

## Part III: Responding to Terrorism

The September 11 attacks, the attacks that have followed, and the rise of terrorist groups, such as ISIS, have created new challenges and priorities for U.S. policy. The U.S. government has had to rethink the ways in which it provides both international and domestic security.

This has led to an intense debate in the United States about the balance between liberty and security. Many believe that people need to give up some personal freedoms in order to protect the country from terrorist attacks. Others express concern that the government is trampling on the rule of law. In some cases, U.S. responses to terrorism have resulted in harsh criticism of the U.S. government, both at home and abroad.

### U.S. Policies Abroad

The United States has pursued a number of policies abroad in response to terrorism. Some of these policies focus on economics and diplomacy, while others are military in nature. For instance, one of the U.S. government's first responses to terrorism in the aftermath of September 11 was military force. The Bush administration contended that the U.S. military should fight terrorists on foreign soil rather than allow them to attack civilians in the United States.

**“Americans should not expect one battle, but a lengthy campaign, unlike any other we have ever seen. It may include dramatic strikes, visible on TV, and covert operations, secret even in success. We will starve terrorists of funding, turn them one against another, drive them from place to place, until there is no refuge or no rest. And we will pursue nations that provide aid or safe haven to terrorism.”**

—President George W. Bush,  
September 20, 2001

### Part III Definitions

**“Global War on Terror”**—After September 11, 2001, President George W. Bush (2001-2009) developed a strategy to address the threat of terrorism, which many referred to as the “global war on terror.” The term created controversy. Critics argued that the term “war” was too broad and that nonmilitary responses to terrorism were essential. They argued that “terror” was a tactic and that it was better to identify a specific adversary that could be defeated. Some also noted that a war on terror would never end; history had shown that terror has always existed.

In 2001, the United States went to war in Afghanistan, and in 2003, it went to war in Iraq. The Bush administration considered these wars part of a “global war on terror.” Many people and foreign governments, including traditional allies of the United States, criticized the U.S. government for these wars.

Since the events of September 11, 2001, the public's attention to security threats has dramatically increased. Nevertheless, significant terrorist attacks have continued to take place throughout the world.

#### Why did the United States go to war in Afghanistan?

Al Qaeda, the group behind the September 11 attacks, was based in Afghanistan at the time and had the support and approval of Afghanistan's extreme Islamic government known as the Taliban. President Bush demanded that the Taliban hand over bin Laden and dismantle al Qaeda. The Taliban government refused to meet the conditions of the United States, although it claimed that it would put bin Laden on trial if offered conclusive evidence of his guilt.

On October 7, 2001, the United States began a military campaign in Afghanistan

against the Taliban and al Qaeda. The operation overthrew the Taliban government and eliminated al Qaeda's base in Afghanistan, but many al Qaeda members, including bin Laden, escaped into neighboring Pakistan.

Since the 2001 invasion, U.S. and NATO military forces have remained in Afghanistan in an effort to quell violence by Taliban insurgents while the country attempts to construct a government that can provide security and stability for its people. With the support of the United Nations, Afghanistan created a new constitution in 2004 and has held legislative and presidential elections.

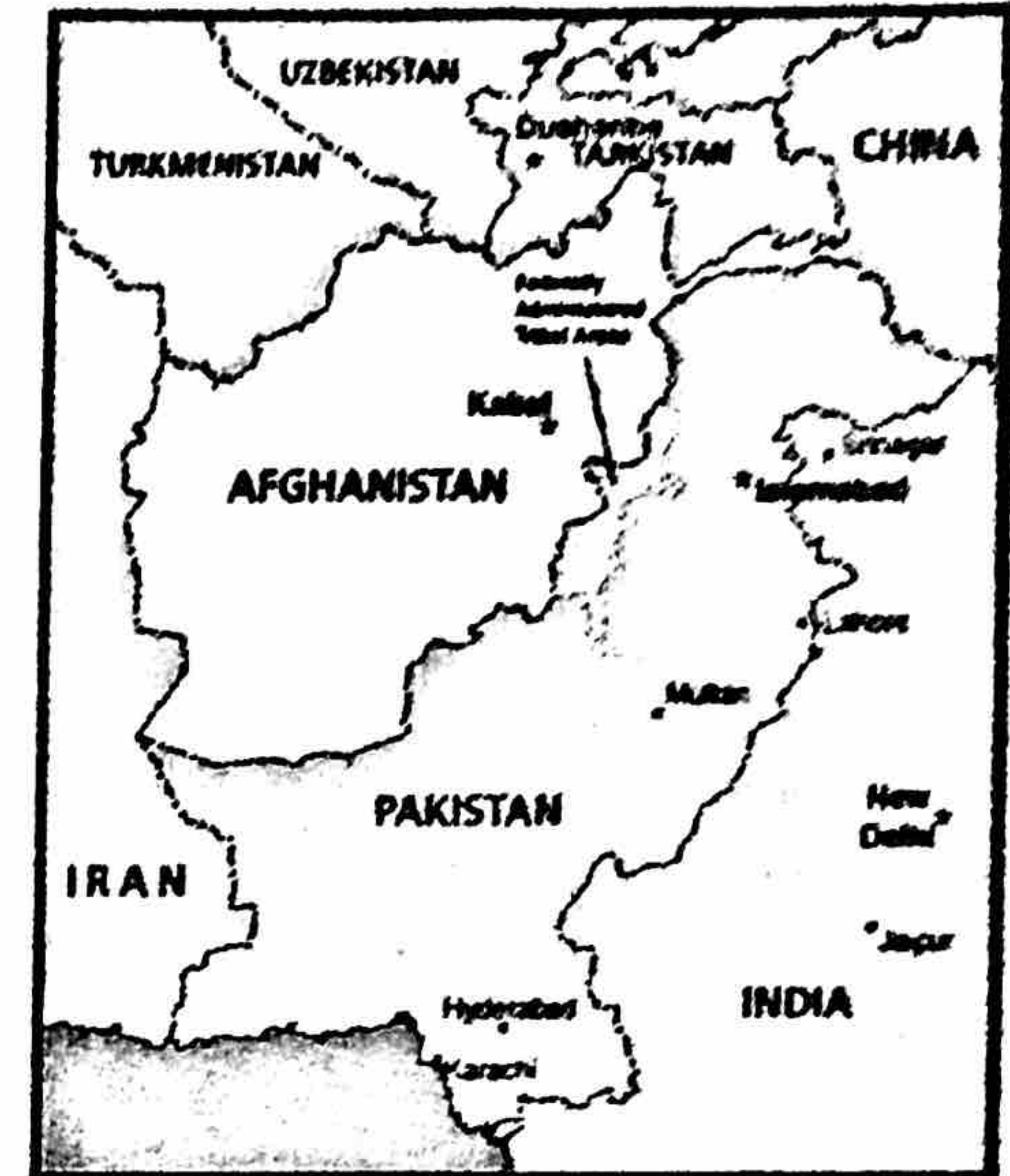
As a result of the war, life for Afghan citizens is difficult. Continued poverty, a lack of infrastructure, and civilian casualties at the hands of the Taliban and NATO forces have tested the patience of many. The United Nations reported that civilian casualties in 2015 were greater than any previous year during the war—3,545 civilians were killed and 7,547 were injured.

The war has also been costly for the United States. In economic terms, the war has cost the United States over \$700 billion from 2001-2014. Human costs are also high—as of the end of 2015, over twenty-two hundred U.S. soldiers have died and more than twenty thousand wounded.

The war in Afghanistan was not the only major foreign policy change after September 11. The government also adopted a new security strategy that would set the stage for a U.S. intervention in Iraq.

#### Why did the United States invade Iraq in 2003?

As U.S. forces entered Afghanistan in late 2001, the Bush administration also began to plan an invasion of Iraq. In January 2002, four months after the attacks of September 11,



President Bush identified Iraq as a member of an “axis of evil” that threatened the United States. Bush warned that Iraq possessed weapons of mass destruction (WMD) and supported terrorism. U.S. Secretary of State Colin Powell argued before the UN Security Council that the United States had evidence of Iraqi links to al Qaeda.

