

WHILE AMERICA SLEPT

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## ABSTRACT

This study briefly examined the terrorist attacks that occurred between the first bombing of the World Trade Center in 1993 and the attacks on the World Trade Center and the Pentagon that occurred on September 11, 2001.

Specifically, this study examines the reactions of the public and press to the attacks on the military barracks in Riyadh, the bombings of the U.S. Embassies in Zambia and Kenya, and the attack on the *U.S.S Cole* in Yemen. This study examines the effect public opinion had on the President and Congress and their reactions to the public pressure.

The primary purpose of this thesis is to briefly examine the reactions of Presidents and Congress to the attacks on Americans at home and abroad, and that effect on their efforts to prevent further attacks on the United States. Did the President use his office to activate and motivate public officials and the public to the dangers of terrorist attacks? Was the public effective in persuading Congress to enact legislation to increase funding for terrorist prevention? And, how effective was the press in its role to educate and define the issues surrounding terrorist attacks on Americans.

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## INTRODUCTION

About four years ago, on a trip to Boston, I visited the John F. Kennedy Presidential Library. I bought a copy of his college thesis that was made into a book called *Why England Slept*. I read the book and found the premise that John Kennedy stated was interesting: Democracies, and England in particular, were unable to prepare for war that they knew would eventually come in 1939. As Europe re-armed after World War I, the English failed to see the signs and heed the warnings. John Kennedy examined the reasons for the failure of the British people to prepare and he examined the failure of the leadership to recognize the shortcomings of the military preparedness. Kennedy wrote that a “nation takes a long time to change its mind; but, although the change may be gradual, one slight shock may make it change with lightning speed from one position to another. It then frequently forgets the reasons for its previous point of view; it cannot understand how it could have believed as it formerly did.”<sup>1</sup> This kind of thinking resulted in a lack of learning of the lessons that could be learned from the mistakes made. The public simply sought to explain the failure to prevent the mistake by placing the “blame on the men who were then in office.”<sup>2</sup> His conclusions indicated that the democratic systems do not pro-act to events but are more likely to re-act.

The attack on the World Trade Center on September 11, 2001, changed America and the way it viewed world terrorism. But there were signs that indicated this act of terrorism was a possibility. No acts of terrorism occur without *any* indications. The acts of terrorism against the

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<sup>1</sup> *Why England Slept*, Kennedy, John F., Harper and Row, 1940, p. 216

<sup>2</sup> *Ibid*, p. 216

United States that occurred before the attack on the World Trade Center on September 11, 2001 were a prelude to an actual war of terrorism. The same patterns that John Kennedy saw in the actions of the English of the mid to late 1930s can also be seen during the 1990s in the events that affected Americans around the world and at home. As he saw and wrote in his thesis, he believed that “as long as leaders could be turned out of office at any time on any issue...those who elect [them] must bear their share of the responsibility”<sup>3</sup> This repetition of events and the pattern of responses by the democratic countries deserve examination. The following thesis is an attempt to examine the history of events and why the public, the press, Congress, and our national leaders ignored them or were powerless to act to prevent the events of September 11, 2001.

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<sup>3</sup> Ibid, p. 215

## CHAPTER 1: WHY DOES AMERICAN DEMOCRACY FAIL TO MEET THREATS OF TERRORISM?

Western democracies have generally been unable to mobilize their general publics to prepare to meet impending national crises. The United States has been no exception. Throughout American history, we as a nation have seen the outside world as a separate and distant place, whose problems and threats could not and would not touch our lives. Time and time again our illusions have been shattered. Beginning at the dawn of the 20<sup>th</sup> Century, world politics struck hard in America. In 1901 an anarchist, Leon Czolgosz, assassinated President William McKinley at the Pan American Exhibition in Buffalo, New York. Similar events around the world plunged it into the depths of the First World War. An anarchist in Sarajevo shot and killed Archduke Ferdinand and his wife. More recently the assassination of Robert F. Kennedy in 1968 by an Arab national, Sirahan Sirahan, was one of the first acts of terrorism in this country by Middle Eastern terrorists intent on exacting revenge for American foreign policy. Why then do Americans and democracies in general fail to adequately defend themselves from threats of terrorism? Terrorism in the United States is not unknown; between 1990 and 1997 there were 19 acts of terrorism in the United States.<sup>4</sup> Even though our own leaders warned that acts of terror remind us that “even the very young and the most innocent are not immune.”<sup>5</sup> We have failed to grasp the vulnerability of the citizens of the United States. Even the news media spoke of the need for vigilance when it comes to terrorist acts. CBS reported law enforcement officials as stating that the bombing of the Federal Building in Oklahoma City “underscored the

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<sup>4</sup> FBI, Public Perceptions of Risk and Vulnerability, 1997

<sup>5</sup> Janet Reno, White House, 1996

vulnerability of an open society to terrorism,” and CNN reported that law enforcement experts warned “what happened in Oklahoma City... could happen again in other cities.”<sup>6</sup>

In a democratic society such as ours, security measures do not represent a product that can be bought or sold on the market. Much like safety features on automobiles, consumers need them in accidents, but these devices are not featured in advertisements and are not the main reason anyone buys a particular automobile. Security measures represent a menace to our economic security. They must be paid out of higher taxes and are a glaring reminder of the threat that exists to Americans around the world. It also represented the idea that Americans live in the same world as the people of Israel, Egypt, Jordan, England, France, and Northern Ireland. Only with the sudden shock of a real security failure will democracies change their minds sufficiently to provide the needed security measures.

Security costs money and creates inconveniences. After the Oklahoma City bombing, security around federal buildings increased. The U.S. Capitol was secured more tightly, and Pennsylvania Avenue in front of the White House was closed off. This was not a major financial burden, but it did cause inconvenience to the average commuter and tourist. Many people complained and asked that the changes be reversed. Acts of terrorism are directed toward large groups of people. This means that anywhere large groups of people are gathered or move through is a potential target. Therefore, the government focused its attention on the means of transportation. Our highway system is virtually unsecureable. There are too many tunnels and bridges to adequately secure. Our rail system is almost as vulnerable. Virtually every mile of track is accessible to potential acts of terrorism. Only the train stations could be protected with

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<sup>6</sup> *The Terror that Failed: Public Opinion in the Aftermath of the Bombing in Oklahoma City.*



enough security measures, but the cost might be prohibitive. That leaves the airlines. Fortunately, the only access points to the airlines are the airports. Therefore, security measures could be focused on them.

Two problems arise from this type vulnerability. First, passenger inconvenience is probably the biggest issue. It would require the passenger to come to the airport at least an hour earlier than before to catch a flight. Standing in line waiting to be checked through security causes aggravation and frustration on the part of all passengers. Most passengers realize that these measures are inadequate to prevent a skilled and determined terrorist from getting on board with a weapon. Passengers' bags also go through security measures which sometimes require the opening of the bag to determine its contents. Most passengers feel that this is an intrusive and unnecessary security measure requiring additional time at the airport. Besides the inconvenience, the cost is enormous. First of all, training and hiring thousands of security personnel hundreds of millions of dollars. New and improved detection technology for the airports increases the costs into the billions nationwide.

The question then becomes, "who pays?" The deregulation of the airlines has put the airline companies on shaky financial footings at best. Airline bankruptcies have been a commonplace occurrence. Placing the additional financial burden of these security measures on the airlines would be prohibitive. The alternative to making the airlines pay for the additional security is to add the cost to the ticket price of the flying public. Another alternative is to have the government pay for the security of the airports out of the taxpayer's pocket. The two proposals requiring passenger and taxpayer funding of security measures would require

congressional action. Therefore, public support for such measures would be necessary. This is the basic dilemma of a democratic government. Leaders and decision-makers in a democratic government may be aware of the need for such security measures to be put in place to protect the public from acts of terrorism, but can the public mind be changed to provide Congress and decision-makers in the Executive branch the support and approval necessary to provide these security measures? Without this approval, members of Congress who propose such legislation run the risk of being defeated at the polls on election day. This is the dilemma for a popularly elected official. With this being the reality of a democratic society, the responsibility of the actions or inactions of the elected officials rests with those to whom all elected officials owe their offices, the general public. With it comes one of democracy's great weaknesses. The public, once the fault is discovered, tries to place blame for it and lay it at the foot of one or a group of people. In other words, they look for a scapegoat. With the public mind taking so long to change under normal circumstances, it takes a sudden and profound shock to quickly alter it. With the shocking event comes an accompanying loss of memory. The public forgets the reasons for its previously held state of mind and accuses those who are in office as guilty of the weakness. Scapegoating relieves the public from accepting any of the blame for the state of affairs by placing it on the leaders of the time. Examples of this in the United States in the 20<sup>th</sup> Century illustrate the point. The first and probably the biggest example was Herbert Hoover in the 1930s. President Hoover was blamed for everything from the Dust Bowl and hurricanes to the economic collapse of the Stock Market and the Great Depression. Probably every President since has been held accountable for the economic health of the nation. Jimmy Carter was held responsible for rising gasoline prices and supplies, the taking of hostages in Iran, and double-

digit inflation and unemployment, known as stagflation. And probably part of the reason that George Bush was defeated in 1992 rested with the economic conditions at the time. This scapegoating relieves the public of having to share any of the responsibility for the events that occurred. It also is a characteristic of a two-party system for the party out of power to blame the party in power for the failure of vision required to anticipate future events. This is clearly the case with acts of terrorism. Such acts are rarely so predictable in the United States that one party could place the blame on the other for its failure to have anticipated them. But the attempts are still made, not so much by the other party as by the public at large. The parties may in large part try to avoid the appearance of finger pointing because they may very well be just as responsible for the failure as the other party.

Authors have written about the causes of “Democratic Peace.” Democratic Peace is the idea that democracies generally and rarely clash with one another in violent conflict. There are two recognized models of the Democratic Peace theory. First is the normative model, which includes two assumptions. Assumption one states that “States, to the extent possible, externalize the norms of behavior that are developed within and characterize their domestic political processes and institutions.” The second assumption is that “The anarchic nature of international politics implies that a clash between democratic and non-democratic norms is dominated by the latter, rather than the former.

The Structural Model of the Democratic Peace theory also has two assumptions. The first is that “International challenges require political leaders to mobilize democratic support to their policies and that such support must be mobilized from those groups that provide the leadership the kind of legitimacy that is required for international action.” And the second

assumption is that “Shortcuts to political mobilization of relevant political support can be accomplished only in the situations that can be appropriately described as emergencies.”<sup>7</sup>

In the 20<sup>th</sup> Century, the United States and other Western democracies have failed to foresee oncoming events that lead to world conflict. Even tragedies of a national scale have shocked and horrified citizens when evidence clearly indicated the potential for disaster. Acts of terrorism against the United States from Arab countries have been occurring in the United States since the assassination of President William McKinley and have continued through the assassination of Robert Kennedy in 1968 by Sirahan Sirahan.

A discussion of what happened at the World Trade Center in 1993 and on September 11, 2001, as well as the attacks at Riyadh, Khobar Towers, and the attack on the *U.S.S. Cole* cannot be fully understood by Americans without understanding why the Arab world holds the United States and Americans in such utter contempt and hatred. There must be a reason, maybe unclear to Americans, but nonetheless, legitimate enough for the Arab world to accept and embrace.

In the aftermath of hurricane Katrina and Rita, the responses to emergencies and predictable disasters by democracies like the United States begs the question: Why does the foremost democracy in the world fail to respond properly to these types of events? This question may never be fully answered, but events even after September 11, 2001 would indicate that this question will continue to be asked. Is it a failure of leadership and decision makers or is it inherent in the structure of a democratic government to be reactive instead of proactive?

In 1940, in the early stages of the Second World War, John Kennedy wrote a book in which he examined England’s failure to respond to the military buildup of the European nations

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<sup>7</sup> Normative and structural causes of Democratic Peace, APSR Sept 1993, p. 624

of France, Germany and Italy. He sought to determine the level of responsibility of the people and their leaders. As Kennedy examined the British parliamentary system and the way in which its members were affected by the popular opinion of the Britons at large, he wrote that the members of Parliament were unlikely to express or act on beliefs that they had that were contrary to the average voter. Their longevity was determined by their following the current public opinion on the issue of rearmament. Most Britons were determined to follow a path of peace in the wake of the devastating losses to them in the First World War just twenty-two years earlier. Not even the strongest leaders in Great Britain were willing to sacrifice their careers to propose rearmament in the face of such opposition by the public. According to Kennedy, underlying all actions of a democratic government are the voters and their actions and beliefs. Without public support for action in one form or another, government officials will not risk their political careers to get out in front of their constituents. This occurred in England and will occur again and again in other democracies.

John Kennedy believed that England lacked the leadership necessary to take the nation to a state of readiness necessary to combat the rearmament of other European nations and the aggressive behavior of Germany. But, in Kennedy's view, in the final analysis it was the failure of the public to come to the realization that war was inevitable that resulted in the slow reaction to events in Europe.

From this book, I will take the events from the first bombing of the World Trade Center in 1993 to the attack on the towers on September 11, 2001 and examine the similarities in the actions of the United States to those threats, and those of the late 1930s in which Great Britain found themselves.

As in 1940, I believe that there were warning signs available to the American public that there was an organized effort to terrorize America and Americans abroad. As I look at the events from 1993 to September 11, 2001, I will first look at the public's reaction to the first bombing of the World Trade Center, the bombing of Khobar Towers which resulted in the killing of American soldiers, the bombing of the U.S. embassies in Kenya and Tanzania and the attack on the *U.S.S. Cole*. Without significant public reaction and outcry for some change in our policies, the leaders of this country were not likely to act to strengthen our defense against terrorism.

Without public pressure or even concern, how would Congress act? If there was no concerted effort on the part of the public, Congress was not likely to do much. Partisan politics which were evident in every other issue before Congress was just as intense concerning the issue of anti-terrorism legislation. Would Congress be able to overcome the bickering and make the world safer for Americans both at home and abroad? Can the institution of Congress which is primarily a democratic institution predicated on the will of the people, act effectively to protect Americans?

Public opinion must come from public exposure to information. Did the media do their job of informing the public? Was there sufficient coverage at the appropriate levels of news to inform and send an alarm to the American public? This paper looks at the media's role in providing current and accurate information about terrorism in general and the terrorist attacks involving American soldiers and civilians. It also examines the reaction to news stories that are being reported. Too much coverage may result in a reaction of indifference or lessening of the effect of the story. Also, the act of terror is to create an affect greater than their deed. So by

having the media report stories of terror, the terrorists are successful in their terror campaign of frightening an entire society. The media is then only a pawn in the hands of terrorists.

