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Remarks As Prepared for Delivery By Assistant to the President for Homeland

Security and Counterterrorism Lisa Monaco

Good afternoon—thank you so much, Andrew [Weissmann]. It's always a good rule of thumb to have a friend introduce you, and Andrew and I go back a long way. We're here today to discuss a critical topic at a critical time, and I'd like to thank everyone at NYU Law and the Center on Law and Security, especially Sam Rascoff and Zach Goldman, for inviting me to be part of this conference.

It strikes me that NYU's motto is particularly appropriate for the topic at hand: *Perstare et praestare*. To persevere and to excel. That motto reflects how the men and women of the counterterrorism community approach their mission every day.

Protecting Americans at home and abroad is our first responsibility as a government, and the President's first responsibility as Commander-in-Chief. My job as the President's homeland security and counterterrorism advisor is to wake up every morning thinking about how to confront the array of transnational and unconventional threats our nation faces.

So many of you are drawn to this topic because of what happened 12 years ago in this proud city, and at the Pentagon and in the skies above Pennsylvania. For many in the NYU community, the attack wasn't just a national tragedy, it was a personal trauma. You lived it. We can never forget the clouds of ash that blotted out a September sun, the twisted steel that scarred Lower Manhattan, or the gaping hole left in our hearts by the thousands we lost. That's why, over the past 12 years and across two different administrations, thoughtful people have come together in settings like these to help shape the response to the many challenges—legal, ethical, strategic—that we have faced in confronting evolving threats. Events like these have helped to shape our national response, and today, I can tell you that this nation has developed an expertise in counterterrorism that is unequalled. We've persevered in our fight against extremism, and we've exceled at our mission to identify threats and prevent attacks.

Our approach reflects a comprehensive—and tailored—CT strategy; one that draws on all elements of our national power. This strategy must be precise and sustainable—it cannot rely on open-ended war that drains our resources and risks undermining national consensus on combatting terrorist organizations. As President Obama said in his speech at the National Defense University in May, "We must define our effort not as a boundless 'global war on terror,' but rather as a series of persistent, targeted efforts to dismantle specific networks of violent extremists that threaten America." If we do that, I have no doubt that we can defend our nation and emerge even stronger.

We're at a law school, so it's appropriate to talk about the "theory of the case." When it comes to confronting terrorism threats today, our theory of the case is about *partnerships*. This element of our

strategy often gets lost in all the focus on direct action taken with drones or special operations forces. To succeed—and to be sustainable—we need an approach that goes beyond direct action. Our strategy reflects a commitment to partner with host nations, with allies, and across the expertise in our own government to confront an increasingly diverse and diffuse terrorist threat.

That doesn't mean we're taking our foot off the gas when it comes to pursuing terrorist groups that threaten our nation. Far from scaling back our counterterrorism operations, our special operators, intelligence and law enforcement professionals are more integrated and more effective than ever. That integration and tempo of operations was on full display last month when over the course of a few days, the U.S. government executed a series of operations targeting specific threats —including an attempted capture of an al-Shabaab leader in Somalia, the successful capture of Abu Anas al-Libi —indicted for his alleged role in al-Qaeda's conspiracy to kill Americans, including the bombings of our embassies in Kenya and Tanzania 15 years ago. These actions send the message loud and clear: We will use every tool at our disposal to prevent an attack against the United States or go after those who seek to do us harm—no matter how long it takes.

Today, I want to discuss the full range of activities we undertake to protect the American people. To disrupt, dismantle and defeat al Qaeda, its affiliates and adherents, while preserving American values, all of these pieces must work together.

Threat

As this conference recognizes, we live in an era of evolving threats. A host of factors—from political upheaval in the Middle East to easy access to information—have spawned a more diverse terrorist threat than we faced a decade ago. The group that attacked us on 9/11—core al-Qaeda—is a shadow of its former self, and we continue to degrade its capacity. While it remains intent on attacks against the U.S. homeland, its ability to mount a successful operation inside our borders is significantly diminished thanks to the work of CT professionals from all over the world. Al Qaeda core's leaders now spend more time hiding than plotting attacks. In their place, more dispersed terrorist elements have taken on greater prominence in the fight.

