

**HEARING OF THE SENATE COMMITTEE ON HOMELAND
SECURITY AND GOVERNMENTAL AFFAIRS**

SUBJECT: LESSONS FROM THE MUMBAI TERRORIST ATTACKS, PART II

WITNESSES:

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CHAired BY: SENATOR JOSEPH LIEBERMAN (ID-CT)

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SEN. LIEBERMAN: Good morning, and welcome to the hearing. Let me welcome the witnesses; really first welcome the new members of the committee. It's been a very refreshing shuffling, shall we say, of our lineup, and it's great to have Senator McCain joining the committee, and I look forward very much to working with him here, as we do in so many other areas.

I welcome the recently minted, newly sworn-in senator from Colorado, Michael Bennet, who brings great experience in the private sector and has worked as superintendent of schools in Denver, and most particularly brings the irreplaceable experience of having spent most of his childhood in Connecticut, and having been educated at Wesleyan, where his dad was the president, and even at Yale Law School. So later on, when it comes to your time, you can speak in your defense. I thank everybody.

Let's go right to the hearing. On the evening of November 26, 2008, 10 terrorists began a series of coordinated attacks on targets within the city of Mumbai, India, the largest city and the financial capital of that great country and our very close ally. Over the next 60 hours, as the entire world watched, these 10 terrorists paralyzed a city of more than 13

million, killing nearly 200 people and leaving hundreds more wounded before the situation was brought under control with nine of the terrorists killed and one captured.

On January 8th, this committee held a hearing to examine the lessons learned from these attacks that could help us strengthen our homeland security here in the United States. We heard from three government witnesses representing the Department of Homeland Security, the FBI, and the New York police department.

We examined a range of issues related to the attacks, including the nature of the threat posed by the terrorist group that most apparently carried it out, Lashkar-e Taiba, the tactics used by the attackers and the efforts to protect so-called soft targets. And this really will be, in many ways, a critical focus of our hearing today.

The Mumbai terrorists attacked hotels, an outdoor cafe, a movie theater, a Jewish community center, places that are not traditionally subject to a high level of security, which is why I suppose we call them soft targets. This hearing today will address some of those same issues, with particular emphasis on what we here in the United States, public and private sector working together, can do to better protect these so-called soft targets.

Our witnesses today are each from outside the government, representatives of the private sector, including a great American hotel chain and a real estate company, each of which owns and oversees and manages a very significant number of soft targets. We also are very privileged to have two well-respected and known experts on both terrorism and national security and international relations, Mr. Brian Jenkins and Dr. Ashley Tellis.

The protection of these kinds of soft targets is a challenge to an open society such as ours or India's. By definition, they are facilities that must be easily accessible to the general public and are often used by large numbers of people at one time, making them inviting targets for terrorists who don't care about killing innocents. But that, of course, does not mean that we can or should leave these targets unguarded, undefended. A range of activities and investments can be deployed to enhance soft-target security, including training for personnel, physical security measures and effective information-sharing between the government and the private sector. A basic level of security, of course, is also important across all commercial sectors to commerce itself. In 2007, this committee created within the 9/11 commission bill of that year the Voluntary Private Security Sector Preparedness Accreditation and Certificate Program, an attempt to incentivize private-sector companies to be certified as complying with voluntary professional preparedness standards. And I look forward to hearing from our witnesses from the private sector today about how that and other similar programs are working and what we can do, public and private sectors working together, to enhance that security.

We're going to explore additional issues in this hearing, privileged, as we are, to have Mr. Jenkins and Dr. Tellis here, including the threat posed by Lashkar-e Taiba, the tactics they used in the Mumbai attacks, the challenges of responding to such attack, and, of course, what we can do with our allies in India to increase the security that our people feel at home in each of our two countries.

And now Senator Collins.

SEN. SUSAN COLLINS (R-ME): Thank you, Mr. Chairman. Let me begin by thanking you for holding this follow-up hearing on the terrorist attacks in Mumbai. The witnesses appearing before us today represent two important additional perspectives on these attacks. As you mentioned, they represent nongovernmental organizations and private businesses.

The two hearings that we have held will provide valuable insights that can be used to improve and strengthen security policies in our country. With approximately 85 percent of our country's critical infrastructure in private hands, a strong public-private partnership is essential to preventing attacks and to promoting resiliency when disaster strikes. Through the National Infrastructure Protection Plan, DHS and the private sector have cooperatively developed best practices that will improve our ability to deter attacks and to respond and recover in a crisis. By bringing together representatives from the 18 infrastructure sectors, the NIPP process also builds and strengthens relationships between public and private-sector officials that promote better information-sharing.

The plans developed through this process must not be allowed to just gather dust on shelves in Washington. It is critical that the department and its private-sector partners translate these planning documents into real-world action. If that link is not made, then even the best-laid plans will provide little security benefit. The relationships fostered between the department and the private sector are absolutely critical. And we learned at our last hearing of the work that's been done by the New York police department in cooperation with private security guards. I was very impressed with that program as well. The fact is that the government, working alone, simply does not have all the resources necessary to protect all critical infrastructure from attack or to rebuild and recover after a disaster. It has to be a cooperative relationship. That's why effective preparedness and resiliency relies on the vigilance and cooperation of the owners and operators of the private-sector facilities as well as the general public.

I mentioned at our last hearing that Senator Lieberman and I authored legislation that was included in the 2007 homeland security law to promote the reporting of potential terrorist threats directed against our transportation system. We've already seen the benefit of reports by vigilant citizens which helped to thwart an attack on Fort Dix, New Jersey. The reports of other honest citizens, the good-faith reports, could be equally important in detecting terrorist plans to attack critical infrastructure or soft targets like hotels, restaurants and religious institutions that were targeted in Mumbai. That's why I believe that we should consider expanding those protections from lawsuits to cover other good-faith reports of suspicious activities.