An examination of Congressional reaction to terrorism is also important in determining the ability of the United States to protect Americans from terrorists. Congress' role in protecting Americans is two fold. One is informing the public through speeches and constituent contact of the danger that is faced by the United States from foreign acts of terror. Congresspersons also have the role of protecting the public through the enactment of legislation designed to insure adequate funds for defensive measures throughout the country and the world where Americans are stationed or doing business. This paper looks at how well the Congress performed its roles. The Congress can manifest its action in legislation that increases funding for anti-terrorist activities in a number of places, military, through the defense budgets, and civilian through agency budgets like the FBI and CIA. Did Congress act by increasing these budgets in the face of terrorist acts against Americans at home and around the world since the first bombing of the World Trade Center in February of 1993? Did Congress act upon the information provided them by presidential advisors and Cabinet officials? Primarily, Congress' role in the war against terror was to provide sufficient funds to defend this country against acts of terror both within and without of the borders of the United States. Did they sufficiently accomplish their job? Is it completely their fault if they did not?

Finally, this paper looks at the role of the President in defending this country from terrorists. Richard Neustadt, one of the foremost authorities on the American Presidency, defines the powers of the president as being mostly centered in his power to persuade people to do what he wants them to do. Mostly this power comes from his ability to convince them that their

actions are in their own best interest. This power comes partly from his standing with the public both at home and among the world and it's leaders is critical in obtaining Congressional support. The only area in which the president has clear and incontrovertible power is as Commander-in-Chief. There his words are commands and cannot be easily ignored. The president's other role in preventing acts of terror from happening in the United States is his position. As President Theodore Roosevelt once called it, the Presidency is a "bully pulpit." The president has both the right and the obligation to use his office to inform the public and Congress of the potential for acts of terror against the United States. The President can do this on his own, or he can have the members of his administration carry this information to its intended audience. President Truman used his Secretary of State, George C. Marshall, to promote his efforts to rebuild Europe after World War II. Did President Clinton utilize this option to inform Congress and how effective was he? Another factor that can assist a president to persuade the public are events themselves. But these events may come at a price. The attack on Pearl Harbor in December of 1941 finally convinced the American public that America must enter the Second World War. There were events that foretold of the attack of September 11, 2001. Were they enough to spur public reaction and give the president the needed power to force Congress to act?

Ultimately, where does the responsibility for September 11, 2001 rest? Is it the responsibility of the public to be aware and prepared for these acts? Does the media play into the hands of the terrorists and make the problem of world terrorism more dangerous than it really is? Did Congress fail in appropriating enough money for the defense of airports and our embassies abroad? Did the president fail in his role as national leader to prevent these acts? In the final



analysis we have to decide these questions in order to attempt to prevent the failures of democracy to meet these threats in the future.

## CHAPTER 2: SCOPE OF THE RESEARCH AND DISCUSSION OF ISSUES TO BE EXAMINED

To answer the question, “How did the attack on the World Trade Center on September 11, 2001, happen?” we will be required to address a number of issues. Because the system of government in the United States is so complex and multi-layered, the answer to a number of questions will have to be addressed. The issues of a popularly elected President and Congress, along with the agency structures of the departments assigned to protect Americans, will also have to be addressed. There are no easy answers to the question, “Who is responsible?”

To start with, our view of international relations is through the lens of foreign policy analysis (FPA). According to Hudson and Vore, the decision-making approach of FPA has to break apart that the nation-states are monolithic unitary actors. Instead it focuses on the individual people and units that comprise the state. The United States, for example, has many actors on the stage. The President, the Congress, the Secretary of State, the Joint Chiefs of Staff as part of the Department of Defense, and the Central Intelligence Agency all make up different actors in the United States, any of which may be acting independently and at odds with another of the actors. This creates an incoherent “United States policy.” Each actor believes that they are acting in the “national interest.” Another example is the Palestinian Liberation Organization (PLO) headed by Yassar Arafat. Even though he speaks for the PLO, he does not control the actions of the individual Palestinians on the ground. The problem with this approach is that it is far more difficult to deal with individual or unitary actors than it was to deal with a monolithic unit. According to Herbert Simon, in his classic challenge, “It is far easier to calculate the

rational response to a fully specified situation than it is to arrive at a reasonable specification of the situation. And there is no way, without empirical study, to predict which of the innumerable reasonable specifications the actors will adopt” (Simon, 1985:303). According to Hudson and Vore, human rationality is bounded. People satisfy rather than optimize. They neither possess nor seek perfect information. Their ability is limited to considering only a couple of alternatives at any given time. Each person processes information at a different rate under stressful situations than they do under routine conditions. Personalities and experiences also play a role in the processing of information and its interpretation. Historical precedents, that the actors view the information through, play an equally important role in interpretation of events. Hudson and Vore also include hidden agendas, including the need to maintain the consensus of the unit, and the desire to protect “turf” can undermine the objective cataloging of costs and benefits. Ideological and emotional motivations also undermine the rational cost/benefit analysis. As the number of people involved in the decision making process increases, so does the complexity of the decision calculus.

Hudson and Vore believe that focusing on actor-specific detail, FPA is engaged in “concrete theorizing” as opposed to the “abstract theorizing” of actor-general theory. The concrete, actor-specific theory involves the “specification of the situation.” It is also very labor intensive in the amount of information that needs to be collected about the actors. Hudson and Vore believe that the rewards for the efforts are worthwhile because the findings can be used to determine the domestic as well as foreign policy. And the attention paid to this type of research is justified in that there is “no longer a stable and predictable system in the international

arena...objectively operationalized indices do not seem to provide sufficient inputs to ensure the success of simplified expected utility equations.”

Another aspect of the analysis of the shortcomings of democratic institutions to predict and prevent acts of terrorism is the phenomenon of groupthink. Yaccov Vertzberger has identified “groupthink” and finds three factors as causation. First, there would be a highly cohesive group or a desire within a group or organization for acceptance and approval by its members. Secondly, insulation from the outside influences can often work to downgrade the value and the credibility of any information coming from outside the group as misleading and unreliable. Thirdly, leadership must assert itself in the form of encouraging the shooting down of dissonant views.

Vertzberger identifies the symptoms of groupthink as “over-optimism, collective attempts at rationalization, stereotype thinking, intolerance of deviant opinions, a shared sense of group consensus, and protection of the group from dissonant information.”

Part of the groupthink problem is “factionalization.” A faction is, according to Vertzberger, “a temporary alignment of individuals which constitutes a fragment of a large entity, group, or organization, whose members think and act collectively.” The faction serves its members and does not have any formal structure or hierarchy. It does not operate under any particular rules. Its cohesion is fuzzy and tacit to begin with but may become more formalized over time.

Vertzberger identifies four factors that emerge in a faction. First, members or groups of members of an organization conform to a shared set of basic beliefs and values; members then develop a common frame of reference of viewing and interpreting any information inputs and

their appropriate responses. Second, strong leadership must emerge from one or more of the group and provide payoffs in the form of material resources, power, prestige, positions, and more to the members of the faction. Third, continuity in membership and interaction results in factional cohesion among the members and the leadership and among the membership themselves. Finally, any real or imagined threats to the member's power or position must be met successfully by the faction's leadership. This conviction will provide a sense of security to the members and will therefore enhance the loyalty to the faction. This will in turn dampen intrafactional rivalries.

These factors make any faction an important and powerful element in any organization. The interests of the faction will in turn overshadow the interests of the organization as a whole. The results of faction reduce the effectiveness of an organization. It inhibits freethinking and enhances conformism in evaluating information, demands a higher level of instrumentality in interpreting the information and strengthens the tendency toward conservatism in the approach to dissonant information. A faction can therefore dominate an organization even with the presence of a potent competitor.

The President is viewed as being responsible for the safety and security of Americans at home and around the world. His role as Commander in Chief gives him authority of the armed forces of the United States. But even this role is subject to the effects of bureaucracy and the policymaking process. How successful the President is in effecting his policy choices into action in the government is based on certain factors.

Using the *rational-choice* theory, the first of two models has been advanced to discover how the President and Congress influence or try to influence government organizations. The

*principal-agent* model holds that the principles represented by the President and Congress, which represents elected political institutions, influence the agents, in the form of agency and department actions through sanctions and rewards. Sanctions can be seen in the form of budgetary reductions from the executive or investigations and oversight from Congress. The President can also give rewards in the form of increased funding and responsibility, to making additional appointments to key positions. Congress can also increase the budgets of organizations. This gives the Congress and the President some influence over government organizations.

The *bureaucratic politics* model contends that government organizations act independently of elected political institutions and set policy and protecting their jurisdictions. The relative success of this model depends on the involvement of the Congress and or the President in organizations' operations. When a President wants to be his own Secretary of State and run foreign policy out of the White House, the State Department's influence can be diminished. But as the saying goes throughout these government organizations: "We were here before the President was elected and we will be here after he is gone." This pretty much indicates the lack of influence a President can have over some organizations. This suggests that these government organizations have a tendency to resist any efforts on the part of the elected political institutions to change or allow them to influence their decisions. (Allison, 1971; Halperin, 1974; Rosati, 1999) It is like the old Midwestern adage: "Trying to get them to do something is like trying to push a chain."

Challenges and obstacles to effective policymaking in the White House are the result of the organizational and structural nature of the White House staffing system. The President is

only part of the equation. Walcott and Hult, in their article, “Organizing the White House,” pointed to the fact that Presidents are responsible for shaping and channeling the effects of the White House organizations, informal as they may be. The President must generate a consensus, develop a commitment to, and recognize the legitimacy of Presidential actions within the White House. Uncertainties outside of the gates of the White House in the political environment make it more difficult for modern Presidents to govern effectively. The weakening of the party structure in Congress has contributed to this uncertainty. With the proliferation of the subcommittee system and their overlapping jurisdiction, the President must depend on a greater number of Congresspersons to aid in passing his legislation. Even the antiquated seniority system has weakened and caused the President more trouble in passing legislation.

Outside the beltway, public confidence in government in general has declined, causing a similar decline in Presidential power. Living in perpetual public scrutiny, the President is faced with an often-hostile press. Since the Vietnam era, most Presidents have had little periods of time when they were not faced with a citizenry that was not somewhat demanding and critical.

Within the White House, competing factions often vie for the attention and favor of the President. The President can regulate this type of competition through the rules and structures already in place in the White House. The President may also regulate competition among competing factions by utilizing legislative-like committees that can thrash out, or be adjudicated by a high level staffer or even the President himself. President Franklin Roosevelt was a master at using different assistants to achieve his particular goals. Roosevelt often had several of his staff working at cross purposes on the same project. This allowed him to get more than one viewpoint on any issue.

West and Cooper studied the ability of the Congress or the President to influence administrative or agency policy. The traditional model of influence on the administration of the government declared that politics and administration were two conceptually distinct and virtually separate activities. Implementation of policy objectives was the primary intent of the role of administration. Politics was not considered to be a major factor in this process. The bureaucracy was intended to merely serve as an efficient transmission belt in carrying out legislative intent. It was the concept of the model that Congress held the province of policy discretion in its role as a legislative body. The role of the President through the bureaucracy was administration. This made the President's role as Chief Executive prominent in the process. The process was conceived to be objective and not political. In this process the role of legislative oversight was to ensure that the President and the agencies followed the original legislative intent or to make any amendments or enact new legislation for that purpose. The problem is that critics contend that bureaucratic discretion is a license for unelected zealots to promulgate economically questionable policies in the pursuit of partisan program goals. Although this may be true, there are two values that exemplify the emergent model of political oversight. They are accountability and responsiveness to the nation as a whole, or at least to a majority of the nation. This puts the Presidency in the position of being the branch most likely to justify these ends for two reasons. The President is the only nationally elected official and has a vested interest in acting to counter the parochial tendencies of the agencies and departments. The President has utilized his power of budgeting, spending, reorganization, and legislative clearance to exercise executive oversight. This has been an effective method of having policymaking input in the administrative agencies.



The Congress has many demands that restrict its ability to oversee the administrative agencies. They include a crowded agenda, addressing technically and politically complicated issues, and competing demands for constituent services—also inhibiting any attempt to engage in systematic and intensive review of agency policy decisions. (17) In the final analysis, Congress is ill suited for oversight because of the fragmentation of authority in their structure. Congress nevertheless must be mindful of the effects that their actions have on the constituents or concerns of other legislators in the oversight arena. Congress has many more areas of policymaking with limited resources to commit to oversight tasks. The expertise required to conduct the oversight is strained by the complexity and instability that characterize so many policy issues.

According to Richard Neustadt, the power of the President rests in his power to persuade. Persuasion is one of the only tools that the President has to get his way. Neustadt believed that his power of persuasion came from three sources. First are the bargaining advantages inherent in the office. The President has the power to spend federal funds in particular ways and at certain times that could influence the outcome of local elections. He can also use his patronage powers to bargain with members of Congress. Second is his professional reputation. The President can develop his professional reputation over time by the effective use of his powers. During the Kennedy administration, the steel companies and the unions were engaged in negotiation over a wage increase. The unions agreed to a smaller increase at the urging of President Kennedy to avoid an increase in the price of steel. But within a week the steel companies decided to increase the price of steel anyway by six dollars a ton. An angry President Kennedy, at a press conference announced the increases. He immediately terminated government contracts with those companies that had increased the price of steel. Within hours, the offending steel

companies agreed to return their prices to the previous amounts. This exercise of Presidential power greatly enhanced the President's professional reputation. The final source is the President's public prestige. Another example of this comes from the Kennedy administration. It also illustrates the difference between public prestige and professional reputation. In April of 1961, President Kennedy approved a plan to have exiled Cubans that were trained by the CIA invade Cuba and depose Fidel Castro. The invasion failed dramatically. This damaged the President's professional reputation, but surprisingly enough the President's public support increased, improving his public prestige. Action or inaction can affect the President's public prestige.<sup>8</sup>

Jerel Rosati identified four propositions, which are essential to express the ingredients of the bureaucratic model. The first is that each individual in the Executive Branch of government has a unique set of goals and objectives on which they act. Each member of the Executive Branch prioritizes issues in a different way. This fractionalization of efforts means that not all members of an administration are working for the same goal at the same time. This reduces the effectiveness of the administration's efforts.

The second proposition is that no preponderant individual or organization exists in the White House. The President is only actor or participant in the process. His influence may be greater than the rest, but this does not always ensure the results desired by him. Even if the President makes a decision and gives an order, these decisions can be reversed or simply ignored by the actors whose job it is to implement the policy decision.

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<sup>8</sup> Neustadt, Richard E., *Presidential Power and the Modern Presidents*, Free Press (1990)

The second proposition is: The final decision is measured in terms of politics. It is an outcome of bargaining and compromise among the various participants. In the final analysis, the result is the product of negotiation and the efforts of all parties to achieve a workable solution.

The third proposition there is a considerable gap between a decision's formulation and its implementation. Even when the decision-making process ends and it is time for its implementation, changes continue to occur. Those individuals responsible for the implementation of a decision also have their own values and interests, which can influence the process. Another example from the Kennedy administration illustrates this point. President Kennedy ordered the removal of obsolete Jupiter missiles from Turkey. This order was ignored by the military, whose job it is to implement such decisions. This failure to comply with the President's order complicated matters in October of 1962 when the Soviets installed nuclear missiles on the island of Cuba.