First, there are the regional al-Qaeda affiliates. Chief among them is al Qaeda in the Arabian Peninsula–the most ambitious and active affiliate. It has tried—and failed—to attack the U.S. homeland three separate times. And it was a serious threat from the Arabian Peninsula that prompted us to temporarily close our embassies in the region over the summer.

In Somalia, al-Shabaab is under pressure but still capable of sowing havoc, as we saw in the Westgate mall attack in Nairobi earlier this fall. Some of its members remain committed to attacking the United States. Al-Qaeda in the Islamic Maghreb controlled parts of Mali last year. And figures connected to the group, like Mokhtar Belmokhtar, seek to terrorize innocent civilians, as we saw last

January in the hostage situation at the In Amenas gas plant. And we are deeply concerned about a spike in threats from al-Qaeda in Iraq and groups like al-Nusrah Front in Syria that are intent on exploiting regional instability to gain a foothold in the Middle East. Syria is one of the most difficult CT challenges on the horizon, and it will require coordinated international action to resolve.

For the most part, the ambitions of these groups are regional and attacks are localized, but they remain a very real threat to U.S. interests. They may not yet be capable of conducting large-scale attacks against the U.S. homeland, but they are actively targeting American embassies, assets, businesses, and citizens in their reach.

A second category of threats are those loosely aligned groups who are not al-Qaeda affiliates but who subscribe to al-Qaeda's ideology. In recent years, these adherents have become increasingly active. They are opportunistic—leveraging economic and political instability in the Middle East and Africa, porous borders awash in weapons, and the confluence of nationalism and extremism to advance their own objectives. They are perfectly willing to use violence to achieve a political goal or expand their territory.

The clearest example is the violent extremists in Libya. The Libyan people largely reject extremism, and they are working hard to throw off a legacy of dictatorship and to build a democratic government from the ground up.

But strong institutions are not yet in place—including security forces—that can serve Libya's citizens. The United States is working to support progress in Libya, including with our NATO Allies to provide training to Libya's armed forces. But it will take years of steady effort and hard work. Meanwhile, extremists groups like Ansar al-Sharia are able to exploit the lack of strong institutions to cause real damage and forestall progress. It was in this environment where terrorists attacked our facilities in Benghazi last year and killed four brave Americans. We remain concerned about instability and extremist influence in the country, even as we recognize that we have a good partner in Prime Minister Zeidan.

The third category of threat is the most unpredictable—extremists who self-radicalize here in the United States, sometimes without any personal contact with al-Qaeda, beyond perhaps consuming their online propaganda. Attacks like we saw in Boston last spring are not unstoppable, but the self-contained nature of this threat presents an added layer of difficulty for those who work nonstop to detect them.

That's not an exhaustive list of every terrorist group and threat we're tracking, of course. Iran and Lebanese Hizballah operate around the globe; Boko Haram and Ansaru in West Africa; extremist groups in South and Southeast Asia; and we are always vigilant against domestic terrorism. And, every terrorist group does not pose the same level of threat to the United States. As the threat has

become decentralized, we must be disciplined in differentiating between groups that pose a threat where they exist, and groups that have the will and capacity to project power. But since 9/11, the threat is marked by more decentralization, more diverse actors, more attacks of opportunism.

Strategy

So how are we addressing this dynamic threat? We're pursuing a multi-faceted strategy that includes our military, diplomacy, financial action, intelligence and law enforcement. And in each of these areas, we are building partnerships that span borders: soldier-to-soldier, cop-to-cop, prosecutor-to prosecutor, diplomat-to-diplomat.