As the analysis of the response to the Mumbai attacks continues to crystallize, it's also becoming increasingly apparent that the Indian government failed to get valuable intelligence information into the hands of local law enforcement and the owners of facilities targeted by the terrorists. That's why I'm particularly interested in how we can improve information-sharing with the private sector in this country. And the Mumbai attacks demonstrate the perils of an ad hoc, poorly coordinated system. Finally, as the

chairman has indicated, the instigation of the Mumbai attack by a Pakistan-based terrorist organization underscores the importance of this committee's ongoing work in seeking to understand and counter the process of violent radicalization no matter where it occurs.

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The difference lies in the planning and scale. Assembling and training a 10-man team of suicidal attackers seems far beyond the capabilities of the conspirators identified in any of the local terrorist plots that we have uncovered in the United States since 9/11. We simply haven't seen that level of dedication or planning skills. However, we have seen in this country lone gunmen and teams of shooters -- where they're motivated by mental illness or political cause -- run amok, determined to kill in quantity. The Empire State Building shooting, the LAX shooting, Virginia Tech, the Columbine cases all come to mind. Therefore, an attack on the ground carried out by a small number of self-radicalized, homegrown terrorists armed with readily available weapons in this country -- perhaps causing scores of casualties -- while still beyond what we have seen, thus far is not inconceivable.

It is also conceivable that a team of terrorists recruited and trained abroad -- as the Mumbai attackers were -- could be inserted into the United States, perhaps on a U.S.-registered fishing vessel or pleasure boat, to carry out a Mumbai-style attack. This is a risk we live with, although I would expect our police response to be much swifter and effective than we saw in Mumbai. Thank you very much.

SEN. LIEBERMAN: Thanks, Mr. Jenkins.

That was a very thoughtful, insightful opening statement. It struck me, as you were describing Mumbai, it was as if you were describing a battle, which it was. It reminds us we're in a war. That their tactics and the deployment of the use of weapons -- if you have so little regard for human life that you're prepared to do what those people are prepared to do -- there's no limit as to how you will carry out the battle as you see it. So thank you. Ashley Tellis has served our government and been outside government in various stages of his life. Now coming to us as senior associate at the Carnegie Endowment for International Peace, we welcome you this morning. I gather that you're just back from a trip to India.

MR. TELLIS: Yes, I am.

SEN. LIEBERMAN: Thank you, welcome.

MR. TELLIS: Thank you, Mr. Chairman. Thank you, Senator Collins. I'm going to speak today on the three issues that you invited me to address in your letter of invitation: to describe the nature of LeT -- Lashkar-e-Taiba -- as a terrorist organization; to assess what the threat posed by LeT to the United States is; and then to explore what the U.S. can do in the aftermath of these attacks. Let me start by talking about LeT as a terrorist organization. And I think the simplest way to describe it is that of all the terrorist groups

that are present in South Asia today, LeT represents a threat to regional and global security second only to al Qaeda. This is because of its ideology. Its ideology is shaped by the Ahl-e Hadith school of Saudi Wahabism; and its objectives are focused on creating a universal Islamic caliphate, essentially through means of preaching and jihad -- and both these instruments are seen as co-equal in LeT's world view.

A very distinctive element of LeT's objectives is what it calls the recovery of lost Muslim lands -- that is, lands that were once governed by Muslim rulers, but have since passed to other political dispensations. The objective of creating this universal Islamic caliphate has made LeT a very close collaborator with al Qaeda. And it has collaborated with al Qaeda in Afghanistan since at least 1987. Its objective of recovering lost Muslim lands has pushed LeT into a variety of theaters outside South Asia. We have identified LeT presence in areas as diverse as Palestine, Spain, Chechnya, Kosovo and Eritrea.

From the very beginning, LeT was one of the principal beneficiaries of the Pakistani intelligence service's generosity, because of its very strong commitment to jihad, which was seen by the ISI -- the Pakistan intelligence service -- as being particularly valuable in Pakistan's ongoing conflict with India. LeT's objectives, however, have always transcended South Asia. If you look at the LeT website, if you listen to the remarks made by Hafiz Saeed, the emir of the LeT and read its numerous publications, there are recorded references to both Israel and the United States as being co-joined targets of LeT objectives, in addition to India. And there is frequent reference to the "Zionist-Hindu-Crusader" axis, which seems to animate a great deal of LeT's antipathy to liberal democracy, which it sees as being implacably opposed to Islam.

Today, Indian intelligence services assess that LeT maintains a terrorist presence in at least 21 countries worldwide. And this terrorist presence takes a variety of forms -- everything from liaison and networking to the facilitation of terrorist acts by third parties; fundraising; the procurement of weapons and explosives; the recruitment of volunteers for suicide missions; the creation of sleeper cells, including in the United States; and actual armed conflict. Despite this comprehensive involvement in terrorism, LeT has managed to escape popular attention in the United States, primarily because it operates in the same theater as al Qaeda and al Qaeda's perniciousness has essentially eclipsed LeT's importance. After Mumbai, that forever may be on the cusp of changing.

Let me say a few words about the threat posed specifically by LeT to the United States. It's useful to think of this issue in terms of three concentric circles: threats posed by LeT to U.S. global interests; threats posed by LeT to American citizens -- both civilian and military worldwide; and threats posed to the U.S. homeland itself. When one looks at U.S. global interests, which would be the first circle, it's easy to conclude the LeT has been actively and directly involved in attacking U.S. global interests through its activities in Afghanistan, Iraq, Palestine, Southeast Asia and Western Europe. And in many of these theaters, there has been exclusive cooperation in al Qaeda; and particularly in Southern Asia with both the Afghan and the Pakistani Taliban.

Where LeT's threats to U.S. citizens are concerned -- that is, U.S. citizens worldwide, both civilian and military -- these threats traditionally have been indirect. And until the events in Bombay, LeT did not direct lethal attacks on American citizens directly; however, it has a long history of cooperating with other terrorist groups who make it their business to attack American citizens and American interests.