Presidents can have a greater effect on the outcome of their own decisions if they follow up on the decisions and orders that they give. Making decisions and giving orders and then walking away from them results in the potential lack of their proper implementation. Usually those decisions and issues that the President invests the most time and energy in produce results that come close to matching his expectations.

### CHAPTER 3: CHRONOLOGY OF EVENTS FROM 1993 TO 2001

Terrorism has existed throughout the world for as long as anyone can remember. The American perception of terror basically consists of images of suicide bombers blowing themselves up in Israeli marketplaces or driving explosive-laden trucks or cars into embassies in foreign countries. Even the 1983 bombing of the U.S. Marine barracks in Beirut did not frighten Americans. It may have shocked and angered them, but they did not believe that it could ever happen here. Numerous other attacks on American servicemen and women have occurred around the world with widespread public or official outrage or alarm.

The American people were awakened to the reality of world terrorism at 12:18 p.m. on the afternoon of February 26, 1993, when a Ryder truck exploded in the basement parking lot of the World Trade Center. A video camera clearly caught the Ford Econoline van parked at a distance. The yellow and orange fireball is the first image that catches your eye. In slow motion, you see the flash of the blast before the sound of the blast reaches you. Pieces of the van come flashing past. The sound of the blast finally reaches the camera along with pieces of shrapnel at over a thousand feet per second. When the black smoke clears, the van is gone. All that is left is a chassis, four wheels, and most of the engine block.<sup>9</sup>

“The blast blew through the concourse level of the Vista Hotel two floors up, as well as three floors down. It tore a three-thousand-pound diagonal steel brace off the building, sending half of it flying some 35 feet...six people, most of them building workers, were killed while they

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<sup>9</sup> *The Cell*, John Miller and Michael Stone, Hyperion, 2002, p.94

ate in a lunchroom, and about a thousand were injured. The damage to the building cost \$510 million to repair.”<sup>10</sup> As the dust settled and the smoke cleared, the FBI engaged in a massive search for the perpetrators of the attack. Their efforts paid off in the capture of the blind Sheik, Ramzi Yousef. Even though this attack represented a major effort on the part of foreign terrorists to kill Americans and hurt the United States, two factors intervened to minimize the impact on the American public’s opinion of this attack. First, and fortunately for those involved, only six lives were lost in the attack. Despite the fact that there were more than one thousand injuries, the press and public were lulled into believing that this was their best chance. Secondly, the FBI was successful in capturing the perpetrator and discovery of a broader terrorist plan gave the American public the false sense that their security was being successfully provided by the American law enforcement and security agencies. Along with the plan to actually topple the World Trade Center tower into the other and cause the collapse of both towers and the deaths of thousands of people, Yousef had planned to blow up a truck inside both the Holland and Lincoln Tunnels. There were also plans to bomb the Statue of Liberty, the UN, and the FBI Building.

How did these terrorists get into this country? Were their passports stamped “terrorist”? Well, not exactly, but almost. Two of the bombers showed up at JFK Airport without any documentation at all. They were detained for a while because one carried a manual entitled “How to Make a Bomb.” The other was Ramzi Yousef.<sup>11</sup> These two men, without any type of passport or documentation, were allowed to come into this country and enter the general population without being detained. That would have been bad enough, but one was carrying a

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<sup>10</sup> *The Age of Sacred Terror*, Daniel Benjamin and Steven Simon, Random House, 2002, p. 11

<sup>11</sup> *Against All Enemies*, Clark, Richard C., Free Press, 2004, pg. 77

“how to” book on bomb making. At this time and place, our immigration laws and regulations clearly were inadequate to stop these terrorists. A contributing factor in this instance is the fact that immigration officials at the airport were poorly trained in what to do in these circumstances. Of course, no one had been trained in looking for foreign terrorist bombers coming through the airports in 1993.

The next major attack on Americans happened in Dhahran, Saudi Arabia. Members of the 4404<sup>th</sup> Fighter Wing that were enforcing the no-fly zone in southern Iraq were housed in Khobar Towers. On June 25, 1996, a fuel truck packed with explosives drove up to the fence surrounding the compound and exploded. The blast sheared off the front of the eight-story building and left a crater 35 feet deep and 85 feet across. In the blast, 19 American airmen were killed. Most of the servicemen were sliced to ribbons by the flying glass. FBI agents had never seen a truck bomb this big before.<sup>12</sup> In this instance al-Qaeda was not found to be responsible for this attack, but the message was still the same: Americans at home and abroad were a target for fundamentalists bent on driving Americans out of the Arab world. But even 7 months before this attack, in November 1995, a bomb exploded in central Riyadh, killing 5 Americans and 2 Indians and wounding more than 60 other people. The target was the office of the program manager of the Saudi Arabian National Guard (OPM-SANG).<sup>13</sup> The message was clearly anti-American and was intended to make Americans pay for their presence in the area. The question to be asked was: Who is getting the message? Were the American people getting the message? Did the President get the message?

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<sup>12</sup> Op. Cit., Benjamin and Simon, pg.240

<sup>13</sup> Ibid, p. 241

The next attack on Americans occurred on August 7, 1998. There were simultaneous attacks on American embassies in Kenya and Tanzania. The attackers in Nairobi drove a pick-up truck onto the compound and leaped out throwing homemade hand grenades at the guards before detonating the truck. In the Kenya bombing, 213 were killed, including 12 Americans. In Tanzania only 11 were killed--no Americans. The number of wounded in these attacks exceeded 5,000. Again, the distance from America and the fortunately low number of American dead may have reduced the effect the attack had on the American public's view of the danger of terrorism.

While other acts of terror were being perpetrated around the world like the serin gas attack in a Tokyo subway and the ongoing terror in and around Israel, the attacks on Americans should have raised the level of awareness and concern in the United States. But on the contrary, increased violence around the world seemed to diminish the effect it had on Americans. Every day there was another act of terror in Israel, Northern Ireland, the Philippines, or Columbia. Acts of terror seemed to be part of the political landscape.

Again, events intervened to change the reality. On October 12, 2000, the *U.S.S. Cole* lumbered into Aden Harbor, Yemen. Yemen was not a particularly friendly place for the United States. In the Persian Gulf War of 1991, they had sided with Saddam Hussein. To add to the uncertainty of the region, a brutal war had been fought in Yemen between north and south, along the lines of ideology and tribalism in 1994. It also harbored many loyal followers of Osama bin Laden, who had ancestral connections to the region. Given these drawbacks, the U.S. Navy was unable to find more suitable facilities for refueling in the region.<sup>14</sup> Given these facts, it is difficult to understand why the Captain, officers and men were not informed of the risks involved

in the Yemeni port. There was no evidence that Navy officials were aware of any particular plans or threats to the *Cole* on that day.

On that October day, the *Cole* was tied up at the “Dolphin”, a mid-harbor fueling facility, surrounded by the normal number of support boats. Tugs, garbage scows, and other small boats surrounded the *Cole*. Then a small skiff was seen racing toward the warship at full tilt. One of the sentries saw the skiff and for a moment thought about firing his weapon at the skiff. At the last moment, the skiff cut his engine and bumped the *Cole* lightly. As the sailor looked over to see the skiff, he saw a man wave just before a blast knocked him to the deck. The explosion blasted through the metal hull and rocked the ship up and down and back and forth. Flames roared in through the gaping hole in her side.<sup>15</sup>

In the blast, 17 American sailors were killed. The failure of U.S. intelligence to adequately inform the officers and crew of the potential danger of the Yemen port resulted in the successful attack on the U.S.S. *Cole*.

The truck bombing of the World Trade Center in 1993; the attack on the American barracks at Dhahran, Saudi Arabia; the attacks on the two American embassies; and the attack on the U.S.S. *Cole* represent the major blips on the radar screen that should have awakened the American public to the increased risk to national security posed by foreign terrorists. It is clear in hindsight that these were signs of future and more devastating attacks on Americans. From the viewpoint of post September 11, it can be seen that there was a pattern of violence against the United States both at home and abroad. What is not clear, knowing all of the above information,

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<sup>14</sup> *How Did This Happen, Terrorism and the New War*, Hoge, Jr. James and Rose, Gideon, Public Affairs, 2001 pg.21

<sup>15</sup> *The Cell*, John Miller and Michael Stone, Hyperion, 2002, p.96



is how, when, and where they would attack Americans. The events of September 11, 2001, are well chronicled and documented. So it would be unnecessary to re-examine the tragic episode as it unfolded. And time and space do not allow a thorough discussion of these events. One thing that is clear from all of the terrorist attacks on Americans from the first attack on the World Trade Center in 1993 until the suicide airliner attack on September 11, 2001, is that there is no difference between combatants and innocent civilians. The terrorists are concerned with the numbers of dead and not with whether they are innocent women and children. Their motive seems relatively clear--to rid their countries of the presence of Americans and to eventually crush the state of Israel.

## CHAPTER 4: REACTIONS TO TERRORIST ATTACKS: PRESS AND THE PUBLIC

What they read in their newspapers and see on their television sets largely creates the public's perception of world events'. It is usually not the case where public opinion is out in front of an issue before the press takes a stand. The possible exceptions to this view are public opinion concerning the war in Vietnam and the issue of abortion. Otherwise, journalist's articles and the newspapers for which they write their articles shape public opinion.

Terrorism by definition is the "unlawful use of force or violence against persons or property to intimidate or coerce a government, the *civilian population*, or any segment thereof, in furtherance of political or social objectives." (U.S. Code) The question is, does terrorism really have the effect on the public that is intended? If terrorism has an effect on the public, is it strong enough and long lasting enough to affect political outcomes? In order for the public to demand action on the part of the government, either state or federal, they must perceive a personal risk to themselves and believe that there is a likelihood that a terrorist act will happen to them. Without these factors in large quantities in the public, there is little likelihood that the public's concern can be turned into Congressional action.

In a democratic society like we have in the United States the public and the press play a major role in the making of public policy. The need, on the part of elected officials to get re-elected to their positions, requires that they follow closely the opinions of their constituents. Therefore, they merely react to the events that shape public opinion. Their opinions are rarely based on the threat of future events but are based on what is happening or has happened in the past. These threats must also be immediate and personal to them in order for them to feel threatened. In this chapter I will examine the public's reaction to terrorist attacks to determine

their role in the events that lead up to September 11, 2001. I will examine the public reactions to the first bombing of the World Trade Center in 1993, the bombing of the Khobar Towers which resulted in the killing of American soldiers, the bombings of the U.S. Embassies in Kenya and Tanzania, and the attack on the *U.S.S. Cole* in a port in Yemen. These events should have been a wake up call for the American public that there are terrorist organizations around the world that are capable and willing to conduct suicide bombings against Americans around the world. Did any of these acts of terrorism affect the American public enough to have an influence on Congress or the President? Ultimately, if the public does not exert pressure on their elected officials, there is little chance that meaningful policy changes will be made.

John Kennedy, in his book, *Why England Slept*, identified two reasons why the English favored disarmament after World War I and were not prepared to rearm at all in the face of rearmament among the other nations of Europe. First, there was a large popular pacifist movement among the common man in England. World War I had decimated the young men of England. Eagerness to be part of another European war was not present among the English. The second reason for a failure to rearm, and one shared by most Americans then and now is the feeling of isolation from enemies because of the fact that England is an island and American is separated by two oceans. These two reasons can be readily translated into the 21<sup>st</sup> Century. Kennedy sounds a note that can be heard in American in the latter part of the 20<sup>th</sup> Century. He said that, “the average Englishman is unwilling to make great personal sacrifices until the danger is overwhelmingly apparent. This notion that God will make a special effort to look after

England, and that she will muddle through...”<sup>16</sup> These words ring especially true when we look at the events leading up to the terrorist attacks of September 11, 2001.

The role of the media is similarly linked to the public’s view of the world. Of course the media has reported on each of the cases mentioned above. What is the role of the media in a democratic society and can it adequately sound the alarm in cases in which the public safety against acts of terror is concerned? Was their reporting of the case sufficient to arouse public concern? Even if the reporting of terrorist attacks on Americans abroad is sufficient, does it affect the public opinion enough to insure force Congress to act?

It appears from the research done on these topics, public response to acts of terrorism abroad which, should at the very least increase awareness to terrorism against Americans, and has had little real impact on public opinion. Even though the media has done its job of reporting these acts of terrorism against Americans, they have not sufficiently aroused public opinion to the point where Congress acts to prevent further risk of terrorist attack. In the final analysis, it is the job of the public to push Congress and the President to do more to prevent acts of terrorism against Americans abroad and at home.

Carol W. Lewis, in her article entitled “The Terror that Failed: Public Opinion in the Aftermath of the Bombing in Oklahoma City. Lewis finds that, in particular, the attack on the Federal Building in Oklahoma City was unable to alter the public’s view of personal risk. She viewed the three patterns that affect public opinion on terrorism as being:

1. Perceived risk of their victimization and the likely consequences that affect public apprehension.

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<sup>16</sup> Kennedy, John F., *Why England Slept*, Harper & Row (1940)

2. The voiced sense of personal security that bears a direct relationship to the person's familiarity of the location of the attack.
3. The public's resistance to the media's portrayal of risk.<sup>17</sup>

Lewis' opinion polling data suggest that the issue of terrorism is important in a general and abstract sense, but the individual still feels that the risk of personal involvement in a terrorist attack is relatively small. She concludes that the bombing of the Federal Building in Oklahoma City failed as an act of domestic terror. She said, "public opinion data show conclusively that the bombing of the Murrah Federal Building did not provoke personal apprehension and, therefore, failed as an act of terror..."<sup>18</sup>

This paper will utilize the polling data and conclusions and relate them to the attacks on Americans in Dhrahan at the Khobar Towers housing American soldiers, the attack on the American embassies in Kenya and Tanzania, and the attack on *the U.S.S. Cole*. By taking Lewis' data, this paper will analyze the effect of these attacks on the public's concern for their safety. In the face of terrorist attacks on Americans abroad, how did the public's level of concern change? Public concern and fear is what motivates our elected officials to action. Was there sufficient public fear to get Congress or the President to action?