#### What happened after the invasion of Iraq?

In the spring of 2003, a U.S.-led military coalition invaded Iraq and toppled Saddam Hussein's government. The United States began an intensive search for WMD in Iraq, but did not find any conclusive evidence of WMD or direct links to al Qaeda. The arguments the Bush administration used to justify war turned out to be unsubstantiated.

By the summer of 2003, opposition to coalition forces had grown into an insurgency (military resistance movement) made up of local and foreign groups fighting against the U.S. presence in Iraq. These groups also fought

each other, vying for power, and often committed terrorist acts against civilians.

The war has taken a devastating toll on Iraqi society. Estimates from various independent groups have ranged from one hundred thousand deaths to over one million. Almost one in five Iraqis—over five million people—fled their homes after the invasion, often due to violence, unemployment, and insecurity.

The costs of the war for the United States have also been high—as have the social effects that cannot be easily quantified. The United States has spent at least \$700 billion in Iraq. Nearly 4,500 U.S. soldiers died in the Iraq War and over 32,000 were wounded. The injuries to soldiers are not only physical. Some experts estimate that 25 percent of soldiers who returned from the war suffer from psychological issues, including post-traumatic stress disorder (PTSD), depression, and substance abuse.

#### How has the Iraq War affected perceptions of the United States?

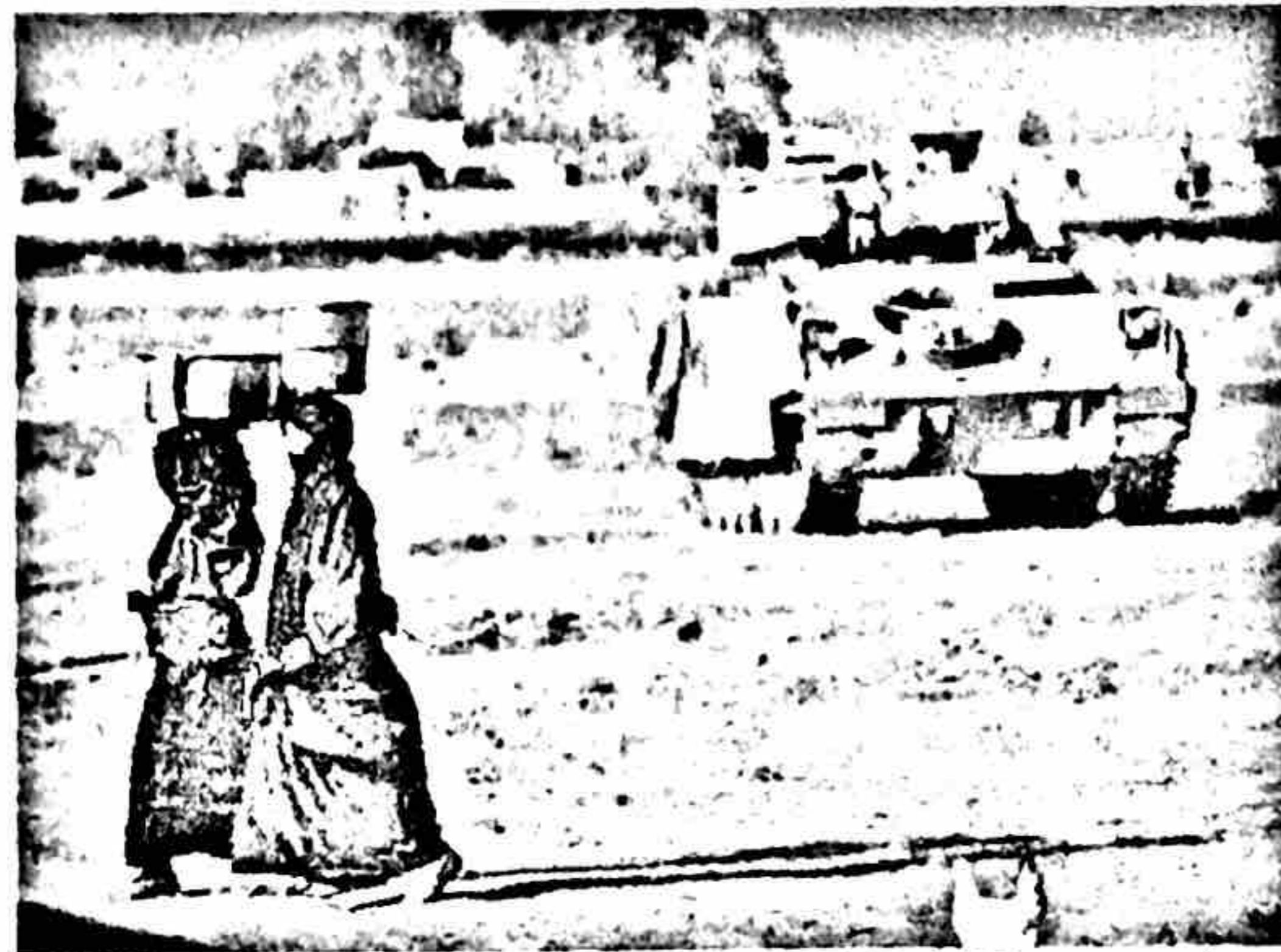
The conflict was generally unpopular around the world, and friction between the United States and other countries because of the Iraq War hindered international cooperation on other issues, including terrorism. The Iraq War contributed to a rise in anti-American sentiment throughout the Middle East and the world, and the presence of U.S. troops in Iraq became a powerful recruiting tool for terrorist groups seeking to harm the United States. The emergence of the terrorist group ISIS is also deeply troubling for people living in the region and policy makers around the world.

#### How does ISIS threaten Iraq and its neighbors?

The insurgency that sprung up in Iraq after the

2003 invasion included extremist groups that saw the fight against U.S. forces in Iraq as part of a broader struggle against U.S. control of the Middle East. One of these was al Qaeda in Iraq (or AQI), which developed after the U.S. invasion. (There was no al Qaeda presence in the country before the U.S. invasion). While it pledged allegiance to Osama bin Laden and al Qaeda in 2004, bin Laden did not control AQI. The group used violence against both U.S. forces and Iraqi civilians in an attempt to stoke civil unrest and drive the United States out of Iraq. AQI's violent tactics so angered Iraqis that some Iraqi insurgent groups formed a partnership with U.S. forces to fight AQI. Bin Laden cut off ties between al Qaeda and AQI, fearing that AQI's brutal attacks on local Muslims would reduce public support for al Qaeda's broader fight against the United States.

After U.S. forces withdrew from Iraq, AQI grew in strength. In 2012, AQI adopted a new name, the Islamic State in Iraq and Syria (ISIS), also called ISIL. ISIS aims to establish a caliphate (a medieval term for Islamic state) across Iraq and Syria and follows an extreme and intolerant interpretation of Islam. ISIS has used violence and fear to expand its control over new territory.



Iraqi women carry water home. Between 2003 and 2011, U.S. troops and tanks were a constant presence in the lives of Iraqis.

In 2014, the U.S.-trained Iraqi army failed to stop ISIS's advances into territory in northern Iraq and eastern Syria, and U.S. President Barack Obama ordered airstrikes against the group along with U.S. military support for the Iraqi army. President Obama, who had sharply criticized the U.S. war in Iraq, found himself drawn into another military conflict in the same country. Some argue that the violence and terror that has emerged in Iraq since the 2003 U.S. invasion and after the withdrawal of U.S. forces is worse than it was during Saddam Hussein's rule.

*“Now, it will take time to eradicate a cancer like ISIL.... This counterterrorism campaign will be waged through a steady, relentless effort to take out ISIL wherever they exist, using our air power and our support for partners' forces on the ground.”*

—President Obama, September 10, 2014

#### What other programs has the United States used to fight terrorism?

The United States also uses its military to address terrorism in other, more covert ways. Many of these programs are controversial, and some are so secretive that the U.S. government refuses to admit that they exist. Some of these programs and practices are discussed below.