When one looks at the third dimension -- LeT threats to the U.S. homeland -- thus far, these threats have only been latent. LeT cells within this country have focused on fundraising, recruitment, liaison and the facilitation of terrorist training -- primarily assisting recruits in the United States to go to Pakistan for terrorist training -- but they have not engaged in lethal operations in the United States as yet. This has been, in my judgment, because they have concluded that attacking targets -- including U.S. targets in India -- are easier to attack than targets in Israel or the United States. U.S. law enforcement has also been particularly effective in interdicting and deterring such attacks -- particularly after September 11th. And LeT has already got to reckon with the prospect of U.S. military retaliation should an event occur on American soil.

My bottom line is very similar to that adduced by Brian Jenkins: LeT must be viewed as a global terrorist group that possesses the motivation and the capacity to conduct attacks on American soil if opportunities arise and if the cost-benefit calculus is believed to favor such attacks.

Let me end quickly by addressing the question of what the United States should do. I would suggest that we have three tasks ahead of us in the immediate future. The first order of business is simply to work with India and Pakistan to bring the perpetrators of the attack in Bombay to justice. We have to do this both for reasons of bringing retribution, but more importantly, for reasons of establishing deterrents. Attacks like this cannot go unanswered without increasing the risk of further attacks against American citizens either in the United States or abroad.

The second task that we have is to compel Pakistan to roll up LeT's vast infrastructure of terrorism. And this infrastructure within Pakistan is truly vast and directed not only at India, but fundamentally today against U.S. operations in Afghanistan; secondarily, against U.S. operations in Iraq; and finally, against Pakistan itself.

We have to work with both the civilian regime, the Zardari government that detests the LeT and detests extremist groups in Pakistan, because then there's the Pakistani military with whom we cooperate in our operations in Afghanistan, but regrettably still seems to view support to groups like LeT as part of its grand strategy vis-a-vis India.

The third and final task before us is to begin a high level U.S./Indian dialogue in Pakistan and to expand U.S./Indian counterterrorism cooperation, which unfortunately has remained rather languid in the last few years. We need to focus on intelligence sharing. We have made some progress particularly in the aftermath of the Bombay attacks, but this intelligence sharing is nowhere as systematic and comprehensive as it ought to be.

We also need to look again at the idea of training Indian law enforcement and their intelligence communities, particularly in the realm of forensics, border security and special weapons and tactics.

And, finally, cooperative activities of India in the realm of intelligence fusion and organization coordination, the issues that Senator Collins pointed at to, I think would be of profit to both countries. These tasks are enormous and the work that we have ahead of us has only just begun. Thank you, very much, Mr. Chairman.

SEN. LIEBERMAN: Thanks very much, Dr. Tellis. It's an excellent statement, very helpful. Incidentally, as you know I think there is a program that this committee has worked on that does support joint bilateral efforts in research and training et cetera; Senator Collins and I have worked on that. There are eight countries in it now, but India is not yet one of them. And there's a 50/50 sharing but very productive joint efforts. So we're going to meet soon with the new Secretary Napolitano and urge her to initiate discussions with the Indian government to develop that kind of joint program which will be mutually beneficial in terms of homeland security. I thank you.

Now we go to the private sector. We're very pleased to have the next two witnesses with us, really in the middle of exactly what we want to hear about. J. Alan Orlob is the Vice President, Corporate Security at Marriott International and deals with this all the time and as Brian Jenkins said a recognized international expert in this area. Thanks for being here. Look forward to hearing you now.

MR. ORLOB: Thank you, Chairman Lieberman, Senator Collins. It's nice to be here today.

I'm going to talk today about the attacks that occurred in Mumbai and specifically about what happened at the hotels and what we're doing at hotels. On November 26th when the attacks occurred, four of the shooters entered the Taj Mahal Hotel, another two entered the Trident and Oberoi hotels. I traveled to Mumbai three weeks after the event with my regional director to see what had happened. We went to the Taj Hotel expecting to spend less than an hour. Instead, we were there for almost three hours inspecting the scene of the carnage briefly and then spent considerable time with the Taj group executive director of hotel operations as to how they could secure their hotel in the future. As reported in the media he was frustrated with the intelligence provided by the government and the police response. The tactics used against the hotels in Mumbai were not new, a similar attack had been staged at the Serena Hotel in Kabul, Afghanistan a year earlier. In September, we had been attacked by a large truck bomb in Islamabad. The Hyatt, Radisson and Days Inn hotels were attacked by suicide bombers in Amman, Jordan, in 2005. The Hilton Hotel in Taba, Egypt and the Ghazala Gardens Hotel in Sharm El Sheikh were attacked in separate incidents. The J.W. Marriott Hotel in Jakarta was struck by a vehicle-borne IED in 2003.

Hotels present attractive targets. In many cities, they are icons of commerce and tourism. Our guests includes celebrities and diplomats. As the U.S. government hardens buildings

overseas, terrorists shift to softer targets, including hotels. Sixteen years ago, as Marriott expanded its international footprint, we developed a crisis management program. We wrote a crisis manual and designated a crisis team. We conduct training, including tabletop exercises. We subscribe to a number of commercial security services that provide intelligence. We have analysts based in Washington and Hong Kong to give us a 24-hour capability.

Based on these assessments, we developed specific procedures for hotels to follow. Using a color-coded threat condition approach, we direct hotels to implement those procedures. Under Threat Condition Blue, our lowest level of enhanced security, we have nearly 40 procedures. Threat Condition Yellow adds additional security layers. At Threat Condition Red, our highest level of security, we screen vehicles as they approach the hotel, inspect all luggage and ensure everyone goes through a metal detector.

In response to our risk assessments, we have added physical security measures, particularly in high risk locations, including window film, bollards and barriers. X-ray machines are present in many of our hotels, and where appropriate, we employ explosive vapor detectors and bomb sniffing dogs. We have developed advanced training programs for our security officers working in high risk locations. In the wake of the Mumbai attacks, we recently developed an active shooter program, combining physical security with operational security and awareness programs.