Public concern about their safety from terrorist attacks does increase significantly after a terrorist attack. In May of 1995, only 25 percent of respondents were concerned about being victims of a terrorist attack. This is two years after the first bombing of the World Trade Center

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<sup>17</sup> Lewis, Carol, *The Terror that Failed: Public Opinion in the Aftermath of the Bombing in Oklahoma City*, Public Administration Review, (May 2000)

<sup>18</sup> *ibid.*

in February 1993. In another survey in April of 1996, the figures were the same. But just a month after the attack on the Marine barracks in the Khobar Towers in Saudi Arabia, the percentage of respondents that were worried that they or a person close to them would be a victim of a terrorist attack jumped up to 39 percent. But just a month later the number dropped back down to 29 percent. Even after the Oklahoma City bombing, a majority of 57 percent of the respondents to a Gallup Poll said that they were “not too worried” or “not worried at all” that they or a person close to them would be the victim of a terrorist attack. In the abstract, people believed that after the Oklahoma City bombing there would be further terrorist attacks in the United States. Eighty-six percent thought further attacks likely. But when asked if there would be an attack in or near their community in the near future, 70 percent said that this would be unlikely to occur. (Gallup 1996)

These statistics, that public concerns for their safety and the safety of relatives and close friends, indicates that most Americans believe that they are relatively safe from acts of terrorism. This secure feeling prevents public calls for more security at home and abroad for Americans. And even if the public opinion indicates that they are concerned or very concerned about acts of terrorism occurring in the United States as in the news polls which indicated that more than 78 percent of Americans are at least somewhat concerned about a terrorist attack in the United States, this does not readily translate into pressure on Congress in a way that produces increased funding. This lack of public demand is what prevents Congress from acting to fund security measures that would have prevented further acts of terrorism. So despite the warnings of the

President and members of Congress to the increased threat of terrorism, most Americans feel secure and insulated from the possible terrorist attack.

It is clear from these numbers that there are vast differences in the number of people who believe that international terrorism is a major concern, and the number of people who believe that this is likely to happen to them or someone they know. This also indicates that people were aware of the existence of the problem of terrorism in abstract terms, but had little concern for their personal safety from a terrorist attack.

The media has a particularly unique task when it comes to reporting terrorist attacks. It has the job of objectively reporting the facts as they become known concerning terrorist attacks. Lewis' polling data suggest that "public resistance to the media's portrayal of risk."<sup>19</sup> In other words, individuals believe that the media blows things out of proportion. The media is then considered to be "Chicken Little." The mass media may be more of a pawn in the hands of terrorists. The efforts of the terrorists to attract attention to their cause are magnified by the attention that the press pays to these acts. Therefore the mass media is a double-edged sword when it comes to reporting acts of terrorism. If they do not report such acts of terror, they are leaving the public in the dark about the threat of terrorism. But, on the other hand, the more that they report stories of terrorism, they run the risk of giving momentum and legitimacy to the terrorist organizations.

Bassiouni contends that the terrorist uses acts of terror to terrorize the public through the use of the mass media. The general public seems to perceive individual terrorism, as opposed to state-sponsored terrorism, as a dangerous phenomenon affecting society in a manner warranting exceptional action. The relatively limited social harm resulting from acts commonly denominated terrorism, when compared to the social harm caused by common crimes, indicates that the psychological impact is more significant than the acts of violence committed and that this impact may be more media-created than intrinsic to the acts. The role of the media likewise would explain in part the terrorist's choice of targets and the manner of effecting the act; the

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<sup>19</sup> *ibid.*

terrorist tailors both to insure media dissemination of both the act and an underlying message to achieve terror-inspiring effect.<sup>20</sup>

The relationship between terrorism and the media appears to be symbiotic: perpetrators of acts of terror-violence rely on the media to serve their terror-inspired purposes and the media utilize such incidents as rewarding news items.

To some extent, the very function of the media is society condemn them to be the medium of the terrorist's message. The mass media perform five basic functions:

*Informational:* by providing increasing numbers of people with a flow of news events.

*Judgmental:* by providing the public with standards of judgment for interpreting the information which is conveyed explicitly or implicitly by selection and treatment of subjects and material.

*Educational:* by transmitting the social and cultural heritage from one generation to the next, and by defining and clarifying social goals and social values;

*Interactional:* by furnishing a basis from which both individuals and collective judgments can be formed and ideas exchanged;

*Entertainment:* by providing amusement and relieving tension.

The role of the media, when it comes to acts of terrorism has to consider what message it is sending to the public and what message are they receiving from the mass media.

In their article, *Television and Terrorism: Patterns of Presentation and Occurrence, 1969 to 1980*, Carpini and Williams argue that the structure of the news industry in general and of the

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<sup>20</sup> Bassiouni, M. Cherif, *Terrorism, Law Enforcement, and the Mass Media: Perspectives, Problems, Proposals*, Journal of Criminal Law and Criminology, Northwestern University School of Law (1981)



television news in particular, makes an accurate portrayal of political reality difficult. By using international terrorism as a model they compare the three television networks (ABC, CBS and NBC) coverage of international terrorist events. They calculated the number of minutes that the news networks devoted to incidents of international terrorism. They determined that the major networks devoted about thirty seconds to each event. With these basic numbers they went on to calculate the percentage of coverage that each network spent on coverage of terrorist incidents against U.S. targets. These figures are inconclusive because from year to year the networks varied in their attention to these events. They varied from around -52 percent in 1971 to about +20 percent in 1975. Not until the American Embassy in Tehran was taken in 1979 did coverage of all of the networks go over the +40 percent mark and went up into the +50s.

The research is dedicated to the issue of the amount of time the networks spend covering terrorist events, but it does not analyze the effect that this coverage has on the public at large. How do these statistics affect the opinion of the public when it comes to terrorism and the threat it represents to the American public? Do these international acts of terror cause fear and concern for their own safety among the public? If the public opinion concerning international terrorism is not effected one way or another, what does it matter how much time the networks spend on covering the events? If one of the purposes of the mass media and the television networks in particular is concerned, is that of agenda setting, how are they doing?

In considering which of the several forms of print media at which to look, I considered three factors. First, was it is a well-respected source of information? Second, was it widely circulated or quoted? And third, and this may be the most important factor for the overall effect from the public to the leaders in Congress and the Administration, is it universally read or

available to the decision makers in the United States? Although there have been questions in the past concerning its political viewpoint, there has been virtually no question of its integrity. Therefore, I looked for articles concerning terrorism primarily in the *Washington Post*. Although, I did also look in the *New York Times* archive to find additional information, their reporting was fairly consistent.

The major difference that was evident in the reporting between *the New York Times* and the *Washington Post* after the truck bombing of the World Trade Center consisted of extensive daily trial coverage by the *Times*. The Post only reported on the arrest of the suspects, the start of the trial and the verdict. The Times, on the other hand, had daily coverage of every aspect of the trial. The *Times* being a New York paper obviously would carry more detailed coverage of the event and the trial than the *Washington Post*. The effect that this had on the public awareness of terrorism is uncertain. The quick capture of the suspects may have given the public a false sense of security. The revelation that they were also plotting to explode trucks inside the Holland and Lincoln Tunnels and blow up the UN and FBI buildings may have made the public feel that the FBI and other police agencies were doing their job successfully.

After the bombing of the World Trade Center in 1993, the reporting in the press seemed to be concentrated on the suspects and the trial. Little attention was paid to the larger picture of terrorism against the United States. Not until after the attack on Khobar Towers in Saudi Arabia did reporting change. In an article written on June 28, 1996, just three days after the attack at Khobar Towers, the *Washington Post* addressed the issue of American officials having suspected the attack was a possibility.

The housing complex in Saudi Arabia where 19 U.S. airmen died in a bomb blast on that Tuesday was the site of several suspicious incidents in past months that U.S. officials said they believed reflected terrorist preparations for the attack.

Pistol shots were fired at the complex, an attempt was made to crash through the perimeter fence, photographs were taken, and other forms of surveillance were noted by the guards there--a series of threatening acts that occurred as recently as one day before the bombing, officials said yesterday.<sup>21</sup>

Despite the early acts of violence against the American barracks, little was done to prevent further violence. Without specific indications of impending attacks, the Americans did not take steps that now seem warranted in light of the earlier incidents. There was no specific indication that officials in Washington knew of any threat or planned attack on that Tuesday. But as one intelligence officer said, "There are very few times when you get as many hints that people are interested in doing you harm as you got on this one...We knew this complex was a prime target." Classified U.S. intelligence assessments since the bombing in Riyadh had killed five Americans in November; the warning was clear that the kingdom's dissident groups "were a force to be taken seriously."<sup>22</sup>

Of course making a foreign post secure requires the cooperation of the host nation, and despite the cordial relations between the United States and Saudi Arabia, their assistance in making American personnel safe was limited. The United States' assessment of the terrorist threat was hampered by the lack of cooperation from the Saudi government.

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<sup>21</sup> Blast 'Hints' May Have Been Ignored; U.S. Officials Cite Suspicious Incidents Before Saudi Terrorist Attack: R. Jeffrey Smith, John Lancaster. The Washington Post Washington, D.C.: Jun 28, 1996. pg. A.01

<sup>22</sup> Ibid.

U.S. officials said at the time that there was no evidence that there was a link between the two bomb blasts. The American investigators were unable to gauge the full scope of the threat to Americans because of the Saudi government's reluctance to cooperate fully with the U.S. investigators and intelligence analysts. Investigators were not allowed to interview the four men before the executions. Saudi officials claimed that they were in "full cooperation" in the investigation of the Riyadh probe.<sup>23</sup>

Although this represents a microcosm of the larger problem, there are issues here that do not mirror the larger purpose of this paper. There may have been accurate intelligence available to decision-makers that there were greater threats to American troops in Saudi Arabia, but the factors that make officials act were not present. One was public concern or opinion. I found no articles relating to the incidents mentioned in the *Washington Post* article above until after the attack on the Khobar Towers. Without widespread press attention to these minor events, there would not be a great deal of public demand for heightened security at these facilities. Another factor that is always present in these types of attacks is the escalation of magnitude involved in the attack. Even with the minor adjustments in security, the changes were inadequate to protect the troops from the size of the bomb. After the November blast, the U.S. installed new fencing and concrete barriers at the complex, increased patrols, and stationed police on rooftops, all in order to watch for suspicious behavior. None of this was sufficient to stop the truck bomb with an estimated 250 pounds of explosives, which was ten times the force of the November blast.<sup>24</sup>

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid

After initial reports of the attacks on the World Trade Center in 1993 and Khobar Towers, there was little written concerning terrorism against Americans. Not until the August attack on the American embassies in Kenya and Tanzania were there more articles in the newspapers. The articles began to focus on what our strategy was to prevent future terrorist attacks and the Clinton administration's plans to stop such attacks in the future. Finally, the media is asking questions as to the government's plan to prevent future acts of terrorism.

Will we learn the right lessons from our failure to protect the U.S. embassies in Nairobi and Dar es-Salaam? It's worth asking, because there is good reason to assume that the most relevant questions about this painful matter involve the Clinton administration's habit of worrying so much about terrorism conducted with weapons of mass destruction that it may be neglecting the ever-present risks of conventional terrorism.<sup>25</sup>

Terrorist attacks were mainly achieved by using cars or trucks laden with explosives that were either driven into or near a targeted building. Despite this pattern, the Clinton administration focused its counter-terrorist activities at weapons of mass destruction. Namely, chemical, biological, or nuclear weapons were considered to be the most likely means of attacking the United States or its embassies.

In both domestic and international terrorism there has been, since 1983, no more visible trend than car bombs--the kind used at the Marine barracks and American Embassy in Beirut, the World Trade Center, the federal building in Oklahoma City, the Israeli Embassy, and the Jewish Community Center in Buenos Aires, and the Khobar Towers in Saudi Arabia.

A terrorist pattern has been systematically established...That the CIA and the State Department were aware of the problem is evident from *The Post's* reports on the success of the agency's operatives in foiling several recent attacks on American embassies, and from Ambassador Prudence Bushnell's warning letters to her superiors in Washington about the embassy's security problems.

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<sup>25</sup> . *TERRORISM-REAL AND IMAGINED* AUG. 19, 1998, Ehud Sprinzak, Washington Post

Yet any elementary examination of America's counterterrorism policy in recent years reveals a preoccupation with unconventional terrorism and a steadily growing conviction that the next blow to the United States will involve the successful use of chemical, biological, or radiological weapons. Three key events seem to have convinced the Secretary of Defense and his top officials that mass destruction terrorism is almost inevitable.<sup>26</sup>

This reveals the second factor contributing to the eventual failure of the American government to anticipate the events of September 11, 2001. The first is the failure to anticipate escalation in the magnitude of the attack on Americans. The second is the fixation of the administration on weapons of mass destruction. While the Clinton administration was focusing on weapons of mass destruction, there were those who saw the potential terrorist threats as leaning more to the conventional methods, car and truck bombs, killing and maiming hundreds of innocent civilians. Ehud Sprinzak put the public and decision-makers alike on notice of this possibility by the article. In this article Sprinzak writes:

Billions of dollars have been sought by the administration since 1995 to prepare America for the shock of mass destruction terrorism, and Congress has been quick to provide the money. More important, the new emphasis has resulted in the replacement of traditional terrorism specialists by biologists and chemists...

The dual fallacy upon which the current frenzy is based was clear even before the explosions in East Africa. The expectation of a massive chemical or biological attack is not based on actual terrorist incidents, and it ignores preparations for a potential new wave of conventional terrorism. So far (and this includes the famed 1995 Japanese subway attack) the world has not witnessed any mass-casualty event resulting from unconventional terrorism. Most of the funds allocated to countering this threat have been committed on the basis of dubious conjecture and unsubstantiated worst-case scenarios.<sup>27</sup>

This article indicates awareness on the part of the print media, if nowhere else; that there are serious flaws in the security of the United States of which conventional terrorists could take

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<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

advantage. The bombing of the Federal Building in Oklahoma City was a good example of the type of damage that could be done by the type of bomb that the *Post* article described.

The issue that makes good terrorist deterrence is the ability to pinpoint the specific targets and time and place of the attack. Again this problem is an almost impossible to overcome. Information is too vague or unclear in its target or timeframe. Considering the attack on the *U.S.S. Cole*, there were plenty of signs that the Yemeni port was a hostile environment for American forces.

“There was nothing that said, 'This time, this place, this ship,'" said Vice Adm. Thomas R. Wilson, director of the Defense Intelligence Agency.” There just was no smoking gun there. I wish there had been.”...  
Wilson said the real problem lies not in disseminating information, but in sifting through a deluge of vague messages and tips that typically aren't specific enough to warn a ship such as the *Cole* of an imminent attack.

"We get hundreds of messages a day dealing with terrorism and dozens that deal with threats. One of the challenges of this whole thing is the amount of information that is received and how you process it in a way so you get the right warning out, but you don't warn so often that it's just ambient noise, and the warning is lost."

Wilson said he found nothing "that could have possibly been applicable that wasn't available . . . throughout the chain of command. I have not seen any dissemination breakdowns on this case."...he said, reporting on terrorist activity is so voluminous and vague that analysts are left trying to discern patterns that clarify threat levels in different countries, not that warn of specific attacks.<sup>28</sup>

This is the basic problem of the intelligence community. Sources of information that the United States intelligence community can collect are so vast that it is almost impossible to determine which pieces of information are relevant or even accurate. They may have all of the information necessary to predict accurately an attack without knowing which pieces were the

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<sup>28</sup> . *Warnings of Terror Attack Were Broad, Vague; No Specific Threat of Imminent Strike Preceded USS Cole Blast in Yemeni Port*, Vernon Loeb, Washington Post, Oct. 29, 2000 pg. A.34

right ones. Also, the accurate and reliable sources to one terrorist attack may not necessarily be the same sources with accurate information on any other terrorist plot.