In all that we do, we rely on a comprehensive legal framework that brings all tools to bear: law enforcement, military, and intelligence. This is seen in our use of both Article III courts as well as reformed military commissions in appropriate cases. We gain valuable insights into the threats we face from intelligence collection using the Foreign Intelligence Surveillance Act, as well as by executing search warrants and serving grand jury subpoenas. And while we conduct operations under the Authorization to Use Military Force overseas, we also draw on law enforcement relationships and tools like Interpol "Red Notices," to have terrorists arrested. Not every tool will be appropriate for every threat. But by integrating all of the tools, we ensure that our counterterrorism strategy is flexible enough to adapt as the threats change.

Architecture

Direct military action is a vital aspect of our CT strategy. As President Obama has said, we will never hesitate to use force, including lethal force, if necessary, to protect the American people. We take lethal action against terrorists who pose a continuing, imminent threat to the United States and its people. But capture will always be the preferred course where feasible, and the President has shown his willingness to send in special operations units to capture individuals when a host nation cannot or will not take action.

These actions are conducted under strong oversight. All strikes outside of Iraq and Afghanistan are briefed to the appropriate committees of Congress. The actions are also legal. Within a week of 9/11, Congress overwhelmingly passed the Authorization for the Use of Military Force, and as a matter of domestic and international law, the United States is at war with al Qaeda, the Taliban, and associated forces. The AUMF has been a vital source of authority and it continues to be applicable to the threats we face today. Over time, we will need to ensure our authorities reflect the specific needs of our current counterterrorism work. That's why the President is committed to working with Congress to refine, and ultimately repeal the mandate of the AUMF.

Though CT direct action often dominates the headlines, it is only the proverbial tip of the spear. If

there is one factor that has defined our success over the past 12 years, it's partnership. Whether in Yemen or Iraq, Afghanistan or Pakistan, the Maghreb and Sahel, or in Europe, other governments often understand the root causes of terrorism in their countries and the weaknesses of our enemies better than we do. They are often better positioned to provide sustained counterterrorism pressure. We can provide training and equipment and share information, but our partners bring a knowledge, legitimacy and reach that amplifies our efforts. These relationships help secure borders, degrade terrorist networks and take the fight to our enemies, wherever they hide. That's why we've built strong relationships to support every pillar of our counterterrorism architecture—starting with our military cooperation.

Military partnership played out last year in North Africa when al Qaeda's branch in Africa—AQIM—took control of much of north Mali. Mali's government was weakened by a coup, and loosely organized extremists exploited a power vacuum. They combined easy access to weapons with a warped ideology. They destroyed ancient treasures—including Muslim artifacts—and terrorized the local population. So an international coalition, led by France and including support from the United States and partners in Europe, Africa and the Middle East, worked with the Malian military to drive the extremists out. The U.S. provided airlift and refueling support, and we continue to supply critical needs, including food and water, and training, for more than 6,000 African soldiers and police who have been deployed since the beginning of the successful international response. This international partnership paved the way for safe elections and renewed stability in Mali, taking on both the immediate threat and the dire conditions that helped the extremists take hold in the first place.

That leads me to a second major pillar of our counterterrorism strategy: our international engagement to isolate terrorist groups and deny them resources.

The UN Al-Qaeda sanctions regime, established unanimously under Security Council Resolution 1267, obligates member states to freeze the assets and prohibit travel of al Qaeda associates. The Security Council has used this tool to impose sanctions on 221 individuals and 63 entities engaging in terrorism, raising funds, or providing other support to al Qaeda. The global consensus and cooperation around these sanctions have limited the ability of bad actors to operate in the global financial system and, in many cases, to undertake terrorist acts across national borders.

Sulayman bu Ghayth was a terrorist designated on the UN list and a prominent member of al-Qaeda on 9/11. When he tried to surreptitiously transit the globe earlier this year, he was detected and detained by our partners, allowing us to bring him to the United States to stand trial for his crimes. And last week, we announced that we've added Boko Haram and Ansaru—deadly terror groups in Nigeria—to those designated as foreign terrorist organizations, another step in cutting off funding and other forms of support to growing terrorist threats.