**Extraordinary Rendition and Secret Prisons:** After September 11, the U.S. government initiated programs to arrest terrorist suspects around the world and interrogate them for information about bin Laden, al Qaeda, and future terror attacks. The United States used a Central Intelligence Agency (CIA) practice known as extraordinary rendition to transport suspected terrorists to secret locations around the world. European and UN reports state that in at least one hundred cases the CIA secretly transported detainees to countries known to torture prisoners, including Egypt, Syria, Uzbekistan, and Algeria. The CIA aimed to gather information using methods that U.S. interrogators would not use themselves. In addition,

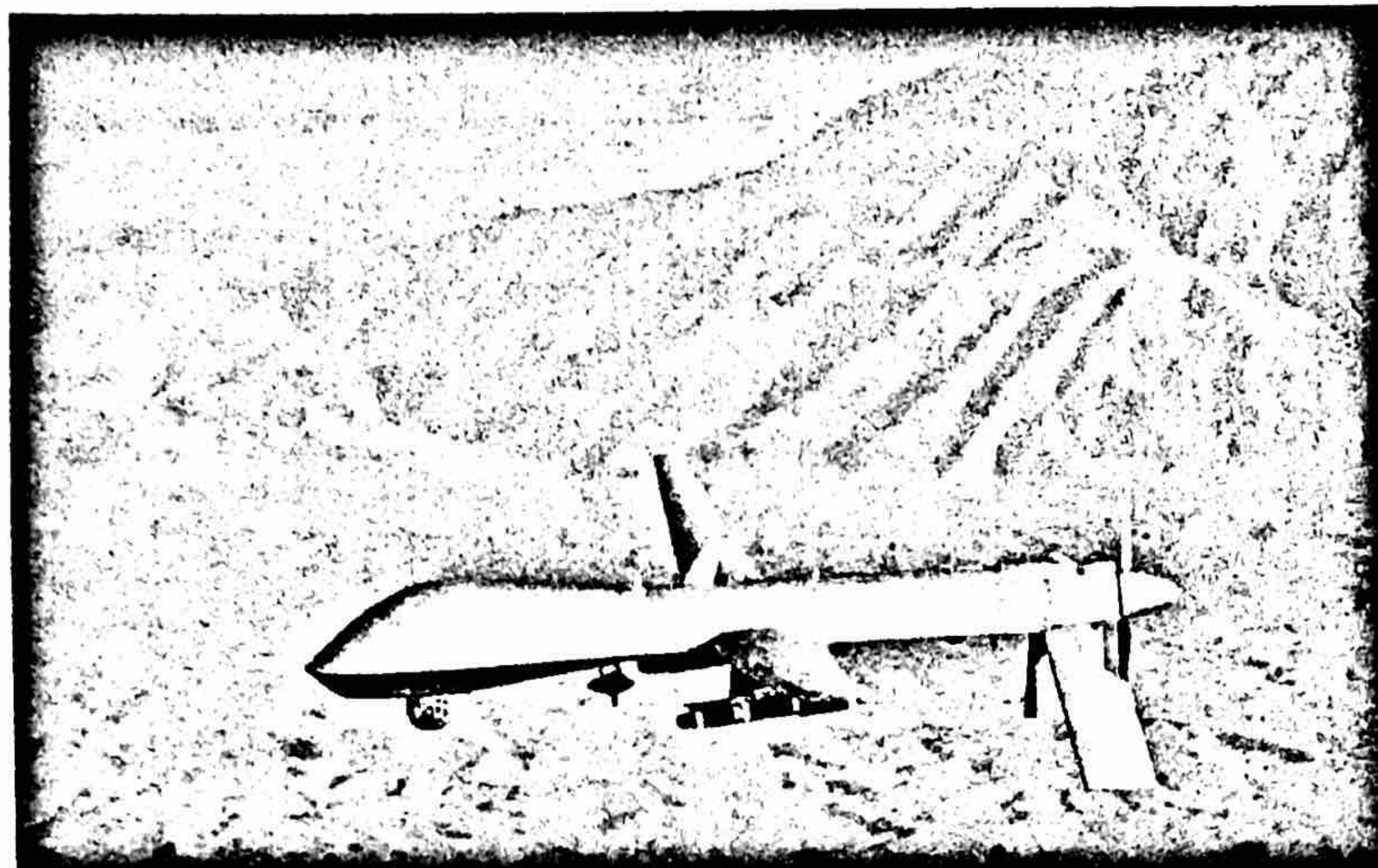
the CIA kept a series of secret prisons around the world to house suspected terrorists. President Obama demanded the closure of these “black site” CIA prisons, but the United States has not ended its practice of extraordinary rendition. Extraordinary rendition violates international law, and many criticize the United States for this practice.

**Guantánamo Bay:** The U.S. government also built a high-security prison for terrorism suspects at its naval base in Guantánamo Bay, Cuba. It began detaining suspected terrorists there in 2002.

The United States has come under heavy international criticism for its treatment of detainees at Guantánamo. The U.S. government argued that the detainees were ineligible for prisoner of war (POW) status under the Geneva Convention, an international treaty that protects POWs and civilians from inhumane treatment. Instead, it called the detainees “enemy combatants” or “illegal combatants.” The government argued that it could hold the detainees without formally charging them and attempted to deny them access to lawyers and the legal process. But, in July 2008, the Supreme Court ruled that detainees could challenge their detention in federal court.

Lawyers for some of the detainees claim that military records show that the majority of detainees did not commit hostile acts against the United States and are not terrorists. At the same time, in a minority of cases, detainees released from Guantánamo have joined terrorist groups abroad. For example, one former detainee from Kuwait who was released into Kuwait's custody committed a suicide attack in Iraq.

**Torture:** The U.S. practice of “enhanced interrogation” of suspected terrorists after September 11, 2001 created an international outcry. Enhanced interrogation methods included waterboarding, which creates the sensation of drowning, and other methods that were extremely physically and psychologically damaging for detainees. Critics argue that some enhanced interrogation methods are actually torture, which is prohibited by both



An MQ-1 Predator unmanned drone in 2008. This drone can fire missiles at targets on the ground.

U.S. Air Force

#### U.S. and international law.

In December 2014, a U.S. Senate committee released a report that revealed that these practices were far more brutal and less effective than the CIA had previously acknowledged. The report describes practices that include beatings, threatening to harm detainees' families, and forcing detainees to stay awake for over a week straight. One detainee died of hypothermia while in custody. The report concludes that the methods were not effective in gathering intelligence or gaining cooperation from detainees.

**Drones:** The United States' use of drones to launch missiles against terrorist targets is also controversial. Drone is a term for what the U.S. military calls an Unmanned Aerial Vehicle (UAV). UAVs are not flown by pilots; instead they are directed by human controllers elsewhere. They are equipped with powerful cameras that the controller uses to see a target. Drones carry missiles that are fired at individuals on the ground. The CIA has used drones to target terrorist groups and individuals in Pakistan, Afghanistan, Yemen, Syria,

and Somalia. Analysts estimate that since 2004, drone attacks have killed between 2,494 and 3,994 militants and civilians in Pakistan. Estimates of casualties are highly disputed.

The number of drone attacks increased dramatically under President Obama. These attacks are controversial for a number of reasons, including the fact that they often kill civilians. In January 2015, U.S. drone strikes on an al Qaeda compound in Pakistan accidentally killed two hostages, one of whom was an American aid worker. In addition, because the program is secret, the method for determining who or what is a legitimate target is unknown. Critics argue that any U.S. government program designed to kill people should be subjected to more public scrutiny. They also warn that the attacks may push more people to join militant groups against the United States.

**Targeted Assassinations:** The drone program is linked to the rise in targeted assassinations by the U.S. government. In many recent cases—including the killing of Osama bin Laden in Pakistan—the United States has assassinated terrorist leaders instead of captur-

ing and trying them. Critics argue that targeted killings are illegal under U.S. law. In response, U.S. officials claim that the individuals on the target list are military enemies and imminent threats to U.S. security.