Last September, the Islamabad Marriott was the victim of a terrorist attack. This hotel was operating at Threat Condition Red. On September 20th at 8:00 p.m. a suicide bomber drove a large dump truck to the hotel. As he made a left turn into the driveway, he shifted into first gear and accelerated, attempting to drive through the barriers. The hotel was using a combination of a hydraulic barrier coming up from the pavement, commonly called a delta barrier, and a drop down barrier to stop vehicles before they were inspected. These barriers contained the vehicle and it was not able to move further. When the bomber detonated his charge, 56 people were killed, 30 of them were members of our hotel staff. There were nearly 1,500 people in the hotel at the time. It was Ramadan and they were dining breaking their fast. Our security measures saved hundreds of lives. Dr. Rohan Gunaratna, a noted terrorism researcher in Singapore, wrote an article shortly afterwards calling the Islamabad Marriott the world's most protected hotel. We had 196 security officers, 60 of them on duty at the time, 62 CCTV cameras looking both inside and outside the hotel, and bomb sniffing dogs. It was the type of security that you would never expect to see at a hotel. Terrorist tactics continue to evolve, our security must evolve as well.

In my department we study terrorist attacks against hotels. The attacks in Mumbai presented several lessons to be learned. It was widely reported that the terrorists had been in the hotel for several months, at times posing as guests, taking photographs and learning the layouts of the hotels. We believe awareness training should be conducted for employees to understand what may be suspicious and should be reported. We recently developed a program to place disciplined, specific posters in non-public areas of the hotels outlining suspicious activities to increase awareness. The housekeeper cleaning a room who finds diagrams of the hotel should report it. In high threat areas, a covert

detection team should be employed which is specifically trained to identify individuals conducting a hostile surveillance.

According to media reports, the police responding were not familiar with the building layout. Plans provided to them were outdated and did not indicate where recent renovations had taken place. We believe hotel management should develop a relationship with local authorities and conduct joint training exercises. Current building plans with detailed photographs and video should be provided to the authorities.

The Taj Hotel management reported that intelligence agents had provided information which resulted in the hotel lowering their security measures. We believe hotels should develop independent intelligence analysis capabilities. Security professionals should interpret intelligence and determine mitigation measures. Hotel managers in most cases are not trained in intelligence analysis and do not understand countermeasures necessary to deter or mitigate an attack.

The hotel lacked physical security measures which would have made it more difficult for the attackers. This included multiple entrances, lack of a sprinkler system and open stairways. We believe hotel design should consider security features early in the architectural planning stage.

I hope my comments have been helpful. I'm happy to provide more detail, and thank you for inviting me to testify.

SEN. LIEBERMAN: Thanks, Mr. Orlob. You've been helpful. I look forward to the question period.

Finally, we have Michael Norton who is the Managing Director, Global Property Management and Operations of Tishman Speyer. Thanks for being here. Go right ahead. If it's not, we'll turn it on from up here.

MR. NORTON: Thank you, Chairman Lieberman, Senator Collins and members of the committee for this invitation to address the committee and discuss lessons learned from the Mumbai terrorist attacks. I am responsible for managing and directing all global property management activities at Tishman Speyer.

Tishman Speyer is one of the leading owners, developers, operators, and fund managers of first-class real estate in the world. Since 1978, Tishman Speyer has acquired, developed and operated over 320 projects totaling over 115 million square feet throughout the United States, Europe, Latin America and Asia. Some of our properties include New York's Rockefeller Center, the Chrysler Center and the Met Life Building. Today, our in-house property management specialists are responsible for more than 200 buildings reflecting 84 million square feet of Class A office, residential and mixed-use properties in 34 markets around the world. In 2005 Tishman Speyer became the first U.S. real estate company to sign a joint venture agreement to develop in India. Today we are

pursuing projects in multiple cities including, Mumbai, New Delhi, Bangalore, Hyderabad, Tellpur, and Chennai.

I am testifying today on behalf of The Real Estate Roundtable, where our company's co-chief executive officer, Robert Speyer, is chair of the Homeland Security Task Force. I am also testifying on behalf of the Real Estate Board of New York and BOMA International, two organizations where I personally sit on senior governing boards and councils. In addition to my work with these organizations, I am a lieutenant colonel in the U.S. Marine Corps Reserves. Next month I enter my 25th year of service.

Looking forward, for the owners and operators of high-profile commercial buildings, there are at least five priority areas for continued concern in light of the Mumbai attacks: one, the need for ever-improved communications capabilities, both in-house and with local law enforcement and emergency response agencies; two, the still not fully tapped potential of employees at commercial buildings to help law enforcement and homeland security officials detect threats and assess vulnerabilities; three, more fully addressing our interdependence and co-location with mass transit and other major soft-targets; four, acknowledging and improving our role as the first responders in the period between the initiation of an attack and the arrival of law enforcement; and, finally, acknowledging our dependence on well-informed and well-equipped law enforcement and homeland security/emergency response officials for effective deterrence and response.

Shortly I will suggest some specific ideas for making progress in each of these areas, but first let me talk a little more about the changing threat environment and some of the steps our company and others in our industry have taken since 9/11 to better manage those. Given the primary role of local law enforcement in deterring terrorists from commencing a commando-style attack, the core mission for building owners in the event of such an attack should be to limit loss of life and property for as long as it takes law enforcement to control the situation. To that end, security and building staffs will be acting as first, first responders. It is important to remember, however, that unlike traditional first responders from the police force, our personnel are unarmed. In our view, this critical interim role requires more attention. Building personnel can and should be trained to identify suspicious behavior, especially behavior consistent with surveillance or casing of our facilities.

When we look at some of the post-9/11 office building initiatives that are now set in place, we see many that will assist us in meeting our goal of protecting the lives of our tenants. These initiatives or practices can be organized into six basic categories: communications, training programs, emergency response, target-hardening techniques, information sharing, and coordination initiatives. While all of these play a significant role in managing the risk of a Mumbai type of attack, I would like to focus principally on communications, training and target hardening.

