been established to coordinate a coalition counterterrorism strategy.

Coalition standards for terrorist detention

F

The U.S. has not engaged in a common coalition approach to developing standards for detention and prosecution of captured terrorists. Indeed, U.S. treatment of detainees has elicited broad criticism, and makes it harder to build the necessary alliances to cooperate effectively with partners in a global war on terror.

Economic policies

B+

There has been measurable progress in reaching agreements on economic reform in the Middle East, including a free trade agreement with Bahrain and the likely admission of Saudi Arabia to the WTO before long. However, it is too early to judge whether these agreements will lead to genuine economic reform.

Vigorous effort against terrorist financing

A-

The U.S. has won the support of key countries in tackling terrorism finance—though there is still much to do in the Gulf States and in South Asia. The government has made significant strides in using terrorism finance as an intelligence tool. However, the State Department and Treasury Department are engaged in unhelpful turf battles, and the overall effort lacks leadership.

PUBLIC DIPLOMACY

Define the U.S. message

C

Despite efforts to offer a vision for U.S. leadership in the world based on the expansion of democratic governance, public opinion approval ratings for the U.S. throughout the Middle East remain at or near historic lows. Public diplomacy initiatives need to communicate our values, way of life, and vision for the world without lecturing or condescension.

International broadcasting

B

Budgets for international broadcasting to the Arab and Muslim world and U.S.-sponsored broadcasting hours have increased dramatically, and audience shares are growing. But we need to move beyond audience size, expose listeners to new ideas and accurate information about the U.S. and its policies, and measure the impact and influence of these ideas.

Scholarship, exchange, and library programs

D

Funding for educational and cultural exchange programs has increased. But more American libraries (Pakistan, for example) are closing rather than opening. The number of young people coming to study in the U.S. from the Middle East continues to decline (down 2% this year, following declines of 9% and 10% in the previous two years).

Support secular education in Muslim countries

D

An International Youth Opportunity Fund has been authorized, but has received no funding; secular education programs have been initiated across the Arab world, but are not integrated into a broader counterterrorism strategy. The U.S. has no overarching strategy for educational assistance, and the current level of education reform funding is inadequate.



**Remarks by Chairman Thomas H. Kean and Vice Chair Lee H. Hamilton
Final Report of the 9/11 Public Discourse Project
December 5, 2005**

Good morning. Seventeen months ago, the ten of us gathered together and issued the final report of the 9/11 Commission. We reported on the facts and circumstances of the September 11th attacks. We made 41 recommendations.

Since that time, we have worked together – five Republicans and five Democrats -- as a private organization, to educate the American people on behalf of our recommendations. Today is the last time we will appear together as a group.

So what has been accomplished?

Last December, the President signed into law the Intelligence Reform and Terrorism Prevention Act, the most sweeping reform of the Intelligence Community since 1947.

Pursuant to that law, there is now a Director of National Intelligence.

There is now a National Counterterrorism Center.

These are structural changes. By themselves they cannot correct problems – they give us a better opportunity to correct problems.

As a result of these and other reforms, are we safe?

We are safer – no terrorist attacks have occurred inside the United States since 9/11 – but we are not as safe as we need to be.

We see some positive changes. But there is so much more to be done. There are far too many C's, D's, and F's in the report card we will issue today. Many obvious steps that the American people assume have been completed, have not been. Our leadership is distracted.

Some of these failures are shocking. Four years after 9/11:

- It is scandalous that police and firefighters in large cities still cannot communicate reliably in a major crisis.
- It is scandalous that airline passengers are still not screened against all names on the terrorist watchlist.
- It is scandalous that we still allocate scarce homeland security dollars on the basis of pork barrel spending, not risk.

We are frustrated by the lack of urgency about fixing these problems.

Bin Ladin and al Qaeda believe it is their duty to kill as many Americans as possible. This very day they are plotting to do us harm.

On 9/11 they killed nearly 3,000 of our fellow citizens. Many of the steps we recommend would help prevent such a disaster from happening again. We should not need another wake-up call.

We believe that the terrorists will strike again. If they do, and these reforms have not been implemented, what will our excuses be?

While the terrorists are learning and adapting, our government is still moving at a crawl.

Unfinished Tasks

In the report card we issue today, our purpose is not to praise or to criticize. Our purpose is to be constructive -- to point out those areas where attention and improvement are still needed. We will highlight just a few.

Risk-based allocation of Homeland Security Funding

First, the risk-based allocation of homeland security funding.

It should be obvious that our defenses should be strongest where the enemy intends to strike—and where we are most vulnerable.

The first responders to any attack will be local police, firefighters, and emergency medical technicians. They are a crucial part of our national defense. Therefore, the Commission recommended that federal grants to first responders be distributed based on an impartial assessment of risk and vulnerability.