Sooner or later the finger pointing and finding of blame for the tragedy are an inevitable consequence. Even when the intelligence is vague and broad, someone must account for the lack of preparedness. Usually this falls on the shoulders of the commander of the installation or ship. This occurred in the case of the attack on Khobar Towers. The 1996 bombing at Khobar Towers in Saudi Arabia that resulted in the loss of 19 Air Force servicemen was investigated by the Secretary of Defense William S. Cohen and found that the Brig. Gen. Terry J. Schwalier, then commander at the Towers had acted in a “reasonable and prudent” way to protect the forces. Schwalier had completed 36 of the 39 recommended actions listed in an Air Force Vulnerability assessment of the Towers. Of the other three, he had requested funding for one and the other two would not have prevented the bombing.<sup>29</sup>

From this account, it is clear that the commander made every effort to protect his facility and men. The two factors mentioned earlier worked against the commander in his efforts to adequately foresee the terrorist attack, namely, the fact that the magnitude of the blast was far greater than previously experienced and the kind and amount of information available to him was neither accurate nor precise enough for an adequate defense of the eventual attack.

With a view toward affecting public opinion, it is clear that the media, both print and television have had limited impact on the public’s perception of the threat of terrorism on their personal lives. There is a general and abstract concern on the part of the public for acts of international terrorism. They do not believe that terrorism is going to happen to them or any one

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that they know. Their fear even in the face of acts of terror against Americans and in the United States like the Oklahoma City bombing of the Murrah Federal Building do not increase the anxiety level of the public to their personal safety. It appears from this, that even attempts on the part of the media to play up or down acts of terror at home and abroad has little impact on the public in general. Without this public pressure there is little that would induce Congress to act in any meaningful way to the threat of international terrorism even when it is directed toward Americans.

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<sup>29</sup> *Accounting for the Cole Attack*, Washington Post, Jan. 25, 2001 pg. A18

## CHAPTER 5: CONGRESSIONAL RESPONSES: ACTIONS AND RHETORIC

Public concern about acts of terror does not translate into effective policy measures without the action of Congress. Congressional action comes in most cases as a result of public outcry for action. As was described in Chapter 4, the public's level of concern and fear of terrorist attacks depended on the abstract and general, and whether they feared that this could happen to them or their friends and family. In the abstract, there was a higher level of concern that there would be further attacks by terrorists, but that did not translate into pressure on Congress for action. Public concern that there would be acts of terror that could injure or kill friends or family was much lower. These figures were not sufficient to prompt Congress to action. If public opinion does not generate the Congressional action, does the actual terrorist event result in their responding?

Preparedness on the part of the United States depends on the change in men's minds. Without these changes, policies will not change. As noted by Kennedy, "men's ideas change slowly and that of a nation's ideas change even more slowly. It takes shocks—hard shocks—to change a nation's psychology."<sup>30</sup> In order to change the minds of Americans as to the threat that international terrorism poses for them, it took the shock of September 11. Nothing that occurred before was sufficient to awaken the public and Congress to the danger that terrorism posed to the average American citizen.

Congress is made up of two bodies, the U.S. Senate which consists of 100 members, 2 from each state, and the U.S. House of Representatives consisting of 435 members proportioned

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<sup>30</sup> Op. Cit. Kennedy p. 57

by the population of each state. How then can this body of 535 “Congressmen” have an influence on the detection and/or prevention of acts of terrorism against American citizens at home and American soldiers abroad? They certainly do not speak with one voice as does the President and his administration. They also do not determine the deployment of resources and manpower in the agencies assigned to protect Americans. Simply speaking—it is MONEY or funding of programs proposed by the administration to safeguard the security of the United States. The main way that Congress can contribute to the security of the United States is to review proposals made by the administration and the agencies like the FBI and the CIA to determine their worthiness and effectiveness against terrorism.

This leads to the other way in which Congress can have an effect on counterterrorism policy. A problem arises from Congressional oversight. By definition, Congressional oversight is a public forum and even if the hearings are held in executive sessions, Congressmen talk. The type of operations that are necessary to effectively counter terrorism should be done covertly. Discussing measures that are to be taken to protect Americans from terrorism would most likely be counterproductive. So, for the purposes of this paper, we will look at the way in which Congress funded programs and agencies that worked on counterterrorism.

Congress first needs to know that there is a problem. It is then the responsibility of the administrative agencies to inform Congress of the need to fund measures to prevent acts of terrorism against the United States and Americans abroad. Secretary of Transportation, Frederico Pena appeared before Congress on August 1, 1996, to tell them that the need for heightened airport security was now a growing priority.

Pena, appearing before the Senate Commerce, Science and Technology Committee, said the security system put in place in the early 1970s to halt hijackings generally has worked. But the new threat of terrorist bombings ... "As we look to the future, with the new threats, is the current system enough or do we need to change the operating assumptions we've had for many years... Pena said another question that needs to be answered is, "Who ultimately has the responsibility for financing that massive investment?" The rise in terrorism was a theme of the day on Capitol Hill. FBI Director Louis J. Freeh told the Senate intelligence committee that terrorist attacks that began with the bombing of the World Trade Center in 1993 do "not augur well for the future. And we may be in for a very difficult time with respect to continuation of these types of things."<sup>31</sup>

This was a warning that the security of the nation's airports needed to be improved to prevent terrorists from hijacking airplanes. Even before this, the 1993 truck bombing of the World Trade Center should have prompted the Congress to increase funding for security-related functions of all government agencies and departments. In 1995 President Clinton proposed antiterrorism legislation but found strong opposition from the Senate Majority Leader, Bob Dole. As the Senate was controlled by Republicans, the President needed their approval for any legislation he wanted to prevent terrorism. In this struggle, President Clinton and Democrats had to compromise with the Republican leadership.

Under prodding from Senate Majority Leader Robert J. Dole (R-Kan.), President Clinton yesterday called on senators of both parties to "curb politics" and speed up passage of anti-terrorism legislation prompted by the April 19 bombing of a federal building in Oklahoma City.

By last night, Democrats had sharply reduced their list of amendments and said they believed action could be completed by tonight. But Dole continued to lean on Democrats, warning he still might put the bill aside if it could not be passed swiftly...

In remarks at the start of a White House event promoting a housing initiative, Clinton said he agreed with Dole that "We cannot afford to let scores of unnecessary amendments drag down this process." As a result, he said, he was

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<sup>31</sup> Washington Post, Aug. 2, 1996

calling on "fellow Democrats and Republicans to limit amendments, curb politics, ignore narrow interests" with the understanding that "there should be no excuses, no games, no delays."<sup>32</sup>

The battle between the two branches as to how to conduct a counterterrorism campaign caused delays and reduced the amount of funding available due to spending on unnecessary amendments. Determining how the campaign against terrorism should work is continually a source of debate and argument among the President and Congress. If Congress feels that it knows better than the President how to implement counterterrorism policy or structure agencies to do the job, problems arise.

With fire chiefs and other local government officials complaining about the federal government's fragmented approach to counterterrorism, Rep. Tillie Fowler (R-Fla.) shepherded legislation through the House in July designed to end their confusion...

But Fowler's bill creating a high-level White House coordinating council failed last week in the Senate after administration officials lobbied against it, leaving her locked in debate with the administration's counterterrorism chief over the nation's real ability to respond in the event of a terrorist attack.

"It is truly appalling and disappointing that there has been a lack of cooperation in the administration--and over in the Senate--on this," Fowler said last week. "The National Security Council has had two years and hasn't done the job. The Justice Department hasn't done theirs. And I just think that's sad. We've got lives of Americans at stake, and who knows where an attack will take place?"<sup>33</sup>

It is clear from these articles that the Clinton administration and the Congress viewed these issues in the same manner as any other domestic or foreign affairs issue. It was viewed as a partisan political issue to be resolved in the same manner as any other political issue. "Fowler's

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<sup>32</sup> ."President Asks Senators To Speed Anti-Terror Bill; Dole Had Told Democrats To Pare Amendments, Helen Dewar. The Washington Post, Washington, D.C.: Jun 6, 1995. pg. A.04

<sup>33</sup> *After Counterterrorism Bill Fails, Nation's Preparedness is Debated*, Vernon Loeb, Washington Post, Oct. 9, 2000 pg. A21

bill would have created the President's Council on Domestic Terrorism Preparedness, made up of Cabinet members and run by an executive chairman confirmed by the Senate. The council would have been required to draft an annual preparedness strategy and document assessing "the risk of terrorist attacks against transportation facilities, personnel, and passengers."

The council also would have been required to review the budgets of all 40 departments and agencies responsible for responding to terrorist attacks." (Ibid.)

In the midst of all of the confusion as to how to deal with counterterrorism, sometimes, somebody gets a good idea. This time it seems that Congress was more accurate in its assessment of the needs for counterterrorism policy and implementation than was the White House. This type of effect is the ultimate result of a republican form of government.

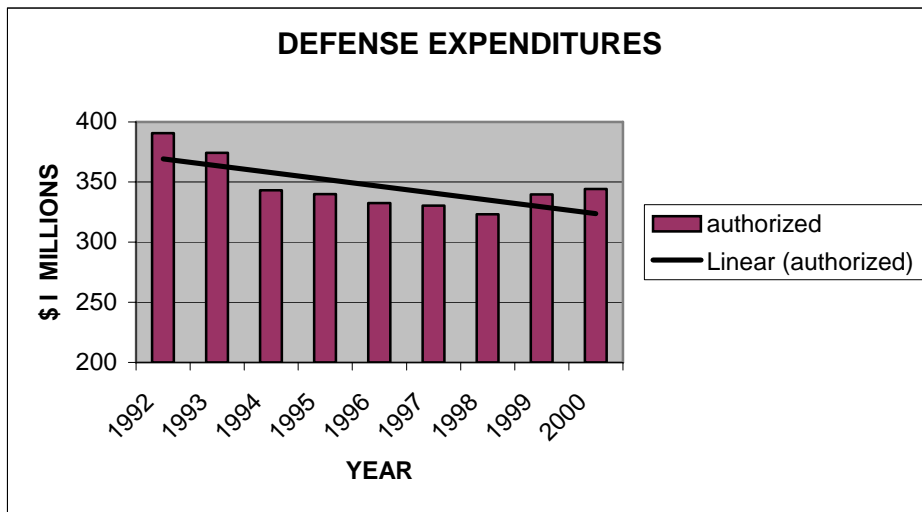


Figure 1: Defense Expenditures

This period, from 1993 until 1997 defense budget enactments were declining.

Legislation and funding are the two main methods Congress uses to solve problems. A clear indication as to the seriousness that Congress places on an issue is the speed and amount of legislation and money it focuses on an issue. Having reviewed the “defense budget” related legislation that the Congress passed after the initial bombing of the World Trade Center in 1993 would indicate little to no particular alarm and concern for acts of domestic terrorism. In the summer of 1993, at least four months after the first attack on the World Trade Center, the House proposed legislation that would “stem the proliferation of Weapons of Mass Destruction (WMD). It proposed the spending of \$100 million to prevent the proliferation of nuclear, biological, and chemical weapons throughout the world. Ultimately, this legislation failed to pass both houses and become law. And again in February of 1995, the House proposed H.R. 872 that was intended to “revitalize the National Security of the United States.” There was no mention of international terrorism or domestic terrorism. Again it did refer to WMD.

In order for any of these figures to have any significance, it is important to compare them with defense budget figures that came after the attack on the World Trade Center on September 11, 2001. If Congress acted more dramatically after the 9-11 attacks, then it clearly indicates that they were not as concerned with the attacks on the World Trade Center in 1993, the attack on soldiers in Saudi Arabia and sailors in Yemen, or the attack on two United States embassies in East Africa. According to a study of homeland security done after September 11, 2001, the total funding for homeland security has grown significantly since the attack of 9-11. The President’s budget includes \$47.4 billion for homeland security activities, a \$6.1 billion or 15 percent

increase over the 2004 level. This is a \$26.8 billion or 130 percent increase over the government's funding level for 2002. The bulk of the homeland security funding budget goes to five government agencies, Departments of Homeland Security (DHS), Defense, (DOD), Health and Human Services (HHS), and Justice (DOJ), and Energy (DOE). These five agencies get 92 percent of the homeland security budget. As an indication of the seriousness in which homeland security is now taken, the type of study and breakdown of homeland security budgets was not done prior to September 11, 2001. In this report homeland security was broken down into nine categories, (1) by agency, (2) by National Strategy Mission Area, (3) Intelligence and Warning, (5) Border and Transportation Security Funding, (6) Domestic Counterterrorism Funding, (7) Protecting Critical Infrastructure and Key Assets Funding, (8) Defending Catastrophic Threats Funding, and (9) Emergency Preparedness and Response Funding. Each of these categories was further broken down into departments and the amounts that each received for that particular category.

Congress' response to terrorist attacks at home and abroad based on defense spending must be looked at in the overall defense budget. There are no specific categories in the defense budget labeled "antiterrorism expenditures," and if there were it may not include all of the spending related to antiterrorism. Spending to prevent further acts of terrorism at home and abroad by the Defense Department can and does take many shapes and does not fall into any one category. Military construction could hide the costs of improving defensive measures at military bases worldwide and U.S. embassies around the world. Increases in funding for the payroll of soldiers are another area where antiterrorism funding would be hidden. The increase in "antiterrorism" training for the soldiers and officer would be added to the defense budget.