The single greatest lesson learned from 9/11 was the need for robust local communication channels with emergency response officials. We have made significant progress in achieving this goal in many of the larger cities that we own properties in. New York City

has, in my opinion, become the gold standard in this regard. As an example, the NYPD gave a briefing on the Mumbai incident to security directors just a week after the attacks that included a live commentary from an NYPD captain that was still on-site in India. To varying degrees, this kind of public-private communication is happening in Washington here, Chicago, and Los Angeles. More can and should be done to improve the programs in those cities and to bring a similar spirit of partnership to other U.S. cities.

Since 9/11 the security industry has improved the training of its employees in key areas such as surveillance techniques, observation skills, and building layout designs. For example, SEIU, the Service Employees International Union, the largest services union in North America, has developed a 40-hour course for their officers in New York City, and I think they're going to adopt that in other cities, most recently Washington and San Francisco. Almost every terrorist attack requires a great deal of planning and preparation, including site visits to determine how the target is protected both during business hours and after business hours. If trained in how this surveillance is likely to occur, our security personnel will be in a better position to act as the eyes and ears of the police and to detect this kind of suspicious behavior.

Local law enforcement also needs to train in a way that is geared toward specific types of buildings or even specific iconic structures. As Police Commissioner Ray Kelly said in testimony before this same committee earlier this month, "In Mumbai, the attackers appeared to know their targets better than responding commandos." At the very least, local police should be aware of the layout of all high profile buildings and who owns or manages them. DHS has conducted threat assessments of many iconic properties, and in some but not all cities local police do as well. I believe this is an extremely important pre-attack planning need. Just as terrorists conduct pre-raid surveillance acts and intelligence gathering operations, we need to do the same.

After 9/11, building owners have hardened many commercial office properties in ways that could assist in defending against a Mumbai type of attack. But we must be realistic and recognize that our security officers are all unarmed and most building lobbies are accessible to the public. Well armed walking terrorists would have no trouble gaining access. This is why the key to preventing a Mumbai attack in major cities will be our reliance on the quick actions of our local police and regional law enforcement.

Hardening measures are shared through the exchange of best practices, both in the United States and sometimes in our counterparts overseas. One London program that has gained the support of the private sector is called Project Griffin. Under this program the City of London Police and the Metropolitan Police train private sector's security officers in a wide range of procedures to combat urban terrorism, offer them weekly intelligence briefings and deputize them during periods of high threat alerts to perform certain functions.

At the beginning of my testimony I mentioned five key areas where we need to continue to make progress. Taking these points one by one let me offer some quick suggestions. Communications and information sharing. Our goal in the commercial real estate high rise office industry is to best protect the lives of our tenants and visitors until the local

law enforcement can appropriately deal with the situation. To that end, effective information sharing partnerships with local officials will be critical. Programs such as NYPD Shield or Project Griffin in London need to become the norm in major urban areas. Federal and state policies should encourage the launch of such programs on an expedited basis.

Terrorism awareness training and exercises. Local law enforcement and emergency response officials should also be encouraged by state and federal policies to train and exercise jointly with the private sector. Just as we need to learn more about likely emergency response actions in an emergency, government officials need to better understand our facilities and our personnel's capabilities and limitations in a crisis. Interdependence with mass transit. One specific area that I recommend be further advanced is joint training regarding the inter-dependencies, including co-location of iconic buildings and mass transit facilities. Specifically, we need to develop effective tabletop exercises between local police, fire, medical, public health and our building staffs using scenarios, based in part on Mumbai type attacks, that affect the government and private sector. We would be happy to offer use of our buildings and similar iconic buildings as the site for such an exercise in the future and would encourage other building owners to undertake similar joint exercises with mass transit officials.

I've mentioned that our building staff and security officers will be the first responders if a terrorist targets our office environment. Improving training of building staff on building operations, emergency procedures, first aid, and the means to effectively evacuate, shelter-in-place, or close off sections of a property is crucial. In addition, I believe now is the time to consider offering to these brave men and women the special financial and medical coverage that other first responders, like police and fire, can obtain in the event of terrorist events.

While I know you all understand this, it bears repeating: At the end of the day the private sector has a support role in dealing with Mumbai type of attacks. The primary responsibility is with local law enforcement. We have a huge stake as an industry in programs, including federal programs that offer those brave men and women the training, cutting edge intelligence and equipment they need. I believe we can and should do more in that regard.

This concludes my oral testimony. Thank you.

SEN. LIEBERMAN: Thanks, Mr. Norton. I'll tell you, well do six-minute rounds, why don't we, of questions. Both of you have described very active programs for Marriott and Tishman Speyer. Am I right to conclude that almost all of this is self-generated and not incentivized by government in the first place?

MR. ORLOB: In our case that's certainly true.

SEN. LIEBERMAN: Yeah. Mr. Norton?

MR. NORTON: A little of both -- more so private too, and then we get -- and like I said, in the New York sector we get a lot of participation with NYPD, so we work closely with them.

SEN. LIEBERMAN: So New York is, in a way, an exception, or, as you said, the gold standard. That is the one case where you're working very closely with a governmental entity.

MR. NORTON: More so than other markets, yes.

SEN. LIEBERMAN: Have you had any contact with the Department of Homeland Security in Washington in the development of the security programs that you have, Mr. Orlob?

MR. ORLOB: About a year ago there were a few of us in the hotel industry that formed a group called the Hotel Security Group.

SEN. LIEBERMAN: Yeah.

MR. ORLOB: And basically we took the 10 biggest hotel companies and reached out to their corporate security directors. So we brought them in. And the purpose of it is information sharing, but also we reached out to the State Department's Overseas Security Advisory Council, OSAC, and we also reached out to DHS. DHS came to us and explained to us a lot of the training that they offer, especially in surveillance detection, all the type of things we were looking for. So they have reached out and they have offered to provide those programs.

SEN. LIEBERMAN: How about you, Mr. --

MR. NORTON: We've had -- in the post-9/11 era DHS has done threat assessments --

SEN. LIEBERMAN: Right.

MR. NORTON: -- on some of our iconic assets and we've worked closely with them on evaluating those and have used some of their standards to implement while we purchase other assets.