However, the current formula for allocating these grants has no risk assessments or benchmarks to guide this spending.

One city used its homeland security money for air conditioned garbage trucks. One used it to buy Kevlar body armor for dogs.

These are not the priorities of a nation under threat.

Congress has a golden opportunity this month to enact a funding formula that distributes homeland security funding strictly on an assessment of risks and vulnerabilities. Such a formula sets benchmarks, and requires advance planning, to ensure that the spending actually improves national security.

Our intelligence is not perfect, but surely it should be a guide in how we allocate scarce dollars. This is not about small state vs. large state, or urban vs. rural. It is about protecting American lives.

The House has passed an excellent provision on risk-based funding three times. It passed the House by a vote of 409-10, with overwhelming bipartisan support from all parts of the country. It is part of the House-passed PATRIOT Act reauthorization.

It will not become part of the Conference Report -- it will not become law -- unless six Senators in the Conference Committee support it. So far there are only five.

It is time for Senators to exercise leadership and do the right thing for our Nation's security, by passing risk-based funding reform in the PATRIOT Act.

Information Sharing

Second, Information Sharing

The failure to share information among and within agencies cost us dearly on September 11th.

No single step is more important to strengthen our intelligence than to improve information sharing.

Last year's law created a Program Manager to improve information-sharing across the government; the President appointed an experienced officer to fill that post.

Despite these steps, we have made minimal progress so far on information sharing. You can change the law, you can change the technology, but you still need to change the culture. You still need to motivate institutions and individuals to share information.

The President and the Director of National Intelligence need to make change in the culture of information sharing a priority through clear and visible support for the Program Manager's mission.

Performance reviews for agency leaders and personnel should include an evaluation of how well they share information.

We need improved information sharing not only within the federal government, but especially with state and local authorities. Disasters, whether natural or man-made, happen in localities. They happen in states. Their officials need the best information the federal government can provide. Right now, they are not getting it.

Reforming the FBI

Third, reform at the FBI.

To protect ourselves at home, we need a strong domestic agency for both law enforcement and intelligence. Director Mueller has the right goals for FBI reform. There is progress – but there is not enough, and it is far too slow.

There are still significant deficiencies in the FBI's analytic capabilities and in information sharing with other agencies and with local law enforcement. There is still too much turnover in management. There are shortfalls in human capital – in recruiting, hiring, training, and career development.

The Bureau still struggles to make the intelligence mission the dominant mission of the agency.

Reforms are at risk from inertia and complacency. Reforms must be accelerated, or they will fail. The President needs to lead. The Congress needs to provide careful oversight. Unless there is improvement in a reasonable period of time, Congress will have to look at alternatives.

A strong and effective domestic intelligence function is not an option for the United States – it is an obligation. Our nation's security depends on its success.

Congressional Reform

Fourth, reform within the Congress.

Now more than ever Congress needs powerful Intelligence and Homeland Security oversight Committees.

Why? -- Because the Congress has provided powerful authorities to the Executive branch in order to protect us. It has created a Director of National Intelligence, a National Counterterrorism Center, and given the Executive branch powers to investigate citizens and inspect their documents.

Congress now needs to be an effective check and balance on the Executive branch in carrying out the counterterrorism policies of the United States.

Because so much information is classified, Congress is the only source of independent oversight on the full breadth of intelligence and homeland security issues before our country.

Last year, the word we heard most often on Capitol Hill describing this oversight was “dysfunctional.”

The oversight Committees need stronger powers over the budget, and exclusive jurisdiction. When too many Committees are responsible, nobody is responsible.

The Congress cannot play its proper role under the Constitution to provide a check and balance on the actions of the Executive if its oversight committees are weak.

Strong oversight by the Congress protects our liberties and makes our policies better. Our freedom and safety depend on robust oversight by the Congress.

Weapons of Mass Destruction

Finally, weapons of mass destruction.

Preventing terrorists from gaining access to weapons of mass destruction must be elevated above all other problems of national security. Why? -- Because it represents the greatest threat to the American people. The Commission called for “a maximum effort” against this threat.

Given the potential for catastrophic destruction, our current efforts fall far short of what we need to do.

The President should request the personnel and resources, and provide the domestic and international leadership, to secure all weapons grade nuclear material as soon as possible. There is simply no higher priority on the national security agenda.

Thanks to our Friends

As we look back at this past year and the work of the Public Discourse Project, there are so many people we want to thank:

- First, the 9/11 families. They have been with us every step of the way: Mary and Frank Fetchet, Carie Lemack, Carol Ashley, Kathy Wisniewski, Abe Scott [recognize others], working tirelessly on behalf of our recommendations.

- We want to thank our friends on Capitol Hill:
 - o Senators Collins, McCain and Lieberman; Senators Roberts and Rockefeller, Senators Specter and Leahy, Senators Kyl and Feinstein, and many others.