In April 2010, President Obama authorized the killing of the Muslim cleric Anwar al-Awlaki. Al-Awlaki was a U.S. citizen living in Yemen who was accused of recruiting for al Qaeda and advocating violent terrorist acts against the United States. He broadcasted his sermons online and attracted a large international audience. Al-Awlaki never carried out an attack, but he inspired others to commit terrorism, including the 2013 shooting by Major Nidal Hasan in Fort Hood, Texas that killed thirteen people. Both Faisal Shahzad, the Times Square bomber, and Umar Farouk Abdulmutallab, the man who tried to detonate a bomb in his underwear on an airplane in 2009, were followers of al-Awlaki. The cleric also had ties to three of the September 11 hijackers. A U.S. drone strike killed al-Awlaki on September 30, 2011. The Obama administration argued that his killing was a lawful act of war. Critics of the killing argued that, as a U.S. citizen, he was entitled to Constitutional rights that guaranteed free speech and the due process of law.

The United States shows no sign of stopping its drone program, and officials continue to try to persuade the U.S. public and international audiences that civilians do not come in harm's way during drone attacks.

*“[W]e have limited the use of drones so they target only those who pose a continuing, imminent threat to the United States where capture is not feasible, and there is a near certainty of no civilian casualties.”*

—President Obama's address to the UN General Assembly, September 24, 2013

#### What other measures have been taken against terrorism?

The United States and its allies also use economic weapons against terrorism. Targeting the money that supports terrorism can help to

diminish the capacity of terrorists to mount operations worldwide.

The United States has blocked the use of banks and informal money networks that channel funding for terrorist operations. For instance, in 1998, President Bill Clinton ordered the U.S. Treasury to block all financial transactions between al Qaeda and U.S. companies and citizens. Following September 11, President George W. Bush expanded the order to include charities suspected of channeling money to terrorist organizations. The United States has also pressured foreign banks, in particular those with dealings in the Middle East, to make sure that they do not facilitate money-laundering operations for terrorists. Thanks to these measures and others, experts note that many terrorists must now rely on couriers to move cash.

World leaders have also implemented policies to limit the economic resources of ISIS. According to the U.S. Department of the Treasury, as of 2015, ISIS makes more than \$500 million a year from oil. In response, combining military and economic strategy, the United States and other countries have used airstrikes to target ISIS-controlled oil fields in an attempt to weaken the group economically.

In addition to these economic policies, the United States has increased its funding for education, health, and other services in countries where terrorism is a growing problem. U.S. leaders have also begun to explore diplomatic solutions with certain terrorist groups. For example, the U.S. government has worked to negotiate with the Taliban in Afghanistan to end the conflict there.

*“We...know that military power alone is not going to solve the problems in Afghanistan and Pakistan.”*

—President Obama, June 2009

**How has terrorism complicated relations between the United States and other countries?**

The United States has rallied the diplomatic support of its traditional allies, like the United Kingdom and France, for assistance against terrorists. Cooperation has included intelligence sharing and coordinated police work.

At the same time, the United States has also relied on states with which it has had significant policy and philosophical disagreements to combat terrorism. In some cases, the United States has overlooked these concerns and cooperated in spite of disagreements. For example, the United States has worked with Egypt, Russia, Uzbekistan, and Algeria, to name a few.

U.S. relations with Pakistan demonstrate the challenges that this kind of foreign policy poses. An important ally in the U.S. war in Afghanistan, Pakistan had previously supported the Taliban. After September 11, the Pakistani government agreed to allow some U.S. troops to be based in Pakistan. In return, the United States lifted economic sanctions imposed in 1998 against Pakistan for conducting tests of nuclear weapons.

But the problems caused by terrorists that reside within Pakistan's border continue to complicate the U.S.-Pakistan relationship. The killing of Osama bin Laden highlighted tensions in this relationship. Bin Laden's compound was one mile away from a Pakistani military academy in Abbottabad, a city less than forty miles from Pakistan's capital. Many U.S. politicians questioned how bin Laden was able to live there undetected. Some argue that this suggests that he was, in fact, aided by Pakistan's intelligence agency. At the same time, many Pakistanis were angry about the U.S. raid, arguing that it violated their country's sovereignty. Although the U.S. government had been in contact with Pakistani officials, it did not get permission for U.S. forces to enter the country. For their part, Pakistan's government believes that the United States has no intention of treating them as an equal partner in fighting the Taliban and al Qa-

eda who have killed and wounded thousands of Pakistani citizens.

As the struggle against terrorism continues, the United States will likely continue to forge new alliances, some of convenience and some of shared principle. Balancing principles and security interests will remain a challenge for U.S. leaders and citizens.

**Domestic Security**

In many ways, the United States faces a similar balancing act between security and principle at home. The domestic response to terrorist threats challenges policy makers to both increase security while maintaining economic openness and civil liberties.

**What is the Department of Homeland Security?**

In 2002, President Bush created the Department of Homeland Security to coordinate and direct the work of twenty-two formerly separate federal agencies. The department considers many issues as it shapes the domestic response to terrorism.

**Emergency Management:** During the Cold War, the United States devoted significant resources to protecting citizens from a nuclear attack. The measures included building fallout shelters stocked with food and water. Civilians, civil servants, and medical personnel practiced their response to a Soviet attack.

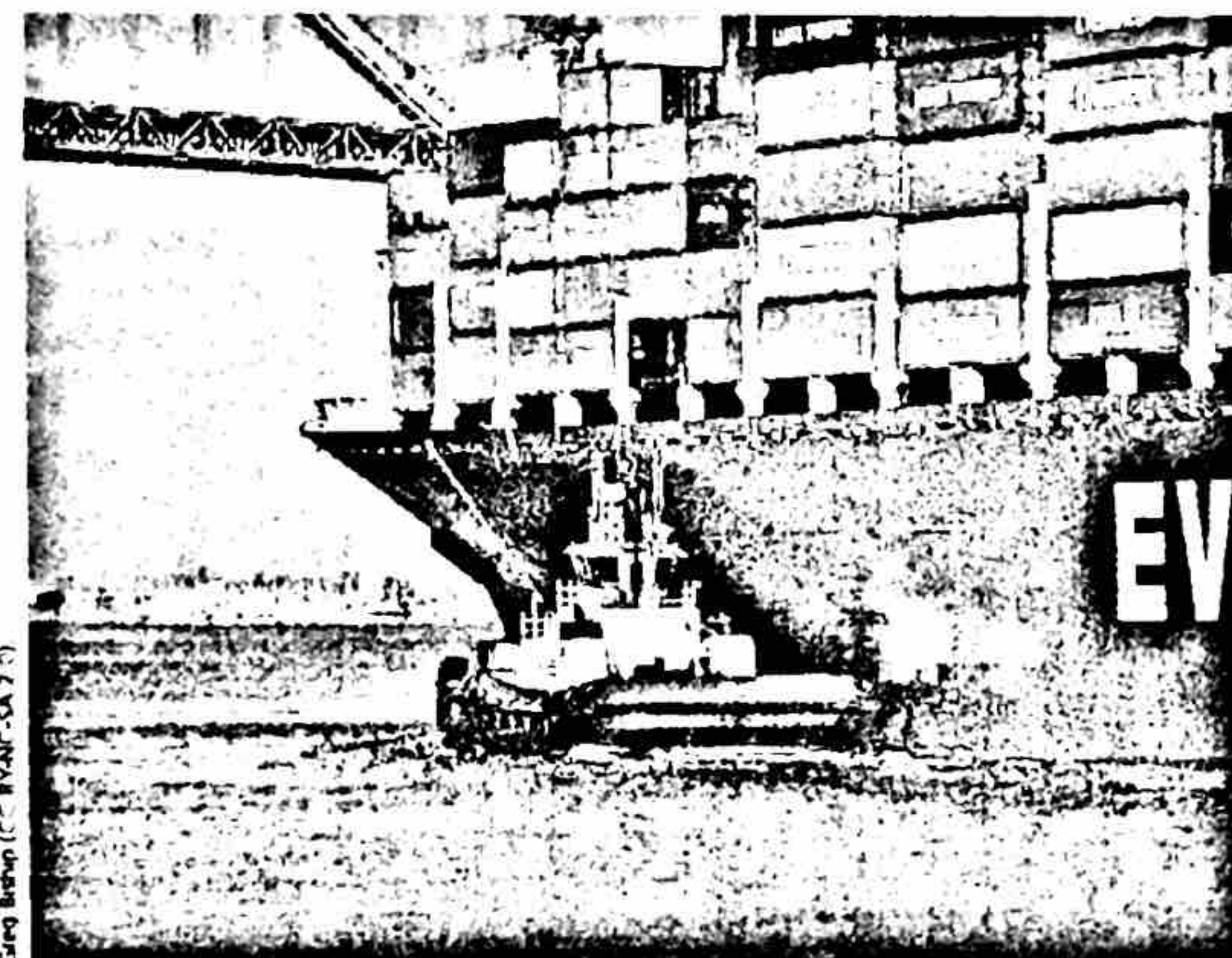
Since September 11, there have been efforts to devote additional resources to prepare domestically for an attack on U.S. soil. This includes stockpiling vaccines and medications as well as practicing responses to a chemical, biological, or nuclear attack.