SEN. LIEBERMAN: I know that a number of organizations have issued standards and guidelines to help the private sector secure critical infrastructure, but I wanted to ask you now to indicate the extent to which industry associations have assisted you in the development of the security steps that you've taken. Mr. Norton?

MR. NORTON: I think it's more -- not so much industry but working together as real estate companies, so sharing best practices, sitting in groups like the Real Estate Board of New York with other owner/operators. And every day buildings trade hands, trade ownership --

SEN. LIEBERMAN: Right.

MR. NORTON: -- with purchasing or acquiring or developing, and it becomes best practices. So it's more internally within the private sector we're sharing best practices, we're doing our own threat assessments. And we learned lessons from the blackout we had in 2003 and from -- obviously the post-9/11 era that we work in more so of that. And there are some industries -- Bowman (sp) International has guidelines that they provide us and that we live by and that we look at as we execute certain things in our buildings.

SEN. LIEBERMAN: Do you think that the security measures that Tishman Speyer have taken are typical of large real estate entities in our country, or are they unusually -- is your company unusually active and aggressive in this area?

MR. NORTON: I think that they're very similar when you put it in a Class A format.

SEN. LIEBERMAN: Right.

MR. NORTON: And there's five or six real Class A operators of that kind of real estate, and I think they're pretty much using the same standards in that --

SEN. LIEBERMAN: But probably others have not, in part I assume because of the costs. Is that right?

MR. NORTON: Everything is market-driven --

SEN. LIEBERMAN: Right.

MR. NORTON: -- and cost is the key. Tenants have escalated the costs of security, cleaning, engineering, and it's what the tenant is willing to pay. As you know, in Washington you can walk freely into buildings without turnstiles, but in New York City you can't walk freely in without checking an ID then getting a pass to go through a turnstile. So it's a different flavor.

SEN. LIEBERMAN: Correct. And I assume, just to make the point, that part of what your company is investing so much money in security also has to do with a financial calculation, that the security itself is a commercially attractive asset.

MR. NORTON: Absolutely. It's an investment and we hope to attract Fortune 500 tenants to those types of assets --

SEN. LIEBERMAN: Yeah.

MR. NORTON: -- and pay higher rents because they're in a secure environment.

SEN. LIEBERMAN: Mr. Orlob, talk a little bit about the hotel industry, but also I was fascinated because some things are done in little ways -- the idea that you would train the housekeepers to be alert to what they may observe in the course of just cleaning up a room. As you said, if they see blueprints of a hotel, that should ring some alarm bells and they should report -- I mean, are all of Marriott's employees now being sensitized to look for that kind of information?

MR. ORLOB: Well certainly they are in what we call high-risk environments.

SEN. LIEBERMAN: Yeah.

MR. ORLOB: You know, when we look around the world we have about 40 of our hotels at what we call "threat condition red."

SEN. LIEBERMAN: Right.

MR. ORLOB: I think we have 42 of our hotels at "threat condition yellow" and about -- I think we have close to 70 hotels at "threat condition blue." So these are the hotels that have enhanced security. We started the program there, rolling it out to those hotels, because we wanted them to get that information right away so that those employees are sensitized to it. But as we continue to roll this program out, we want to get this out to all our employees.

SEN. LIEBERMAN: Dr. Tellis, let me just ask you a big question. I don't have much time left, but I thought it was significant that you pointed out that Lashkar-e-Taiba is now second to al Qaeda in that part of the world, but also because -- very important -- because the first news reports, some of them, indicated that this is a group that was focused on Kashmir, that the dispute between India and Pakistan on Kashmir -- now, you're saying, and I know you're accurate here, that all you've got to do is listen to them and read their stuff. This is a much more global Islamist group, correct? And that's why the relevance to the U.S., although, as you said, the threat here -- they're here but the threat is latent -- is important for us to focus on.

MR. TELLIS: That's right, and the record I think speaks even more clearly than what they say because LET started operating in Afghanistan in 1987. It moved into Kashmir only in 1993, and it did so really at the behest of the ISI. And the track record of the group's evolution clearly shows that Kashmir came somewhat late in the day --

SEN. LIEBERMAN: Right.

MR. TELLIS: -- as an operational theater to them. They really have a global agenda.

SEN. LIEBERMAN: You make an important factual point. To the best of your knowledge, LET, Lashkar-e-Taiba, was not founded by ISI. I take it it was founded before, but I gather at some point a link was made. Is that correct? Because some have said it was founded by ISI.

MR. TELLIS: No, it was founded by three individuals, one of whom was supposedly a mentor to Osama bin Laden, but it became very quickly tied to ISI because its motivations and its worldview are very compatible with the leadership of ISI at that time.
SEN. LIEBERMAN: Right.

MR. TELLIS: And so it became one of the preferred -- (inaudible).

SEN. LIEBERMAN: Thanks. My time is up. Senator Collins?

SEN. COLLINS: Thank you. Mr. Chairman, I would note that we have a vote on. Do you want us to proceed for a time, or how would you like to --

SEN. LIEBERMAN: Yeah, I'll tell you what; if we can do it, why don't you proceed? I'll go over.

SEN. COLLINS: Okay.

SEN. LIEBERMAN: And I hope to come back in time, and we'll keep going as long as people are here.

SEN. COLLINS: Thank you.

SEN. LIEBERMAN: Okay.

SEN. COLLINS: Mr. Jenkins, you mentioned that the attack on the train station in Mumbai accounted for more than one-third of the deaths, and you talked about the fact that if you look at other terrorist attacks around the world, that mass transit is frequently a target because of the number of casualties. How would you evaluate the security that we have in the United States and the priority that we're placing on securing train stations and other areas of mass transit?

MR. JENKINS: The challenge in protecting public service transportation in this country is the fact that it is public, and that is we have to begin with the idea that this is a public facility that is supposed to be convenient for passengers to use. And it's an even greater challenge than aviation security. We can take the aviation security model and apply it to surface transportation. We now employ 45,000 screeners to screen approximately 2 million passengers a day boarding airplanes in this country. The number of people who use public surface transportation in this country is many times that.