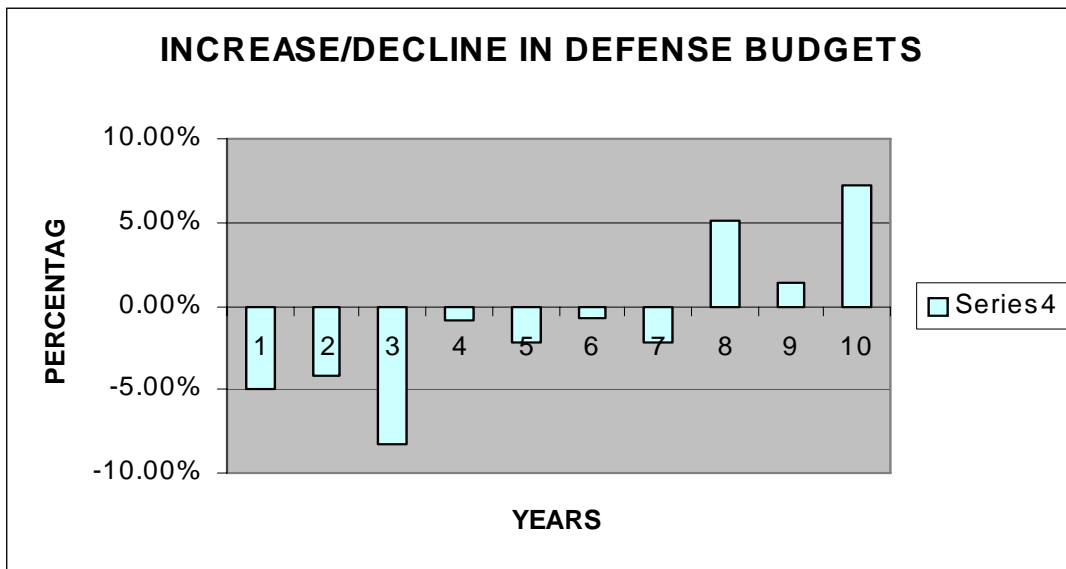


Additionally, increased security at a higher state of readiness generally means more personnel on duty for longer periods of time. This again increases the defense budget in a way not visible to the researcher looking for specific “antiterrorism” expenditures. Along with added personnel is the need for additional weaponry. More and heavier weapons go along with increased security precautions. And a hidden expense that could be shared with other departments is the possible need to move vulnerable personnel to more secure locations. Some U.S. embassies are located in downtown locations which do not allow some security precautions because of the proximity to street and alleys that make them vulnerable to truck bombs like those in Oklahoma City or at Khobar Towers. And when these relocations are not possible, expenses can be even higher. All of these expenses are hidden in the general defense budgets and to find them would take a researcher an inordinate amount of time, if they were labeled properly in the first place. Therefore, an overall review of the defense budget and Congress’ efforts to increase or decrease the defense budget can be used to determine their concern for increased security against terrorism.

With three of the four terrorist attacks that are being investigated occurring against military personnel overseas, it is logical to look at Congress’ response to these attacks by looking at increases in Defense appropriations to improve the safety and readiness of our personnel abroad.

According to a Congressional Research Service (CRS) report to Congress entitled, “Defense Authorizations and Appropriations Bills: A Chronology, FY 1970-FY 2000”, the Congressional budget authority for defense spending steadily declined during the 1990’s. The

figures quoted below all represent budget authority and budget outlays for their respective fiscal years as defined in “constant FY 2005 dollars.”



**Figure 2: Increased/Decline in Defense Budgets**

With the truck bombing of the World Trade Center in February of 1993, an argument could be made that resources of the state and federal government in the law enforcement budgets would be sufficient to provide adequate protection from further such attacks. And also with the quick apprehension of the suspects involved, the state and federal agencies proved their ability to arrest anyone involved in such acts of terror. The other terrorist acts, on the other hand, we committed abroad and against both civilian and military personnel. Even after the attack on the World Trade Center in February of 1993, the budget authority and outlays for 1993 decreased 4.2 percent and 3.3 percent respectively. The decreases continued for the fiscal year 1994 by 8.3 percent and 4.1 percent respectively. Again this could be because of the appearance that local and federal law enforcement could identify and apprehend the perpetrators, which they did relatively quickly.

The attack on the Khobar Towers in June of 1996 represented a clear attack on military personnel based on foreign soil. Seventeen American servicemen were killed. This could have been an opportunity for Congress to increase the security of all American servicemen that were

serving in the Middle East and elsewhere. The same trend continued after the bombing at Khobar Towers in Saudi Arabia. Although the decreases in budget authority and outlays were smaller for the year 1996, it still represented decreases in defense funding. The numbers decreased by 2.2 percent and 4.1 percent respectively. In 1997 these decreases almost bottomed out; the decreases were a mere 0.7 percent and 0.6 percent respectively.

The August 7, 1998, bombings of the U.S. embassies in Kenya and Tanzania, which resulted in the deaths of four Americans, provided another opportunity for the Congress to increase defense spending to increase security for the U.S. embassies in the Middle East and around the world. Congress seemed to be getting the message by this time. Although budget authority and outlays decreased in the fiscal year 1998, they stopped decreasing by 1999 and started increasing. In 1998 the budget authority and outlays decreased by 2.2 percent and 3.0 percent respectively. This was the end of decreases in defense budgets for a while. The Congressional budget authority for the fiscal year 1999 increased a dramatic 5.1 percent. This does not seem to be a large number, but if you consider that the defense budget authority had decreased a staggering 31 percent of the last ten years, this increase is significant. Even though the outlays only increased by 0.4 percent in 1999, it can be argued that Congress was beginning to increase defense spending to respond to terrorist attacks.

The next act of terror occurred in a Yemeni port. On October 12, 2000, the *U.S.S. Cole* was refueling when a small boat, which exploded ripping a gaping hole in the *U.S.S. Cole's* hull, struck it. Although there were no specific threats made to the Americans in Yemen, it was clear that this country was not a friendly port. Congress was beginning to get the message. They were starting to appropriate more money for defense at a modest rate. Clearly, there was no large

public support for increased defense spending as a result of the most recent terrorist attacks. Congress was making efforts to increase spending to meet the increased demand of the threat of terrorism against Americans abroad. A combined budget authority for the fiscal years 2000 and 2001 indicate 8.6 percent increases. Although the actual outlay for these years only amount to 4.7 percent increase, it is clear that Congress was responding to these attacks.

When it came to defense budget requests by the administration, Congress was slow in enacting the requested funds from 1993 until 1996 when Congressional budget enactments exceeded the administrations requests. This period, from 1993 until 1997 defense budget enactments were declining.

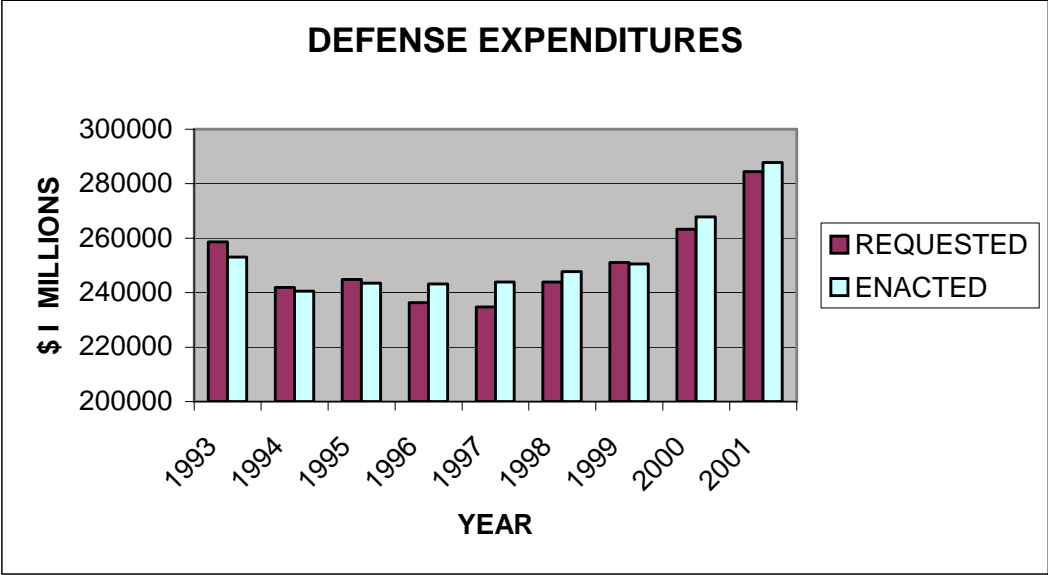


Figure 3: 1993-2001 Defense Expenditures

## CHAPTER 6: PRESIDENTIAL RESPONSES: ACTION AND RHETORIC

Presidential leadership can be an effective weapon in the war on terror. In order to be an effective leader, the president must have the power to achieve his chosen goals. This presidential power is not easily obtained and can be used to great effect or it can be squandered or allowed to just evaporate, depending on the person in the White House. Richard Neustadt, who is considered the foremost authority on the modern presidency, discussed these issues in his book *Presidential Power and the Modern Presidents*.

Neustadt identified three areas of presidential power. These were the power to command, the power to persuade, and the public prestige of the president. The power to command comes from the president's role as commander-in-chief and as chief executive. He has the ultimate authority over the U.S. military and can give orders to them whenever the need arises. Neustadt cites the case of President Eisenhower sending federal troops into Arkansas to enforce integration in the public schools of Little Rock. "Eisenhower's actions took the form of an executive order that 'authorized and directed' the secretary of defense to enforce the orders of the district court in Arkansas, utilizing 'such of the armed forces in the United States as necessary.'<sup>1</sup>" The president's power to persuade others to do what he asks is more complicated and harder to achieve. Factors such as the president's standing with the public have an impact. Event within and outside of the United States also can influence the president's powers. Neustadt used the case of the Marshall Plan as an example where the president's power to persuade was enhanced by actions on the part of Joseph Stalin in the Soviet Union after World

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<sup>1</sup> Neustadt, Richard E., *Presidential Power and the Modern Presidents*, Free Press (1990)

War II. Truman used these events with other factors to pass the Marshall Plan in 1947. Truman was also able to use members of his cabinet and a few influential members of Congress to aid him in the passage of the bill. The plan was developed by President Truman. He knew that his popularity was not sufficient to achieve passage if the Republican controlled Congress saw this as the Truman Plan. He utilized the popularity of his Secretary of State George C. Marshall to promote the legislation. The bill passed primarily with the President working behind the scenes with those who could achieve his goals.

The president's standing with the public is also another important factor in his ability to use his power. According to Neustadt, "the Washingtonians who watch a President have more to think about than his professional reputation. They also have to think about his standing with the public outside Washington. They have to gauge his popular prestige."<sup>2</sup> Therefore, the Congress and others in the Administration take their lead from the public's support for the President.

This is the reason that public support for the actions of the President is so important. Public support drives the actions of Congress. If there is no support for measures to increase the security of our troops abroad or the American embassies, Congress will not allocate the funds necessary to achieve these goals. The problem lies in the nature of terrorism. By definition, terrorism is unpredictable in its timing and magnitude. So, how can a President warn and prepare a public and Congress for an act of terrorism that has not yet happened and no one has anticipated its magnitude and effect?

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<sup>2</sup> *ibid.* p. 73



With Neustadt's factors in mind, we can look at the actions of the president and determine how effectively he was able to use his presidential power to advance his ability to defend the United States against terrorist attack.

President Clinton introduced the Omnibus Counterterrorism Act in February 1995. But since it was two years after the bombing of the World Trade Center, Congress had lost interest in such legislation and was allowing the legislation to languish as had previously introduced pieces of antiterrorism legislation. Everything changed on April 19, 1995, when a truck bomb exploded in front of the Federal Building in Oklahoma City. Even with this event, a Republican-controlled Congress refused to pass the legislation without many changes and an entire year passed. The President had to compromise and give up parts of the legislation that he considered essential in order to get any bill at all. Senate Majority Leader, Robert J. Dole (R-Kan.), and President Clinton both called on the Senate to "curb politics" and speed up passage of the Anti-terrorism legislation prompted by the Oklahoma City bombing. The Senate Democrats were insisting on adding a list of amendments but were convinced by the President and Dole to cut that list but Dole continued to insist on a leaner bill and warned that he might put the bill aside if it could not be passed swiftly.<sup>3</sup>

Despite the foot dragging of the Republicans, President Clinton was able to increase the Counterterrorism budget of the FBI by 280 percent. The President also sought authority from Congress to allow the FBI to extend organized crime wiretap rules to terrorists, make funding of terrorist groups a felony, ease access to terrorists' travel records, and accelerate the deportation

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<sup>3</sup> *President Asks Senators To Speed Anti-Terror Bill; Dole Had Told Democrats To Pare Amendments*, Helen Dewar. The Washington Post Washington, D.C.: Jun 6, 1995. Pg. A.04

of those associated with terrorist front groups.<sup>4</sup> Despite these acts of terrorism within the borders of the United States, some Republicans were opposed to these requests. Senator Orrin Hatch of Utah opposed the expanding of the organized crime wiretap provisions to terrorists. Republican members of the House agreed with the National Rifle Association that proposed legislation restricting bomb making was an infringement of the Second Amendment right to bear arms. Clearly the animosity between the President and the Republican-controlled House and Senate made any cooperation on antiterrorism legislation unlikely. In dealing with acts of terrorism, when the two major parties control each of the two elective branches of government, progress and success in dealing with it is made more difficult. In this instance, it would appear that the President more clearly reflected the mood of the public than did Congress. The institutional structure of the House and Senate may have worked to impede the necessary movement of legislation that would have successfully prevented acts of terrorism in the United States.

This would seem to indicate that events alone could be insufficient to crystallize public opinion and Congressional support enough to enact meaningful legislation. Even though terrorism is considered a high priority by both parties and would support a non-partisan issue and measures to control it, the Republican controlled Congress had different ideas on how to achieve these goals.

Clinton said he agreed with Dole that "We cannot afford to let scores of unnecessary amendments drag down this process." As a result, he said, he was calling on "fellow Democrats and Republicans to limit amendments, curb politics, ignore narrow interests" with the understanding that "there should be no excuses, no games, no delays."

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<sup>4</sup> Op. Cit., Clark, pg. 97

Apparently stung by Clinton's earlier suggestions that the Senate was dragging its feet on the bill, Dole countered that the delay was caused by a lack of Presidential leadership in reining in his own party. "Complaining about delay may make for good politics, but what we need from the President is not words but leadership," Dole told colleagues as they straggled back from their weeklong Memorial Day recess.<sup>5</sup>

With the upcoming Olympic Games scheduled for 1996 in Atlanta, Georgia, the Clinton administration had ample opportunity to evaluate the security needs for the games. As the event grew closer, the head of the Administration's National Security taskforce on terrorism, Richard A. Clark, surveyed the heads of all of the law enforcement agencies that would be responsible for security at the games. The President was scheduled to attend the Opening Ceremonies and would require additional security measures to be instituted. To start with, Atlanta, Georgia, was a southern hub for the railroads. This is one of the reasons that it was such a vital city to the Confederacy during the Civil War and was what made it so important for the Union Army to seize in order to cripple the Confederacy. But, traveling through Atlanta, there are no visible rail lines. Most of the tracks pass through Atlanta via tunnels through the city. Many of the Olympic venues were either directly over the tunnels or within a short distance of them. Authorities were aware of the danger of a chemical, biological, or radioactive disaster even without the presence of terrorists. Diverting rail traffic around Atlanta for the period of the Olympic Games would be a monumental task. Clark then turned to the issue of protecting President Clinton during his visit. How would security at the Opening Ceremony be handled? Would everyone in the stadium be search and scanned with a metal detector for weapons before entering? A

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<sup>5</sup> Ibid. p. 99

representative of the Atlanta Olympic Committee told them that volunteers would be at the gates but would not be scanning the spectators with the metal detecting devices.<sup>6</sup>

The next concern of Clark was an attack from the air. Mindful of Ramzi Yousef's plot to blow up 747s and the Pan Am flight 103 that was blown up over Lockerbie, Scotland, he asked about air security around the Olympic sites. Although there were no plans in place, the questions centered on what would happen if a plane was hijacked and flown toward the Opening Ceremonies where the President would be seated. A suggestion was made that the Secretary of Transportation declares a no-fly zone over the city while the President was there. But what if a plane was hijacked and flown into the stadium--could the Air Force shoot down the aircraft? There were some legal issues discussed but it came down to the fact that fighters would probably not have time to intercept and shoot down the airliner before it crashed into the stadium. The best suggestion was to stop the hijackers from ever getting on a plane. This took the heat off the FBI and put it on the FAA.<sup>7</sup>

Richard A. Clark, as counterterrorism czar, worked with the U.S. Customs Service to use their old Navy P-3 aircraft that had been converted to flying radar platforms to hunt drug smuggling aircraft, as a flying platform for their radar detection of planes entering the no-fly zone over Atlanta. The plan also included the use of Blackhawk helicopters with Secret Service snipers to shoot down any aircraft that was threatening the Olympics. They also arranged for National Guard fighter aircraft to be put on strip alert.<sup>8</sup> Administration officials were aware of

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<sup>6</sup> Op. Cit. Clark, pg. 106

<sup>7</sup> Ibid. pg. 107

<sup>8</sup> Ibid, pg. 108

the dangers and potential tactics of known terrorists. When there is a known threat and identifiable terrorist element, the administration showed that a coordinated effort could result in an effective plan to provide adequate security measures for a given event. They may have been able to mobilize agencies like the FBI, CIA, and FAA to the threat of terrorism against the President and the Olympic games, but to keep them at a heightened state of readiness without a clear target in mind would have been almost impossible. Despite all of these efforts, there was an act of terror perpetrated in Atlanta. A bomb was exploded at a non Olympic venue that was open to the public. Although the park was the site of an unofficial event, it was attended by many Olympic Games spectators. No security could have predicted or defended against this type of attack by a lone bomber.