In 2005, following the devastation caused by Hurricane Katrina, a national commission recommended that more funds were needed for enhanced emergency operations, communications, and hospital preparedness. The commission also recommended that funds be sent to sites around the United States that face the highest risk of terrorist attack.

**“If terrorists strike again on American soil, it will be local emergency responders—police, firefighters, and emergency medical technicians—who will be on the front lines. Local emergency preparedness is now a matter of national security. In addition, of course, while the federal government...is not a first responder, its utterly inadequate response to the needs of both victims and first responders to Katrina calls for dramatic changes in its preparation for, and response to, both natural and terrorist-caused emergencies.”**

—Former Senator Slade Gordon, National Commission on Terrorist Attacks upon the United States, October 26, 2005

**Trade:** The United States has long pursued a policy of economic openness and increasing trade. Trade as a percentage of the U.S. economy has increased over the last decade. International trade, both imports and exports, totaled more than three trillion dollars in 2015. With increased trade comes increased traffic of goods and people across borders. Managing this flow, so critical to the U.S. economy, is an extremely complex job.



A cargo ship at a port in Los Angeles, California. Shipping on the sea accounts for billions of dollars each year for the U.S. economy.

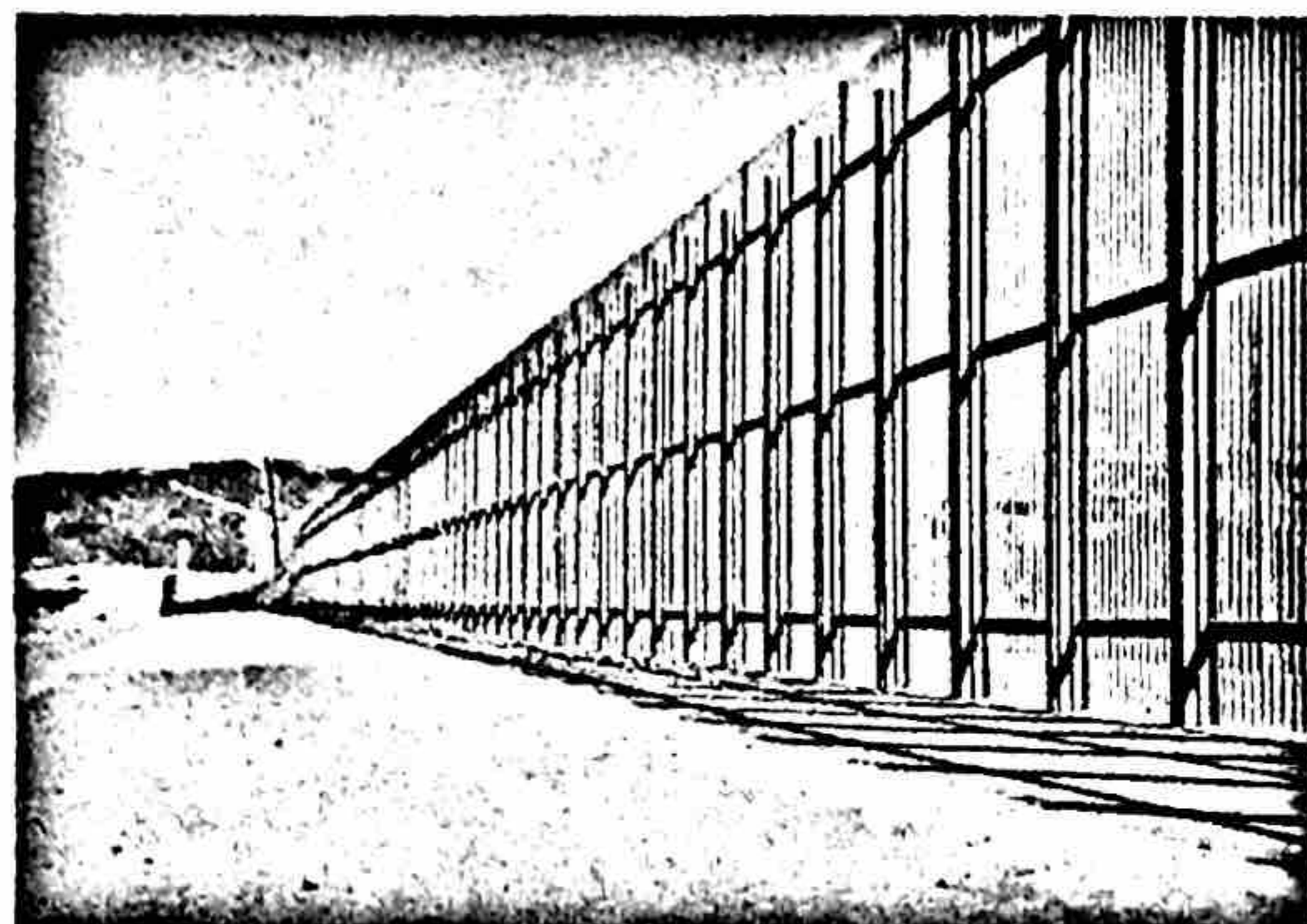
Some experts believe that the greatest threat to the economy of the United States may not be terrorism itself, but rather how the government responds to terrorism. For example, after the attacks of September 11, the government grounded the commercial aviation fleet for several days, halted all inbound ships, and dramatically tightened border security. This shut off the transportation system that is central to the country's economy. While most feel that this response was necessary, the United States faces the challenge of developing and enhancing security in ways that allow the transportation system, and therefore trade and the economy, to continue to function.

**Infrastructure:** The U.S. economy depends on critical infrastructure that is mostly privately owned and poorly protected against a determined attacker. Transportation infrastructure, telecommunications equipment, and water and power supplies are critical to the daily functioning of the economy yet remain vulnerable to attacks.

In addition, in the interest of efficiency, infrastructure is often concentrated in limited areas. For example, on both the West and East Coasts, petroleum deliveries are concentrated in regional ports. An attack on a port, similar

to the attack on the USS Cole in Yemen in 2000, could paralyze a regional economy for weeks. For the U.S. Coast Guard, which provides seaport security, the challenges of increased vigilance have required increased investment in equipment and personnel.

**Visitors and Immigration:** The government also faces the difficult task of keeping track of visitors to the United States. Nearly seventy-five million people visited the United States in 2014 alone.



In 2006, in response to concerns about terrorism, the U.S. government began building a fence along sections of the U.S.-Mexico border in order to help control the flow of people in and out of the country. The fence has been heavily criticized for symbolizing the United States' increasingly closed stance toward immigration from Mexico.

Of the nineteen hijackers from September 11, all were foreign nationals. Sixteen entered the United States on legal visas, and all but two kept a low profile and avoided suspicion. The FBI received information two weeks before the attack connecting those two to the bombing of the USS *Cole*. A search for the men began. The Immigration and Naturalization Service (INS) was alerted, but the two men could not be found. Because the FBI was not aware of a specific threat, the Federal Aviation Administration (FAA) and other authorities were not notified. Government officials agree that improved communication and coordination between agencies is an important way to keep track of people who visit the United States and track down those who overstay or misuse the visa required for entry.

At the same time, many economists attribute the success of the U.S. economy to its openness and the influx of skills and labor from overseas. For example, immigrants from China and India started 30 percent of the technology startups in Silicon Valley during the 1990s. Many see preserving the vitality that immigrants bring to the country as extremely important.