So costs, manpower and delays would prohibit that kind of a model, so what we are looking for -- it's clearly a vulnerable target; it's an attractive target. What we're looking for are mechanisms in which we can both -- do several things: one, increase the deterrence and preventive measures without destroying public surface transportation, and that takes both capital investment, it takes training, and indeed according to some, we are behind in funding that, in closing that vulnerability.

We also need to be able to put into place mechanisms that provide a platform so that in high-threat environments or, say, our transit systems in the immediate wake of something like the attacks in Mumbai or London or Madrid, we can go up several notches but have the training and platforms for doing that. So if we have to increase the number of patrols or go to selective searches, we can do that, and we're trying to do that now.

The third area has to do with response -- crisis management, things of that sort -- and we're behind in that, and I think the operators can do more than that. There is a recent DHS report out that says that really -- a report on this for the first time -- that we're probably behind in developing our emergency planning and response capabilities.

SEN. COLLINS: Thank you. Mr. Orlob, I too was struck by the statement in your testimony where you talked about training the housekeepers who are in high-risk hotels to report suspicious activities such as finding diagrams of the hotel in a room. I believe that one of our principal weapons in detecting and disrupting a terrorist attack is vigilant citizens reporting suspicious activity. I mentioned in my opening statement that to encourage that kind of reporting in the transportation sector, the chairman and I authored a bill that became law to give immunity from lawsuits if someone in good faith reports to the proper authorities evidence of a terrorist plot or other suspicious activities. Currently, however, the law is very limited. It only applies to reports of suspicious activity in the transportation sector.

Would you support expanding that law to provide immunity from lawsuits to individuals who, in good faith, report suspicious activities to the appropriate authorities? Do you think it would help your efforts?

MR. ORLOB: I think that makes a lot of sense. I'm sure there's some sensitivity among some of our employees to report things like that just because of what you're talking about. And I think if they knew that they were not subject to any type of lawsuit or prosecution that -- certainly that makes a lot of sense.

SEN. COLLINS: Mr. Norton?

MR. NORTON: My only real exposure to that is, obviously, New York City they have a campaign and if you see something, say something. And it's inundated throughout the city.

And, again, I think it would be helpful to educate people as to what does that mean and am I protected if I'm going to make a phone call. But frankly, I think in New York, people are very quick and willing, especially in the post 9/11 era, to make that call. We have a lot of tourists that come, take lots of pictures, lots of videos. But when they're doing things in railway stations or in loading docks, people make that phone call. So I think you have to encourage it. You have to encourage people to make that call. It'll save lives.

SEN. COLLINS: Thank you. Senator McCain.

SEN. JOHN MCCAIN (R-AZ): Thank you, Madam Chairman. And I thank the witnesses for being here.

And Mr. Jenkins I will read your book immediately and I thank you for your important contribution and that of RAND to helping us understand this attack.

I do think we should highlight the fact that it's the first attack that has been as well orchestrated, as well trained, as well equipped, obviously out-gunned they -- until the commandos showed up; that they weren't necessarily suicide individuals, that they were able with just a handful of people to hit 10 targets. I think there's a whole lot of lessons here that maybe we haven't paid that much attention to.

So I guess that one of my first questions, Mr. Jenkins, what do you think is the danger of -- in going along with your book that the terrorists organizations within Pakistan might be able to obtain the nuclear weapons that we all know that Pakistan has?

MR. JENKINS: I think it's a real concern. I think that -- I mean, we do receive regular reassurances from the Pakistani authorities that they have the nuclear weapons under tight control. But one does worry when we look at the nexus in Pakistan between organized crime figures like Daoud Ibrahim and terrorist organizations. And we look at the black markets that were created to support Pakistan's own nuclear program through AQ Khan. I mean, this is a set of connections between organized crime, government authorities, terrorist organizations that does raise the specter of the possibility of large-scale finance and real concerns if they move into weapons of mass destruction.

I don't want to exaggerate the threat because I still do believe that terrorists get a tremendous amount of mileage out of doing low- tech things without attempting to do some of the more technologically challenging things. And this was, as I mentioned before, an example of basically small unit infantry tactics that paralyzed a city of 20 million people for the better part of three days.

SEN. MCCAIN: And obviously knew the territory, at least as far as the Taj Hotel is concerned, a lot better than any of the people who were trying to eliminate them.

Dr. Tellis, very quickly -- and I apologize because we have a vote going on -- you said the terrorists have got to be brought to justice and the Pakistanis have to roll up this -- the terrorist organizations but particularly the LeT. What do you think the chances of that happening are? It hasn't yet.

MR. TELLIS: The chances are remote, but we can't afford to keep it that way because we've essentially seen this game evolving now for close to 20 years. And the costs of these terrorists staying in business has progressively increased.

(Cross talk.)

SEN. MCCAIN: Does that then over time increase the likelihood that the India -- that the government of India will feel they may have to take some action?

MR. TELLIS: Yes, sir.

SEN. MCCAIN: It's a real danger.

MR. TELLIS: It is a real danger. In fact, the current crisis is not over yet.

SEN. MCCAIN: Thank you, Madam Chairman. I apologize. I have about 20 more questions but I appreciate the witnesses and their testimony here this morning. Thank you.

SEN. COLLINS: We will suspend the hearing just briefly until Senator Lieberman returns. Thank you.

(Recess.)

SEN. LIEBERMAN: Thanks very much. The hearing will resume. Thanks for your patience and understanding. I gather Senator McCain was in the middle of his questioning, but we'll wait till he comes back and bring him on. But Senator Bennet, it's an honor to call on you for the first time in the committee; very pleased that you've joined the committee. You bring considerable talents both to the Senate and to the Homeland Security Committee, and we look forward to working with you. Thank you very much.

SEN. MICHAEL BENNET (D-CO): Thank you, Mr. Chairman. I want to say thank you to you and the staff for being so welcoming to me as the newest member and to Senator Collins as well for her leadership of the committee. I look forward to serving.