We also work through mechanisms like the Financial Action Task Force. Since 9/11, the United States has worked closely with the 35 other members of this group, including Russia and China, to clamp down on money laundering and combat the financing of terrorism. This coalition has helped more than 40 countries—places like Nigeria, Morocco, and the Philippines—pass legislation to curb the flow of money to terrorist groups through banks and across borders.

Of course, one of the most essential tools for tracking and disrupting terrorist plots is reliable intelligence and partnerships that allow us to share it. That's the third pillar of our counterterrorism structure. Our strong intelligence cooperation with other nations is essential when it comes to taking on transnational terrorist networks, a fact foreign partners recognize as well as we do. So, while public debate surrounds the recent unauthorized intelligence disclosures, we should not ignore the value of the U.S. intel community – including NSA – in combatting terrorism.

Intelligence programs save lives. They help disrupt terrorist cells abroad before they can strike at our closest allies, and they allowed the FBI's Joint Terrorism Task Force and the NYPD to capture the New York City subway bomber before he could execute his plan. The dedication of the men and women of our intel community, including at the NSA, is a significant reason we have enjoyed relative security since 9/11. We cannot afford to relinquish this tool any more than we would sacrifice our military advantage; so, even as we take necessary steps to review our intelligence programs and ensure they are appropriately tailored and have the right level of policy oversight, we also need to preserve our capability to protect our nation. We are committed to striking the right balance between securing Americans and our allies and the privacy concerns all people share.

Law enforcement and the criminal justice community constitute the fourth pillar in our CT structure. I witnessed the FBI and the Department of Justice transform from exclusively law enforcement agencies to vital and active elements of our national security structure. From the National Security Division at Justice—which I was privileged to lead before coming to the White House—to the Department of Homeland Security and the National Counterterrorism Center, we have created institutions where professionals sit and work together to better share their expertise. So the idea that we could ever return to a pre-9/11 approach to CT is not only wrong, we've made it downright impossible.

A clear example of this is the capture at sea and the successful prosecution of Ahmed Warsame. It's a textbook case of how we draw on the strengths of each CT pillar and bring them together to deliver results. Warsame was al-Shabaab's liaison to AQAP in Yemen. Our intelligence community identified and tracked him. At the right time, while he was in transit between Yemen and Somalia, our military captured and held him for two months for interrogation, gaining a trove of new intelligence on two major al Qaeda affiliates. Afterwards, he was Mirandized and indicted by a grand jury, but he chose to continue speaking with the FBI, providing further valuable intel in exchange for a

plea deal. Ultimately, he was charged and pleaded guilty.

And, it was intelligence, carefully gathered over a period of years, and fed to special operators, as well as close coordination with the FBI, that landed Abu Anas al-Libi in a New York courtroom last month.

Finally, our strategy depends on diplomatic and civilian assistance for our partners. Across the Middle East and North Africa, and in countries undergoing transition all around the world, our diplomats and development experts are working around the clock to help our partners better serve the needs and aspirations of their people.

Yemen offers perhaps the most striking example of how we have helped improve a partner's CT capacity while supporting a political reform process aimed at making the government more responsive and accountable to its citizens. Since 2009, we have invested nearly $400 million to train and equip the Yemeni military, including their specialized CT units. A highly-effective Yemeni offensive last year helped drive AQAP out of communities and gave the Yemeni people the confidence to rise up.

But just as important to our CT goals, the Yemenis are leading a historic national dialogue to chart a more just and democratic future for their country—an effort I discussed just yesterday in a conversation with President Hadi. The United States has provided support to Yemen's political transition, including preparations for the constitutional referendum, national elections, and ensuring that women, youth, and civil society are all active participants in the national dialogue. At the same time, we are providing humanitarian assistance to relieve the growing crisis caused by the widespread lack of access to food and clean water. And, looking toward a more stable and prosperous future for all the people of Yemen, the United States is investing to help spur greater economic growth over the long term.