*"We can never say it often or loudly enough: Immigrants and refugees revitalize and renew America.... Many of the Fortune 500 companies in this country were founded by immigrants or their children. Many of the tech startups in Silicon Valley have at least one immigrant founder."*

—President Obama,  
December 15, 2015

**Refugees:** Following the terrorist attacks in Paris and San Bernardino, California in 2015, some expressed concern about

admitting Syrian refugees into the United States. The Syrian Civil War has created four million refugees. While the majority of them have fled to neighboring countries—1.5 million reside in Turkey—the U.S. government's plan to admit ten thousand refugees from Syria in 2016 attracted both criticism and support. Opponents see these refugees as a security threat and a way for ISIS to enter the United States, while supporters contend that refugees are thoroughly screened before admission and that the United States should welcome those fleeing violence and oppression. Thirty-one state governors announced that they would not allow Syrian refugees to settle in their state. Some politicians proposed giving priority to refugees who are Christian. Many others argued against excluding refugees for religious, racial, or ethnic reasons. The debate over refugees in the United States is another example of the powerful role that the fear of extremist Muslim terrorism plays in shaping opinion in the United States.

**Border Control:** The challenge of border control is daunting but critical. In addition to thousands of miles of border, there are more than 350 official international points of entry

(such as ports or airports) into the United States. Some worry that the United States' vast borders and numerous points of entry make it vulnerable to illegal economic immigration, drug smuggling, and infiltration efforts by international terrorists. For example, some politicians have called for even greater militarization of U.S. borders, particularly the U.S.-Mexico border. In 2003, the Department of Homeland Security (DHS) assumed control of protecting U.S. borders. While working to safeguard the United States, the DHS also works to ensure a smooth flow of legal traffic.

### Balancing Rights and Security

Some policies, such as improvements to information sharing among federal agencies, have been met with wide approval in the United States. Other government policies have raised major concerns. While some people believe that civil liberties must be sacrificed in order to maintain the security of citizens, others think that personal freedoms and security can coexist. They argue that in order to protect its people, the United States must remain committed to civil liberties and rights.

*"Americans understand that we need to give due weight to both privacy and national security. But right now, Americans aren't getting even the most basic information about what's going on with the NSA's surveillance programs, and whether or not their privacy is being violated."*

—Senator Al Franken, (D-Minnesota),  
March 29, 2014

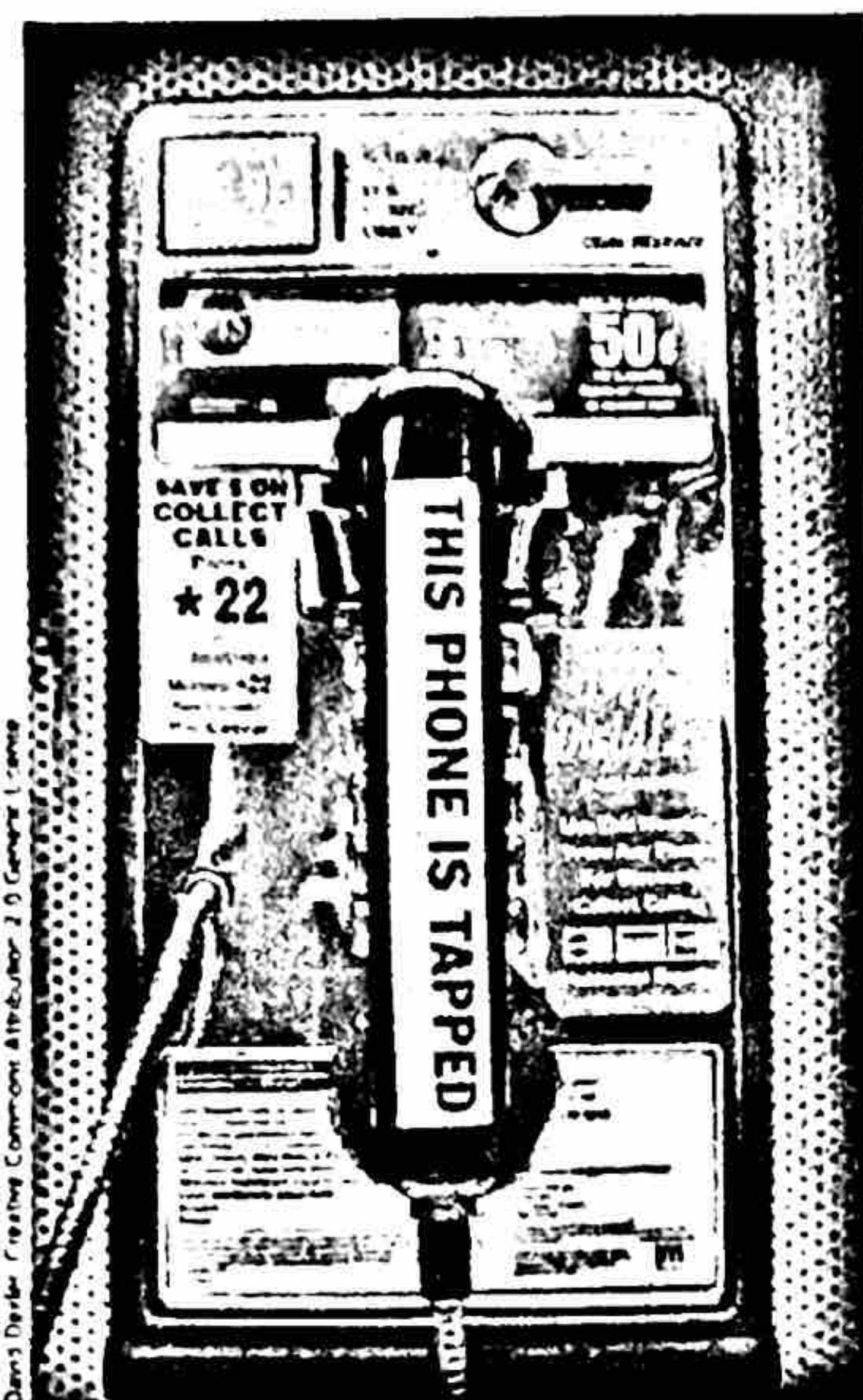


*How did September 11 affect the balance between liberty and security in the United States?*

On October 26, 2001, Congress passed sweeping legislation known as the Patriot Act designed to increase U.S. security by making it easier for the government to identify and prosecute terrorists. But it also had far-reaching impacts on the civil liberties of citizens and noncitizens in the United States.

The Patriot Act allowed secret searches of property (including phone records and email) without a warrant during terrorism investigations. It also expanded the government's ability to wiretap personal phones. Additionally, the act granted district court judges the power to order "roving wiretaps" of suspected terrorists. While the government previously needed a specific warrant for each phone line they tapped, the roving wiretap provision allowed investigators to follow a target and tap any phone line, cell phone, or email account that they thought the target might use.

Critics, including the American Civil Liberties Union and the Electronic Privacy Information Center, declared that these measures invaded innocent people's privacy. They also argued that they violated the Fourth Amendment to the U.S. Constitution, which prohibits



A protest sticker against the "roving wiretap" provision of the Patriot Act implies that any phone could be tapped without the user's consent.

unreasonable searches and seizures without a judicial warrant and probable cause.

**“The Patriot Act diminishes personal privacy by removing checks on government power.... Specifically by making it easier for the government to initiate surveillance and wiretapping on U.S. citizens.”**

—American Civil Liberties Union report, February 2003

The Patriot Act also allowed the government to more easily detain and deport noncitizens suspected of terrorism. Immigration officials could hold noncitizens for seven days without charges, or detain them indefinitely, if they were seen as a national security threat. Previously, noncitizens were given the

same legal rights as citizens, including the right to be released if they were not charged within forty-eight hours.

Following September 11, the government detained at least 1,200 mostly Muslim men who they suspected of terrorist activities. They arrested some for suspicious activities, but many others were detained simply because they were Muslim or from a Muslim-majority country.

Critics argued that the government's crackdown on Muslims amounted to racial profiling. Profiling is a technique used by law enforcement and security officials to limit the number of people they need to question. While profiling based on ethnicity or race is illegal, some felt that because the September 11 hijackers were of Middle Eastern descent, security officials needed to pay close attention to travelers who appeared Middle Eastern. Critics, on the other hand, argue that this outlook subjects millions of people in the United States to unfair scrutiny and harassment solely because of their appearance, skin color, or religion.