Just days before the opening of the 1996 Atlanta Olympic Games, a flight from Kennedy International Airport in New York City to Paris, France, exploded in a huge fireball and fell into the Atlantic Ocean just a few miles off Long Island, New York. TWA Flight 800 crashed killing 230 people. Both the National Transportation Safety Board (NTSB) and the FBI had concurrent investigations to determine the cause of the crash. The FBI investigation was focused on the possibility of a criminal cause of the crash. Coincidentally, there was a Coast Guard rescue training exercise being conducted off the coast at just the time that Flight 800 exploded. Despite their quick response, no one survived the crash. There were theories as to what caused the crash, from a hand held rocket to the shooting down by an F-18 fighter jet. These theories were quickly dispelled by authorities, but there was still the possibility of a bomb on the airplane. This possibility, that was later disproved, increased the public concern over acts of terrorism. The President was able to get Congress to agree to spend \$1.097 billion for counterterrorism-related

activities. Congress approved the funds in one month's time.<sup>9</sup> Plans were drawn up for an air defense of Washington to be housed in the Treasury Department, mainly because of the Secret Service's involvement. But the Treasury Secretary was not enthusiastic about the possibility of shooting down of a civilian aircraft over the nation's capital. The plan was therefore never implemented. This is another case of bureaucratic involvement in the security process. Vice President Gore was heading a Commission on Aviation Safety, and Security could have implemented a federal program that would have included the federal government's taking over the role of passenger screening. This would have meant the hiring of 50,000 new federal employees and the spending of billions of dollars at a time when the President and Congress were taking credit for cutting the size of the federal government and reducing the federal budget. Although the crash of the Value Jet was from an exploding oxygen tank and the TWA crash was due to frayed wires in the fuel tank, Congress was reluctant to increase the federal bureaucracy by another 50,000 persons.<sup>10</sup>

Another area where a President can effect change in a constructive way is the use of Executive Orders or Presidential Directives. With the vast size of the Executive branch of government, the President can have a great deal of influence with agencies and departments of the Executive Branch. Through the Executive Order or Presidential Directive, he can help prepare the nation for acts of foreign terrorism. In 1995 President Clinton issue PDD-39 which "cut away a thicket of conflicts over agency responsibilities for matters ranging from handling an

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<sup>9</sup> Ibid, pg. 130

<sup>10</sup> Ibid. pg. 130

overseas attack to who should hunt for terrorist's nuclear weapons.”<sup>11</sup> It also consolidated agencies under one budgetary umbrella, requiring them to report what they were doing. PDD-39 took a major step toward centralizing control over all federal counterterrorism policy into the White House. With this Presidential Directive, President Clinton made counterterrorism an important priority for the President.

After the attack on the Khobar Towers in Saudi Arabia, the Clinton administration began to look at the security of Americans at home. Concern for safety at the nation's airports was a concern of then Secretary of Transportation, Frederico Pena.

Transportation Secretary Frederico Pena told Congress...that current aviation security measures might not be adequate to stop future terrorist attacks and that billions of dollars could be needed for improvements to ensure safe travel.

Pena, appearing before the Senate Commerce, Science and Technology Committee, said the security system put in place in the early 1970s to halt hijackings generally has worked. But the new threat of terrorist bombings --a possible cause of the Trans World Airlines jumbo jet explosion July 17 --poses a different challenge.

"As we look to the future, with the new threats, is the current system enough or do we need to change the operating assumptions we've had for many years?"...Noting "significant costs" could be involved in an overhaul of the security system; Pena said another question that needs to be answered is, "Who ultimately has the responsibility for financing that massive investment?"...FBI Director Louis J. Freeh told the Senate Intelligence Committee that terrorist attacks that began with the bombing of the World Trade Center in 1993 do "not augur well for the future. And we may be in for a very difficult time with respect to continuation of these types of things."<sup>12</sup>

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<sup>11</sup> Op. Cit., Benjamin and Simon, p. 230

<sup>12</sup> *Pena Addresses Price of Airline Safety; Terrorism May Force Massive Upgrade of System, Secretary Says*: Stephen C. Fehr, Washington Post, Aug, 2, 1996, pg. A.13

This is a clear indication that members of the Clinton administration and the President himself were aware of the potential security needs of the national airports. This also indicated the potential problems that would arise out of a need to upgrade the security system of all of the nation's airports. Clearly from the testimony of the Secretary of Transportation, it would be necessary to spend billions of dollars to implement the security measures required.

Pena, flanked by Federal Aviation Administrator David R. Hinson, did not present the senators with a detailed list of safety recommendations or their cost. That will be the charge of the Gore Commission, a group headed by the Vice President that is scheduled to come up with proposals by next month addressing how the federal government oversees aviation safety -- more specifically, how to keep explosives off planes.

Pena said more would have to be done.

"We as a nation must collectively recognize that there are fundamental changes ahead of us and that . . . those changes will not be static," he said. "As systems are designed to thwart a possible terrorist attack, terrorists are working on new and different ways to beat the system."...Among the costs are as much as \$2.2 billion for installation of a bomb detection system better than conventional X-rays. A computerized system of matching bags to passengers could cost another \$2 billion. These and other costs would strain the FAA's budget, which is already facing a \$14 billion shortfall projected over the next seven years, Pena said.<sup>13</sup>

It is clear from this article that both the press and the Clinton administration had a clear sense of the terrorist threat that was out there. Now the question becomes, if the press was aware of the potential threat to the American public for foreign terrorist organizations and so was the Clinton administration, what should or could they have done to prevent the ultimate terrorist attack that occurred on September 11, 2001?

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<sup>13</sup> Ibid.



Besides warning the public and Congress through the hearing process, President Clinton moved within his agencies to target suspected terrorist organizations and their leaders. Just two months after the attack on the American troops at Khobar Towers in Saudi Arabia, “President Clinton signed off on a CIA finding establishing bin Laden as a threat to national security and mandating the FBI and the CIA work together to bring bin Laden to justice.”<sup>14</sup> The Justice Department’s strategy was “to build a case against bin Laden, apprehend him, and prosecute him in a U.S. Court”<sup>15</sup> Administration officials believed that the most effective way of dealing with terrorism directed at the United States and American troops abroad was to get bin Laden. President Clinton waged “a vigorous campaign against bin Laden, using all the viable military and law enforcement instruments at their command short of declaring war on the Taliban. The President soon doubled the counterterrorism budget, tripling the resources he allocated to the FBI and CTC.”<sup>16</sup> If the old adage that “an ounce of prevention is worth a pound of cure,” then Clinton was at least trying the right method of stopping attacks on Americans.

Without delving into this issue in detail, it is important to remember that during this period of time, President was dealing with a scandal involving Monica Lewinsky and sexual misconduct on the part of the President. A special prosecutor was involved and Congress was beginning to consider impeachment charges against the President. Since 1994 Congress was controlled by Republicans and they were not willing to let the president off the hook on this

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<sup>14</sup> Op. Cit. Miller and Stone

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

issue. Surprisingly, public support for the President during this time did not waiver. He was just as popular throughout the scandal as he was before it.

Clearly, Presidential efforts and actions alone cannot prevent terrorist activities in the United States. Despite legislation directed at preventing and punishing terrorists, both foreign and domestic, terrorists have proven to be more dangerous than previously considered. Warning Congress and the public through Congressional testimony and active efforts on the part of the administration's advisors will also fall short of putting the public on notice of imminent danger. Even the President's own actions and Executive Orders cannot provide adequate protection against all types of terrorist threats which brings us back to the issue of whether a President can effectively prevent or even detect terrorist attacks on the United States or its facilities abroad.

The answer to this question is clearly NO. The President receives vast quantities of information each day concerning the state of affairs around the world and must decide which bits of information are the most important and should be acted upon. He must convince the general public and Congress that there is a real threat to the public's safety that needs an investment of the public's time and money (in the form of higher airline ticket prices and longer waits at the airport to pass through security) and the need for new anti-terrorism legislation focused on preventing acts of terrorism.

Blaming a President alone for failure to anticipate an act of terrorism misses the big picture. He may have had information, if he had acted upon it, that would have prevented a terrorist attack, but it was presented as just a fraction of a vast amount of information that he had to consider. This then puts the burden on what to present to the President into the hands of his

advisors, who must decipher vast quantities of information to determine which pieces the President should see or hear. This is quite a burden for those at lower levels.

Even when all of the President's requests are met by Congress and he receives all of the funding necessary to meet his needs it may sometimes be the fault of the agency that receives the funding to properly utilize the resources. In the case of the Clinton Administration, "using information supplied by the Bureau to OMB, declared on numerous occasions that the number of agents working in counterterrorism had more than doubled, the Bureau had actually assigned most of these new personnel to the National Infrastructure Protection Center, the FBI's cyber security unit.<sup>17</sup> The President may or may not have been aware of this, but with a bureaucracy the size of United States, this type of agency misallocation could have occurred. According to the FBI, despite hundreds of millions of dollars of budget increases over several years, it had no more agents working on counterterrorism cases on September 11, 2001, than it did had in 1996. Even if counterterrorism is a high priority to the President, if the agency receiving the funding puts it at the same level, the agency can allocate its manpower and resources in whichever direction it sees appropriate. Without men in the FBI and CIA with the same single-minded determination to prevent acts of terrorism within the United States, the President may be helpless to stop it otherwise.

Overall, without effective teaching of the public of the danger of international terrorism and its risk of happening here, and their conveying of this concern to the Congress, the President may not be able to successfully wage a war against terrorism. There will be a lack of awareness that it could happen here. Once Congress does provide the funding for antiterrorist measures, the

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<sup>17</sup> Op. Cit., Benjamin and Simon, pg. 348-49

agencies and departments must be willing to properly allocate the resources to successfully prevent terrorism. And having all of the money and manpower may be insufficient to properly evaluate the mountains of information collected to determine which threats are real and which are imagined.

Viewing these events and the president's responses through the lens of Neustadt indicates that President Clinton had some successes and some failures. His reputation and effectiveness with the Republican Congress was mixed. He continued to be surprisingly popular among the average American even with the Lewinski scandal in the daily news. He fought an uphill battle with Congress for almost everything he wanted. He used members of Congress that were inclined to agree with his efforts in order to pass legislation. But ultimately it was the crash of flight 800 that shook the American public and Congress enough to allow President Clinton to push for more spending for anti-terrorism measures. He also used members of his Cabinet to enforce his message and convince Congress of the need to act. Overall, President Clinton was as successful as any president could have been under the same circumstances. Of course, the Lewinski scandal did take away from his presidential power by diverting the agenda away from the issue of terrorism.

## CHAPTER 7: WHO KNEW?

James Woods was on a flight from Boston to San Francisco on August 1, 2001. He could not help noticing four Middle Eastern men riding with him in first class. In watching the four passengers, he noticed they carried no hand luggage onto the flight, which was a little odd. What was odder still was the way they completely ignored the female flight attendant, as if her presence did not even register. Wood's first impression was that they were either criminals or law enforcement because they never spoke, an unbroken line of communication tying them together that usually exists only between people engaged in a common mission. He concluded that they were going to hijack the plane. He said that the clues were obvious enough that he asked the flight attendant if he could speak with the pilot. When the plane finally landed the pilot and flight attendant reported the incident to the FAA—which had already been alerted by the White House to the likelihood that al Qaeda would attempt a terror strike that summer.<sup>18</sup> This incident clearly indicates that there was plenty of information available to the appropriate agencies that the possibility of an al Qaeda attack was a real possibility. This flight was a practice run for the terrorists and was discovered by an observant passenger. With the information that the White House had given to the FAA, obviously from FBI and CIA reports, this was a significant piece of the puzzle as to the terrorist plan. The how and who were revealed. The only unanswered questions to be asked were, “Where” and “When?” Of course, what was still not a clear answer as of yet was what were they going to do? But of course, was it all just that easy? Could the FBI just have picked up the passengers and foiled the plot to destroy

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<sup>18</sup> Op. Cit. Miller, Stone, and Mitchell, pg. 294-95

the World Trade Center? What would have been the charges? They certainly had not violated any laws concerning the flight. There were only suspicions--pieces of a puzzle that did not really match.

If the White House had notified the FAA that there was an al Qaeda threat in the summer of 2001, more information like that of James Woods should have focused the FBI's suspicions of what was going to happen. But the problem with a study of what was known by the FBI and the CIA is that what is known now and has been published is the information relevant to the attack on the World Trade Center. The tips and other leads that misled the FBI and CIA in their investigation of al Qaeda would presumably fill volumes.