In the Horn of Africa, an international coalition of African partners is actively pushing back the threat of al-Shabaab. The African Union Mission in Somalia, or AMISOM, is establishing the security conditions necessary for Somalia's government to operate, with financial support and training assistance from the United States and our international partners. But we have also invested heavily to encourage the new government to develop accountable and representative institutions so that Somalia can eventually become a peaceful nation, capable of protecting and policing itself. As the famine we saw a few years ago recedes, we have shifted our focus. We're supporting activities that build stability, foster democracy, and boost economic growth. And, we are working with the international community to build cooperation among Somali regions and clans and to bolster local support for the nation's government and institutions.

Responding to Future Threats

Now, despite our many successes, the unfortunate truth is that there will always be another threat. Killing Osama bin Laden and degrading core al-Qaeda does not put an end to terrorism or our focus against it.

Terrorists will continue to attack our diplomatic facilities, our businesses, and our citizens, and we know al-Qaeda core and its affiliates, like AQAP, remain determined to attack the homeland. We also see the potential for direct threats to emerge from new directions, particularly from al Qaeda-linked groups in Syria, which are gaining strength in the midst of a protracted conflict between rebel forces and Assad's regime. So our counterterrorism strategy not only focuses on detecting and defeating threats, it seeks to bolster the resilience we show as a people. That means that we recognize and accept the risks of being present and engaged around the world, even as we work to protect all those who represent our country abroad.

It also means recognizing that homeland security is more than just taking your shoes off when you fly. It's about how we prevent, mitigate, respond to, and recover from emergencies, whether that's terrorist attacks or natural hazards like hurricanes and floods or tornadoes.

In Boston and New York, in West, Texas and Moore, Oklahoma, across the Jersey Shore and in communities all over this great nation, we have seen Americans come together to rebuild their lives after a tragedy. Think about the neighbors who worked together to muck out their homes after Hurricane Sandy. Remember the everyday citizens who became extraordinary heroes when the bombs went off in Boston—running **into** the smoke and confusion and fear to help. The refusal to be terrorized; the readiness to rebuild—that's resilience. And that's what we are working to build into every layer of our society.

That's why the final essential pillar of our counterterrorism architecture is also this country's greatest asset: our people, and the values we stand for. Community connections are the bedrock of our resilience to terrorist threats. And we rely on strong community engagement to prevent attacks before they can take place. By working together, we can intervene with individuals a community identifies as in danger of radicalizing before they become a threat.

Those in al-Qaeda and other extremist groups perpetuate a warped vision of the world where Muslims and the United States are locked in perpetual conflict, and where basic rights and liberties are not shared equally. As we actively refute this ideology in public forums around the world and online, we also strive to project the power of our most deeply held values in word and deed. Part of that effort depends upon turning the page on elements of the post-9/11 period, which is why we remain committed to closing the prison in Guantanamo Bay, which has become a drain on our resources and a polarizing symbol around the world.

Conclusion

In this job, people often ask me what keeps me up at night. As I've outlined today, there are many out there who wish to do us harm—around the world and here at home, as we saw last spring in Boston. The Boston Marathon bombings happened within my first few weeks on the job. It was the nightmare scenario, and it happened in my hometown. It was a round-the-clock effort to track down the perpetrators and help the city of Boston regain its sense of security.

Today—rather than what keeps me up—I'd like to end by telling you what helps me sleep, and that is my complete faith in the men and women who have dedicated their lives to this nation. From the intel analyst sifting through data to find the critical clue, to the special operations sergeant risking his life to help one of our partner nations succeed, to the prosecutors and judges and cops who serve justice back home, they persevere; they excel.

There is no such thing as certainty in counterterrorism work, and there is no such thing as 100 percent security. Still, we make progress each and every day to undermine the conditions where terrorists can operate. There are numerous silent victories. We've built a robust counterterrorism architecture to meet the threats we face today, and with your help, the new threats we will face in the future.

Thank you.