Most of the provisions in the Patriot Act were set to expire in 2005, but Congress reauthorized a slightly revised version that extended the act for four more years. In 2010, President Obama signed a bill that kept three provisions of the act until 2014, including roving wiretaps and granting the government access to an individual's business, medical, and banking records during a terrorism investigation.

**What did Edward Snowden reveal about U.S. surveillance practices?**

These remaining provisions of the Patriot Act attracted much debate. Criticism intensified with former CIA employee Edward Snowden's 2013 publication of classified government documents. The documents outlined the National Security Agency's (NSA) data collection programs that gathered phone records and text messages of hundreds of millions of U.S. citizens. Publicly revealing information that had previously been secret, Snowden's actions inspired heated debates about sur-

veillance, privacy, security, and government transparency.

Parts of the Patriot Act officially expired on June 1, 2015 in response to a lack of Congressional support and criticism about its legality and morality. The next day, Congress passed a new act, the USA Freedom Act. It allowed for the continuation of two provisions of the Patriot Act—roving wiretaps and tracking lone wolf terrorists—but prescribed new limits on the collection of phone data by U.S. intelligence agencies.

**What is the Foreign Intelligence Surveillance Act?**

The creation of the Foreign Intelligence Surveillance Act (FISA), another government response to terrorism, has also caused controversy. Congress passed the act in 1978 and amended it in 2008. It established a protocol that the government could use to obtain authorization to conduct electronic surveillance and searches of people that the government suspected of espionage or terrorism against the United States. The act also formed a new court called the Foreign Intelligence Surveillance Court (FISC). This court decides whether to grant the government permission to conduct the surveillance and searches that it requests. The FISC has eleven members appointed by the Chief Justice of the United States, and it meets secretly because the information being presented is classified.

Critics of both the FISA and the FISC have a number of concerns. Some criticize the court's practice of appointing judges, rather than having them elected and approved by Congress. In addition, many point out that the court approves the majority of the government's requests. According to the Electronic Privacy Information Center, from 1979-2013, the U.S. government presented 35,333 surveillance orders to the FISC. The court denied only twelve of these requests, leaving some worried about the FISC's secretive decision-making processes, FISA's constitutionality, and infringements on people's right to privacy.

**What issues has the treatment of detainees raised?**

U.S. policies towards suspected terrorists have also raised concerns about the tradeoffs between rights and security. Many people in the United States and internationally express concern about the ways in which the U.S. has openly violated international law in its struggle against terrorism.

The U.S. government has faced a great deal of international and domestic criticism for its treatment of detainees at secret prisons around the world. In 2004, the U.S. media revealed photos of U.S. military abuse of detainees in an Iraqi prison, Abu Ghraib. A military investigation in 2005 found that the interrogation methods used in Abu Ghraib were first used on detainees in Guantánamo Bay. A UN report released in February 2006 called for Guantánamo Bay's immediate closure, arguing that the treatment of detainees in some cases amounted to torture.

**“The war against terrorism is a new kind of war.... This new paradigm renders obsolete Geneva's strict limitations on questioning of enemy prisoners.”**

—Attorney General Alberto Gonzalez, January 25, 2002

In September 2006, the U.S. army released an updated version of its manual on interrogation that provides guidelines for the questioning of prisoners by U.S. military personnel. The manual now explicitly bans the abusive and humiliating methods of questioning used at Abu Ghraib and Guantánamo (although these methods were not permitted before).

Although some U.S. officials claimed that the information they gained from prisoners at Guantánamo helped prevent future terrorist attacks, most people assert that coerced information is unreliable.

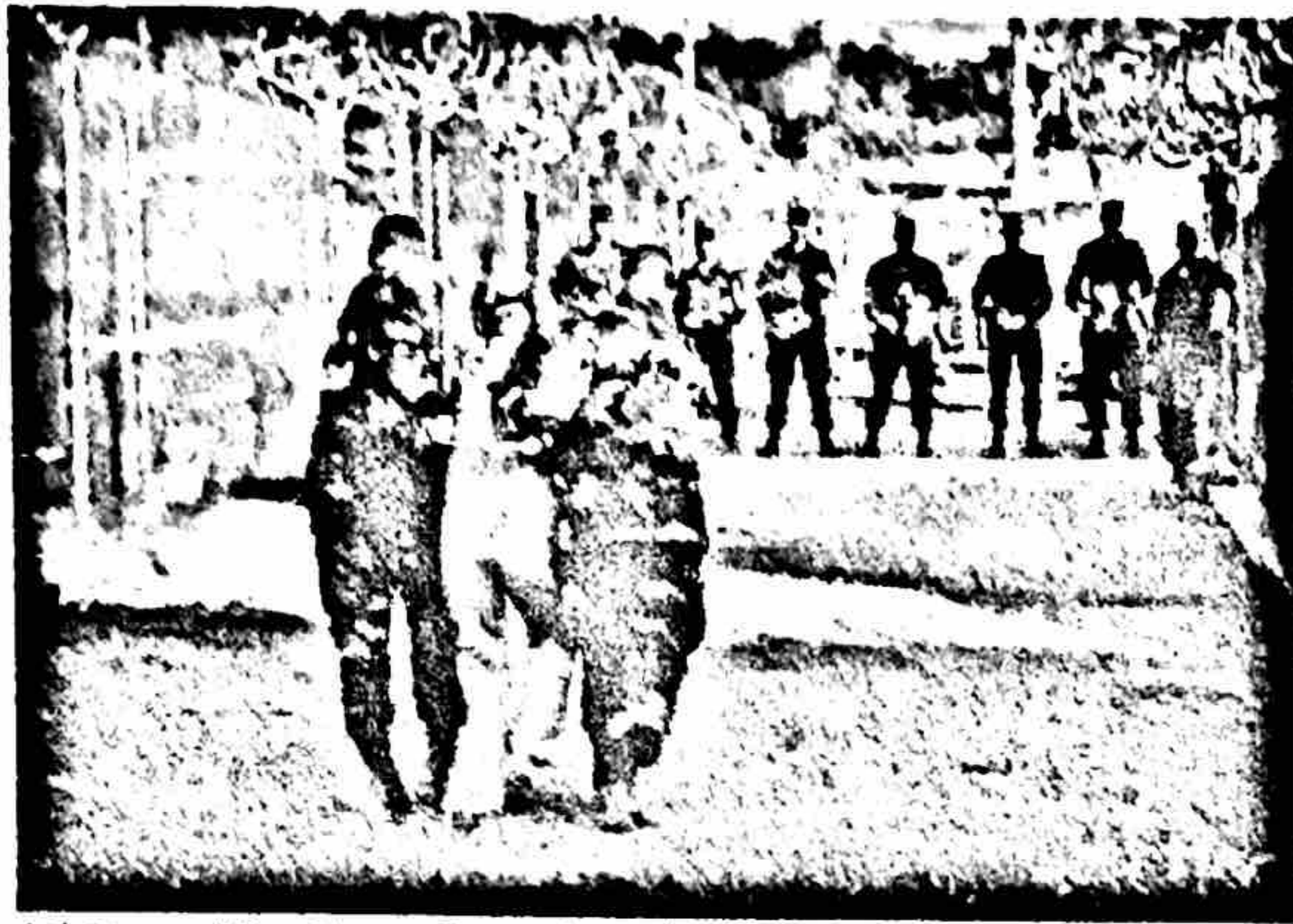
**“No good intelligence is going to come from abusive practices. I think history tells us that. I think the empirical evidence of the past five years tells us that... any piece of intelligence which was obtained under duress through the use of abusive techniques would be of questionable credibility...nothing good will come from them.”**

—Lieutenant General John Timmons,  
September 6, 2006

**Why did the U.S. government propose using military tribunals to try terrorists?**

As the government began to capture suspected al Qaeda members in Afghanistan, questions emerged about the best way to try terrorists for their actions. Concern for protecting intelligence sources and methods led the Bush administration to propose trying certain suspected terrorists who were not U.S. citizens in military tribunals rather than in the U.S. criminal justice system.