Earlier, FBI field agents in Phoenix, Arizona, uncovered a disturbing pattern that indicated that a number of Islamic terror suspects they had been following "had begun applying for pilot training at a local flight school—too many to be a coincidence."<sup>19</sup> The agents were aware that a cooperating witness testifying in the recent East African bombing trial had revealed that bin Laden was planning to send operatives to the U.S. for pilot training.<sup>20</sup> The agent sent a letter to the Counterterrorism Section at FBI headquarters stating, "The purpose of this communication is to advise the Bureau and New York of the possibility of a coordinated effort by Osama bin Laden to send students to the United States to attend civil aviation universities and colleges."<sup>21</sup> He went on to further state that, "Phoenix believes that the FBI should accumulate a listing of civil aviation universities/colleges around the country...FBI field offices with these

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<sup>19</sup> Ibid, pg. 287

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

types of schools in their area should establish appropriate liaison.”<sup>22</sup> Unfortunately, none of these warnings was ever heeded. Headquarters felt that this type of investigation would have required too much manpower when an investigation of the attack on the *U.S.S. Cole* was being conducted. The failure to follow up on this recommendation proved to be a terrible mistake. Had these leads been followed, agents would have discovered that these students were strangely interested only in in-flight procedures and were not interested in take-off or landing procedures. Had the schools and instructors been made aware of the terrorism potential of these students, they might have passed on the strange behavior to the FBI. How does something like happen? There are a couple of answers. Possibly the first and most troubling issue is “risk aversion.” In many of the FBI offices there is a mentality that exists in which the agents do not want to implement any new initiative for fear of risking their reputation or status. This is called risk aversion. Part of the problem was reflected in the fact that field offices of the FBI were reluctant in passing on information to higher ups. They did not want to “rock the boat,” or cause more work for themselves. On the other end, the FBI headquarters office often did not have idea of what to do with the information that they were receiving. There was no central clearinghouse of information.

Another problem with the FBI’s method of operation is that it focused on making cases and not gathering information. The FBI culture had one fundamental weakness. It tended to be *reactive, rather than proactive*. The FBI’s focus had been of making criminal cases rather than penetrating terrorist groups to prevent the next attack.

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<sup>22</sup> Ibid.

As we dug into the daily grind of FBI terror investigations, we bumped up against a kind of Golden Rule: *Whenever the risks of collecting intelligence were weighed against the imperatives of making cases, the need to make cases won out.* (Emphasis added) <sup>23</sup>

With two government agencies involved in investigations of terrorism, interdepartmental communication was another problem. Communication problems between the FBI and CIA were even worse than between the FBI headquarters and their field offices. Communication had vastly improved since the establishment of the CIA's Alec Station in early 1996, but the improvements were limited as the attack on the World Trade Center on September 11, 2001, clearly showed. It was a game of high-stakes poker with neither the FBI nor the CIA showing their cards. What made it worse is that they would not even show their cards to their own agents. The Phoenix and Moussaoui memos were never considered together. The Immigration and Naturalization Service [INS] was told a little, and that was too little and too late for September 11. This is the reason that two hijackers were able to get into the United States well after the FBI and CIA had designated them as terrorists.<sup>24</sup>

Too much interdepartmental "turf" protecting was a major contributor to the lack of information reaching the proper authorities and the eyes and ears of people who had the knowledge and authority to act on the information. The infrastructure necessary to properly analyze this information existed at the time of the attack on September 11, 2001. The FBI and

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid. pg. 331-32

*Pena Addresses Price of Airline Safety; Terrorism May Force Massive Upgrade of System, Secretary Says*: Stephen C. Fehr, Washington Post, Aug, 2, 1996



CIA both reported regularly to the National Security Advisor. But, as I have shown, the agencies themselves were incapable of creating a complete picture from the pieces that each had. And at the risk of reciting a timeworn cliché, We are always fighting the last war. The new war is terrorism. The rules are completely different. Civilians are now legitimate targets. In this war soldiers are not afraid to die for their country; they intentionally die for their cause, taking as many of the enemy as they can, whether they are combatants or not. Until American leaders and decision-makers understand this fundamental rule, we will not be able to successfully defend ourselves against this type of war.

## CHAPTER 8: CONCLUSION

The attack on the World Trade Centers had many signs that would have led leaders to take preemptive measures to prevent those attacks. Were the signs missed? Not really. Why then were these attacks allowed to occur? As we have examined the several areas of government and the press were not capable of acting before the events to prevent disaster. Ultimately, public opinion and pressure alone will cause the government to act. Without this public pressure, Congress did not appropriate sufficient amounts of money to insure the adequate safety of military bases and personnel in Saudi Arabia, Tanzania and Kenya. Information about the activity of terrorists in Yemen that would have prevented the successful attack on the U.S.S *Cole* would have been provided to the commander of that vessel. Information is the key here. There was sufficient information in place that would have indicated to anyone concerned that there was major activity around the world to indicate the United States and Americans around the world were at risk of terrorist attacks. The bombing of Khobar Towers in Saudi Arabia, the bombings of the two embassies in Africa and the attack on the U.S.S *Cole*, just to name the big ones. So with these actions, how could we have predicted the attack on the World Trade Center on September 11, 2001? For starters, the attack on the World Trade Center in 1993 would be one good example. And once we found the perpetrators, we discovered plans to blow up other landmarks and transportation infrastructure in the New York area. These should have been red flags and sirens in the intelligence community and the government that the United States was a prime target for terrorist attacks. As we have found, there is no one is specifically responsible for the security of Americans, inside of the United States below the President of the United States.

The President of the United States has limited powers when it comes to the security of the United States. His powers are limited to making sure that the laws are faithfully executed. He does have discretion as to how some funds are allocated and where they are spent. But, primarily it is the duty of the president to keep the public informed and aware of the danger faced by the public to actions of terrorists abroad. His other role as president is to inform the public of risks to the country. This is not an easy task as we have seen. If the president is continually in the public arena talking about the potential dangers that face Americans at home and around the world, he may run the risk of numbing the public to his warnings. This is something like Chicken Little warning constantly that the sky is falling. As some point the public stops listening and the president's warnings go unheeded. On the other hand, if the president and his advisors know of the potential risks and say nothing to the public, they run the risk of having a serious terrorist attack occur with the president seemingly unaware of the potential situations. The president alone with the aid and support of those around him are incapable of preventing the type of terrorist attack that occurred on September 11, 2001.

The role of the press in these types of situations is similar to that of the president. They are responsible to tell the American public the truth about what they know in an objective and timely manner. The weakness of the press is that of their believability by the public. For whatever reasons many people do not believe that the media are telling them the whole truth or are slanting the story to fit a particular political point of view. This limits the press' effectiveness in warning the public of the pending danger from terrorist attack. They run the risk of falling into the "Chicken Little" scenario. So they either over-report the stories or run the risk

of numbing the public to the risk or under reporting the stories and failing to adequately reporting the true risk of any situation.

Where does the responsibility rest with Congress? As the Constitution has prescribed its fundamental responsibility is to legislate and at times investigate the behavior of the other branches. These functions lend themselves more readily to correcting past mistakes and insuring future compliance with Congressional wishes. Was Congress equipped to prevent the attack on the World Trade Centers on September 11, 2001? The answer is clearly, yes. It had the previous attack in 1993 to use as a starting point for its investigation and as the years passed, there were other attacks on Americans around the world that showed Congress and the President the threat that existed to the United States and its citizens around the world. The attacks on the United States military barracks in Saudi Arabia, the bombings of the United States embassies in Africa and the attack on the U.S.S *Cole*, should have been a clear message to Congress that they needed to act to protect Americans abroad and at home. It was not so much that Congress did not know that the United States was a potential target of terrorism from terrorist organizations, it was a matter of “how.” Up until 9/11, terrorist acts had been committed by suicide terrorists with bombs strapped on their body or they drove bomb-laden trucks into buildings and then detonated them. No one in Congress could have predicted that a team of hijackers would take control of commercial aircraft and fly them into the World Trade Center towers, the Pentagon, and possibly the Capital. Even if Congress had thought that this was a possibility, the cost of securing every commercial flight would have been prohibitive. And who would have to pay? Ultimately, the flying public would have paid some of the cost, but the taxpayers would have had to pay the rest. Congress was not willing to expend tax dollars to stop a remote, potential threat. Even if

Congress had allocated the funds for such a project as protecting commercial aircraft, would the president and the agencies such as the FBI and FAA been willing spend the money in a way that would have thwarted the threat of a terrorist attack? There were pressures from the public not to increase taxes. The Republicans had just won Congress in 1994 with a “Contract with America” promising to reduce the size of government and reduce spending. Airlines were also feeling the pinch economically and were not willing or able to share the costs of increased security at the airports. Congress was in no position to increase spending for airport security in the latter part of the 1990s even with increased threats from terrorist abroad.

I am not for a moment saying that Congress is blameless in this tragedy. It had the opportunity to appropriate more money for anti-terrorism programs for agencies like the FBI, CIA, and the FAA. It could also have done its investigative job to determine who was doing the most to thwart terrorist activities. What caused Congress to hesitate or fail to proceed was the lack of public support or pressure. I will address that issue later.

Public knowledge of the terrorist attacks on Americans abroad was based new reports from television and newspapers. The press attention to terrorism abroad was limited to a few minutes of news at night or a few lines in the newspapers. The press had the problem of either over-reporting the terrorist events or under-reporting them. If the media reported stories of terrorism around the world, they run the risk of desensitizing the public to terrorism. Numbing the public to terrorism invariably leads to less public concern and demand for action. There is also the accusation on the part of some that there is a bias on the part of the media and that stories reported by the “liberal biased” media has less truth than is otherwise the case. Public skepticism of the media can result in a belief that the media is over-playing or over-dramatizing

the situation. This results in a lessening of the pressure on the government to act in a way to protect the public from terrorist attacks. The media can have only limited effect on public opinion when the public already has preconceived beliefs about the bias of the media to begin.

The two levels of public concern work against the press' ability to raise the alarm of international terrorism. The first level, the *abstract* concern for public safety leaves the public feeling safe enough to believe that even though terrorism does happen, "it won't happen here." This level of concern does not generate into a public demand for measures by Congress to make them safe. Without this demand for action, Congress has little incentive to pass legislation to increase security at home or abroad if it will cost millions of the taxpayer's dollars. No amount of press exposure can increase the level of activity on the part of the public if they feel that it is not going to occur to anyone they know or to themselves. Not believing that this thing could happen in the United States and the believing that terrorism just won't occur to them makes most Americans believing that they are safe from terrorism. And in fact, they are. With the death toll from the attack on the Trade Center towers at nearly three thousand, in a nation of almost 300 million, few people believed that this would ever happen to them. Although, a great percentage of the population flies commercial airlines in their lifetime, this is the only link that many have to fearing terrorism. So, no matter what the press tries to do to increase the awareness of the public of the possibility of terrorist attack in the United States, the public feels relatively safe and secure in the homes and workplaces. At least it may be enough to refrain from petitioning the government to make drastic steps to increase the safety and security of public transportation. This may in part be due to the fact that we are not sure exactly how the terrorist will attack next.

Ultimately, in a representative form of government like the United States, the public opinion is the engine that drives the governmental process. Without, the demand for action, even with a president who clearly sees the threat, the public must be educated to the danger. For Congress makes the laws and appropriates the funds necessary to take measures required to increase protective measures against terrorism. In the final analysis, what motivates politicians in most democracies is the need to be in office. To ask too much from one's own constituents puts a politician at risk of being defeated at the next election. This is the ultimate restriction on a politician's actions. In a democracy like that in the United States all politicians look toward the next election as the ultimate goal. Therefore, if the public opinion is not inclined to support a program of increased spending on security, it is very unlikely that any politician would risk his incumbency to enact legislation that would increase taxes, increases the cost of flying or create more inconvenience for the flying public.

When all is said and done, elected officials and the bureaucracies that they create are incapable and unwilling of acting without public pressure. Even when signs are apparent to experts and have been reported to the public in sufficient fashion, it may not be enough to move public opinion to the point where they are able to motivate elected officials.

The President is currently trying to justify spying on American citizens through their use of the phones, by telling that the intelligence necessary to stop terrorism may be within those phone conversations. That well may be true, but the United States government had all of the information necessary to stop the attacks on September 11, 2001. With the Phoenix memorandum, the FBI could have notified all of the field offices of the activities of the Saudi Arabian nationals and contacted local flight schools and asked about suspicious activities. This

might not have rounded up all of the terrorists, but it could have thwarted their attempts to hijack an airplane and crash it into a major United States building. The actions of individuals in the government who have the knowledge and foresight to see acts of terror on the horizon may well be our only defense against major acts of terror against the United States. Ultimately, in the final analysis, each and every American will have to depend on themselves to be the one who makes the United States secure from acts of terror. Our leaders take cues from the public to which they are elected to serve.

What can be done to prevent this from happening again? To address the media's role in a solution, we must look at the opinionization of the news. Too many "news" programs have a political agenda and so they maximize or minimize the threat of terrorist attack. This confuses the public and tends to question the reality of the danger. News programs need to provide the most up-to-date information unvarnished. Maybe then the public will take these stories at face value and act accordingly. The public on the other hand needs to take reports of terrorism seriously and not just as a world problem that does not include them. They must begin to include themselves in the community of nations that has to deal with the issue of terrorism as one that they must face. They must look at each act of terrorism and see who it is aimed. Only when the public looks at acts of terror as a whole and sees them as a threat to Americans and the United States can the public work to prevent terrorism.

The President and Congress can work together before another 9-11 occurs to put into place effective measures to protect the public. Although it is difficult to imagine a forward looking Congress, but the need is for them to develop scenarios that might occur that would threaten the health and lives of large numbers of Americans. For example, attacks on nuclear



power plants that would cause massive leakage of radioactive material, contamination of local water supplies that could endanger the health of thousands of residents, and even the setting of several brush fires in forest fire prone areas of the United States that could endanger the lives and homes of thousands. Undoubtedly, this would cost millions or even billions of dollars to create an infrastructure to prevent and fight these terrorist threats, but Congress could put into place the necessary equipment and command structure to begin to address the problem. The size and distances involved in this country require national attention. No one state can itself address these problems adequately. The president could lead this effort by creating panels of experts in different areas to develop solutions and make recommendations to Congress. The president can also restructure his law enforcement agencies to train members of its departments to develop skills in looking for potential acts of terror instead of reacting to terrorist acts that have already occurred. Focusing on conspiratorial acts and looking for patterns that occurred before terrorist acts in the past could lead these teams to potential terror groups before they strike. Laws would have to change to either outlaw some of these acts or at least make them act that would put individuals on a watch list or a no-entry list could prevent further acts of terrorism.

The two major areas for prevention of terrorism are protection of vulnerable areas, such as nuclear power plants and water supplies. And the changing of the mindset of the law enforcement agencies to gear themselves toward looking for pre-terrorist acts and addressing them before the act occurs. Both take large quantities of manpower and money to implement, but that is what will be required to accomplish the goal of deterring terrorism.

It is apparent to the reader that I have failed to mention or refer to the 9-11 Commission's Report. There are a couple of reasons for this. The first is that a major portion of this paper was

written before the Commission's Report was published. The second reason is that I wanted to appear to do my own research and not to be piggy-backing off of the Commission's Report. It would be easy to look at the same facts and come to the same conclusions as the Commission, but I would feel that I somehow was not faithful to myself or my reader in providing my own sources of information and conclusions even if they end up being the same. I have read the Commission's Report and believe they did a comprehensive and fair evaluation of the facts. Our findings differ in the specific recommendations that they can make because of their closeness to the departments and agencies of the government which need to be changed.

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