 - o In the House, Reps. Shays and Maloney; King and Thompson; Hoekstra and Harman; Simmons and Lofgren, former Rep. Cox, and many others.

 - o We thank the leadership on both sides of the aisle: Speaker Hastert and Leader Pelosi, Majority Leader Frist and Leader Reid.

- We thank former Senator Nunn and the Nuclear Threat Initiative, and Senator Lugar, for their leadership.

- We thank the President for his support of the Intelligence Reform and Terrorism Prevention Act.

- We thank the staff, and our fellow Commissioners.

Traveling around the country talking with the American people has been an extraordinary experience. We have had over 500 speaking events in 36 states.

- We've met with World Affairs Councils, Chambers of Commerce, Admirals and Generals.

- We've met with college students and high school students, 700 Model UN students and 1500 Boy Scout leaders.
- We've been on the Sunday News Shows, and drive-time radio talk shows.
- We've met with international leaders and seen how the 9/11 story and our recommendations resonate with them.

The Road Ahead

Everywhere we go, there is huge interest in 9/11, and people want to know: are we safe? Our answer is that we are safer, but we are not yet safe. Four years after 9/11, we are not as safe as we could be -- and that is not acceptable.

People then ask us: Why are you closing your doors when there is so much work to be done?

Our view is a simple one: Congress and the President gave the ten of us a mandate. We carried it out to the best of our ability. We made our recommendations. As private citizens, we have worked on behalf of those recommendations. Each of us as individual citizens will continue to speak out.

Now it is time to take the responsibility we were given and give it back.

To whom?

First, to all of you. What we learned this past year is that change and reform doesn't happen in this country unless the American people demand it. There is no substitute for an engaged and attentive public watching what its elected leaders do. The 9/11 families are an example for every student of government: Citizen involvement makes a huge and positive difference.

Second, we hope that from the seeds of our work this past year other efforts will grow. Every institution of government benefits from the attention of outside watchdog groups. The Intelligence Community, above all, needs the interest and attention of those outside of government who care deeply about its success.

Finally, we call upon our elected leaders. The first purpose of government, in the preamble of our Constitution, is to "provide for the common defense." We have made clear, time and again, what we believe needs to be done to make our country

safer and more secure: The responsibility for action, and leadership, rests with Congress and the President.

We ask each of you to recall that day, September 11th 2001. It was a day of unbearable suffering. It was also a day when we were united as Americans. We came together as citizens with a sense of urgency, and with a sense of purpose.

We call upon our elected leaders to come together with that same sense of urgency and purpose.

The terrorists do not target Republicans or Democrats—they target Americans. We will not defeat them as Republicans or Democrats—we will defeat them by working together.

We call upon our political leaders to act as one again, on a bipartisan basis, to take all necessary steps to make our country safer and more secure. The American people deserve no less.

We would be pleased to respond to your questions.

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| HOMELAND SECURITY AND EMERGENCY RESPONSE | |
|--|-------------|
| Radio spectrum for first responders | F/C* |
| Incident Command System | C |
| Risk-based homeland security funds | F/A* |
| Critical infrastructure assessment | D |
| Private sector preparedness | C |
| National Strategy for Transportation Security | C- |
| Airline passenger pre-screening | F |
| Airline passenger explosive screening | C |
| Checked bag and cargo screening | D |
| Terrorist travel strategy | I |
| Comprehensive screening system | C |
| Biometric entry-exit screening system | B |
| International collaboration on borders and document security | D |
| Standardize secure identifications | B- |

| INTELLIGENCE AND CONGRESSIONAL REFORM | |
|---|-----------|
| Director of National Intelligence | B |
| National Counterterrorism Center | B |
| FBI national security workforce | C |
| New missions for CIA Director | I |
| Incentives for information sharing | D |
| Government-wide information sharing | D |
| Northern Command planning for homeland defense | B- |
| Full debate on PATRIOT Act | B |
| Privacy and Civil Liberties Oversight Board | D |
| Guidelines for government sharing of personal information | D |
| Intelligence oversight reform | D |
| Homeland Security Committees | B |
| Unclassified top-line intelligence budget | F |
| Security clearance reform | B |

| FOREIGN POLICY AND NONPROLIFERATION | |
|---|-----------|
| Maximum effort to prevent terrorists from acquiring WMD | D |
| Afghanistan | B |
| Pakistan | C+ |
| Saudi Arabia | D |
| Terrorist sanctuaries | B |
| Coalition strategy against Islamist terrorism | C |
| Coalition detention standards | F |
| Economic policies | B+ |
| Terrorist financing | A- |
| Clear U.S. message abroad | C |
| International broadcasting | B |
| Scholarship, exchange, and library programs | D |
| Secular education in Muslim countries | D |

* If pending legislation passes