In June 2006, the U.S. Supreme Court ruled that the tribunals violated U.S. laws and the Geneva Conventions. In response, Congress passed legislation to overturn the Supreme Court's decision and legalize military tribunals in September 2006. The first military tribunal was held in the summer of 2008. While several cases have been tried, U.S. courts have ruled that the tribunals can only try cases related to international war crimes. There have been more than two hundred



A detainee at Guantanamo Bay is taken to his cell in 2002 by U.S. military police.

successful prosecutions of individuals for terrorism-related charges in U.S. civilian courts since September 11.

**Why did these policies change?**

Many countries, including U.S. allies, spoke out against the treatment of detainees. Domestically, Republican and Democratic politicians alike criticized practices at Guantanamo Bay and elsewhere. They argued that the treatment of detainees violated fundamental U.S. principles and law, hurt the image of the U.S. in the world, fueled anti-American feelings, and made other countries reluctant to cooperate with the United States.

**“We are Americans, and we hold ourselves to humane standards of treatment of people no matter how evil or terrible they may be. To do otherwise undermines our security, but it also undermines our greatness as a nation. We are not simply any other country. We stand for something more in the world—a moral mission, one of freedom and democracy and human rights at home and abroad. We are better than**

**these terrorists, and we will win. The enemy we fight has no respect for human life or human rights. They don't deserve our sympathy. But this isn't about who they are. This is about who we are. These are the values that distinguish us from our enemies.”**

—Senator John McCain (R-Arizona),  
October 5, 2005

President Obama promised to overhaul the system that deals with suspected terrorists. When he took office in 2009, many of the most highly criticized U.S. policies had already been scaled back. Obama expanded on these changes. For example, in 2009 he formally banned interrogation tactics such as waterboarding as torture, set a one-year deadline to close the prison in Guantanamo, and put a ban on military tribunals.

Despite these efforts, extraordinary rendition continues and Guantanamo prison remains open, housing ninety-three detainees as of January 2016. The U.S. Congress has blocked Obama from transferring prisoners to U.S. locations and from trying suspected terrorists in civilian courts in the United States.

**“For many years, it's been clear that the detention facility at Guantanamo Bay does not advance our national security, it undermines it. It's counterproductive to our fight against terrorists, because they use it as propaganda.”**

—President Obama,  
February 23, 2016

A majority of people in the United States oppose bringing suspected terrorists to U.S. soil. Some political leaders argue that detainees should continue to be tried in military tribunals. In a civilian court, judges can exclude crucial evidence because the information was gained through coercive measures. Some fear that this could lead to reduced charges or acquittals of terrorists.

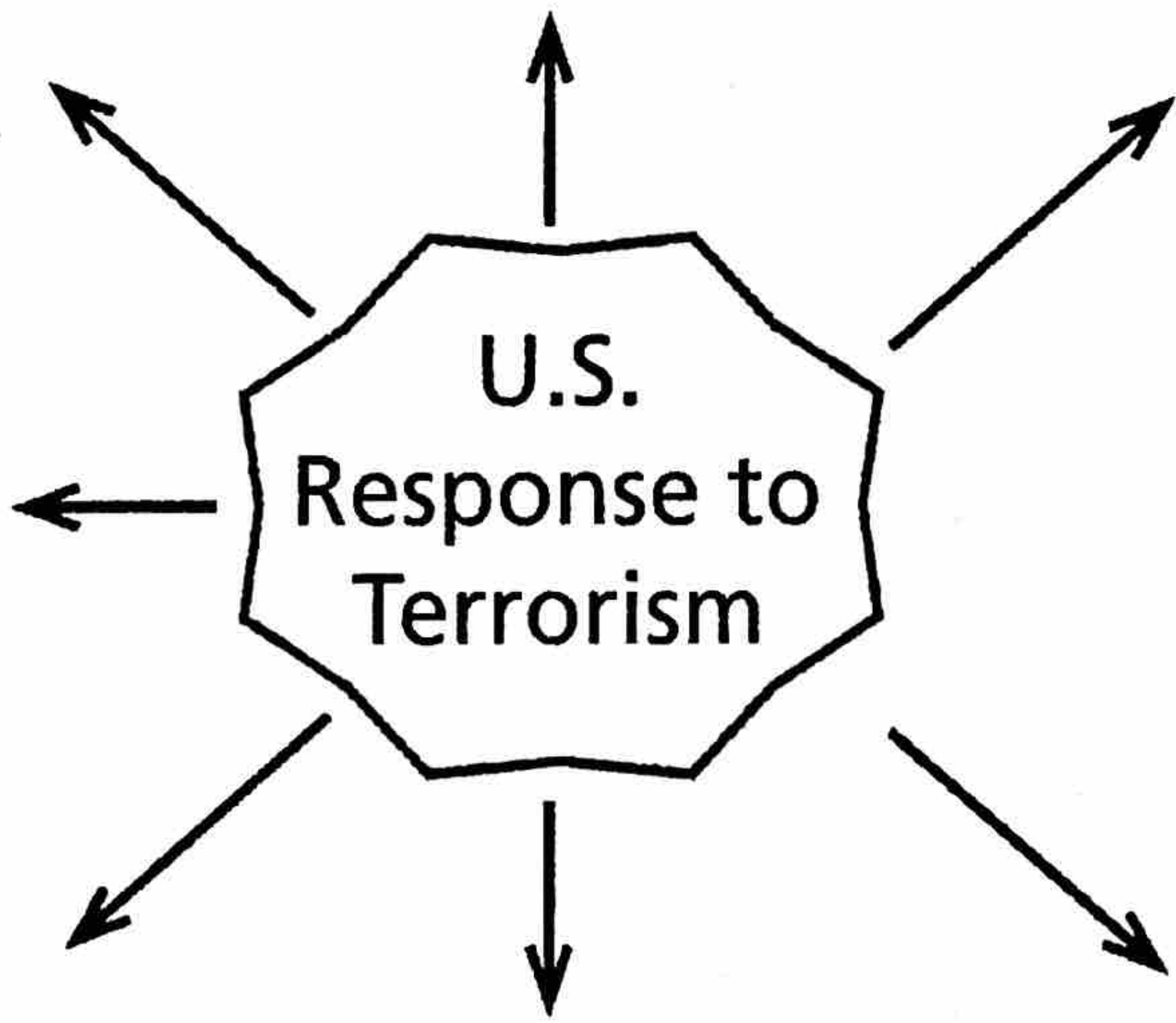
Addressing terrorism will be a long-term effort, requiring policy makers and citizens to examine carefully the allocation of the country's resources as well its values and beliefs. The question of how the United States chooses to address the threat posed by terrorist groups in the years to come remains of great importance.

In the coming days, you will have an opportunity to consider a range of options for the U.S. response to terrorism. The issues are numerous and complex. Each of the four options that you will explore is based on a distinct set of values and beliefs. Each takes a different perspective on the U.S. role in the world and the most appropriate response to terrorism. The options are a tool designed to help you better understand the contrasting strategies from which U.S. citizens must craft future policy.

You will also be asked to create your own option that reflects your beliefs and opinions about where U.S. policy should be heading. You may borrow heavily from one option, combine ideas from several options, or design a new approach altogether.

# Responding to Terrorism

Instructions: Use your reading to help you fill in the boxes below. For each policy, explain what it is, why it was carried out, and what the results have been.



**War in Afghanistan**  
*What:*  
  
*Why:*  
  
*Results:*

**War in Iraq**  
*What:*  
  
*Why:*  
  
*Results:*

**Military Tribunals**  
*What:*  
  
*Why:*  
  
*Results:*

**Military and CIA Programs**  
Extraordinary rendition and secret prisons:  
*What:*  
  
*Why:*  
  
*Results:*  
  
Drones and targeted assassinations:  
*What:*  
  
*Why:*  
  
*Results:*

**Patriot Act**  
*What:*  
  
*Why:*  
  
*Results:*

**Economic Measures**  
*What:*  
  
*Why:*  
  
*Results:*

**Creation of Department of Homeland Security**  
*What:*  
  
*Why:*  
  
*Results:*