I had a couple of unrelated questions. One, Mr. Jenkins, you mentioned that as we look at Pakistan, the choice might be less than full cooperation, on the one hand, versus -- I think you described it as internal chaos on the other hand. And I wondered whether we can glean anything from their response to the attacks in Mumbai that give us some indication of whether those remain our two choices and what a third choice might be, if there is one.

MR. JENKINS: They -- the government of Pakistan did make some response in doing some things under great pressure. Their response is generally not regarded as adequate, certainly not regarded as adequate by the Indian authorities.

One of the problems that the Pakistan government also faces is public opinion in Pakistan itself. I mean, according to public opinion polls, the number one long-term national security threat to Pakistan is the United States. Number two is India. And you go way down the list before you come to al Qaeda, the Taliban, LET and the other groups, so that the government of Pakistan really has to almost defy public opinion to do something. Moreover, we do have the reality that the civilian elected government's authority over the Pakistan military and intelligence services is limited. So we can keep on pressing them, as we should, but I think this is -- we have to accept that this is going to be a long-term

diplomatic slog before we really can enlist Pakistan as being fully cooperative against terrorism.

And, by the way, the problem didn't begin with this government or even the previous government. It was recognized by the National Commission on Terrorism in 1999 and 2000 that Pakistan was not fully cooperating against terrorism.

SEN. BENNET: In view of that, I mean, it's obviously hugely problematic since that's where these groups are being harbored. What is it that can be done besides -- I mean, we've got the diplomatic slog on the one hand, but what steps are we taking or should we take or India to protect these targets, knowing that we won't get the sort of cooperation immediately that we need from the Pakistani government or military.

MR. JENKINS: I think we have to work directly with the military to bring about at least a shift among some in the military to increase cooperation in going after these groups in this tribal area, in its border area. We do have some relationships that have been developing. I think our long-term goal there is to create an effective -- a more effective military capability to deal with these groups.

Pakistan has been somewhat schizophrenic. At times it's tried to make deals with some of these turbulent -- in these turbulent areas and negotiate truces with them, cease-fires. That hasn't worked. At times it has gone in with military force and its own forces haven't fared well.

I think we can do a lot more in terms of creating, with military assistance, some new relationships and a long-term effort to create some new capabilities. But we've put billions of dollars into this and it's slow going. Dr. Tellis will have more to add about this, but I'm not wildly optimistic in the short term.

SEN. BENNET: Would you like to --

MR. TELLIS: I think it is going to be a long slog. But Pakistan's own positions, or at least the army's positions with respect to terrorist groups, has changed over the years. For the first time now, the Pakistan army, both the chief of army staff and the head of the ISI, are publicly willing to admit that Pakistan's central problem is terrorism and not India. This is a big shift.

There's still a lag, however, between that appreciation and actually doing something about it. And so the hope is that if (we are ?) successful, at some point there will be a catch-up and the rhetoric and reality will somehow come together. But this will take time. And so we have to keep at Pakistan. And it may be a combination of both incentives and pressure. I don't think we have a choice.

But the point I want to make is that historically, when the Pakistani state, meaning primarily the army, has made the decision to crack down on certain terrorist groups, they've actually done it very effectively. And so it's simply a matter of getting the

motivational trigger right, and that will require a certain degree of comfort that they have with us and with the Indians. And with a bit of luck, we will move in that direction.

SEN. BENNET: Mr. Chairman, I'm about out of time, but I have one other question.

SEN. LIEBERMAN: No, go right ahead. Since it's only you and me, take some time.

SEN. BENNET: Thank you -- (laughs) -- and more on topic for today.

I read the materials. You get a general sense that there was a general sense that something major was going to happen and that that was not communicated to -- that there was a lapse of communication of some kind between India and others; that there was no communication, it appears, between India and authorities in Mumbai, and undoubtedly none with the private sector that was there.

And I wonder, sort of extrapolating from all of that, and not concerning ourselves so much with the history of that particular event, as we think about our potential soft targets in the United States, and we still have yet to really develop a consciousness around this. I think we heard some discussion about the hardening of targets in New York and other places, but it's not the general norm.

How do we need to think about improving our communications so that people really do understand when there is risk and fill those gaps between the federal government, local law enforcement and our private sector?

MR. JENKINS: We have improved in information-sharing. I mean, what India learned in Mumbai is the problem of connecting the dots. They simply didn't -- they had dots; they didn't connect them. We had that driven home to us in 9/11. And clearly there has been a great deal of improvement. The amount of information that moves around between federal authorities, state authorities, local and tribal authorities now is much greater than it was before, although it is still a challenge. I don't think we can still say with confidence that we are delivering the necessary information to those who need it to make decisions on the front line in every case. But that's -- it has improved.

I think we do have to make a distinction between information and intelligence. Intelligence is who did it and how do we know that. And that's not what many of our local operators or local police departments even need to know. What we need to know in these cases is what happened and how did they do it? And it doesn't make any difference at the local operator level when you're making decisions about increasing security and doing these things. And so that is something we can continue to work on. We have, I think, funded the fusion centers. These are really all-hazard response things. They do have an intelligence function, but they are primarily to respond to all hazards. Those need continued support, but we need to enhance local capabilities further. We can't think of this in a federal top-down hub-and-spokes system. We really have to create more capability at the local level. And our local governments and state governments are really strapped. So we need to make that happen.

We need to probably even elevate information-sharing to a higher level of priority within DHS to really -- for the new secretary to really push hard on that as a priority area. We have some initiatives which really merit support and can fall into the bureaucracy and some of these shared mission communities and other mechanisms for collaboration that are in danger of being missed, and we need to do that.

And I think, finally, in terms of information-sharing, we really need to do a fundamental look at our clearance and classification system. We're still operating with procedures and clearance procedures that were created during the Cold War to deal with a different spectrum of threats.

We are now dealing with nebulous networks, fast-moving developments, and we have to come up with a lot more streamlined process for moving intelligence and information around in the system than this somewhat cumbersome thing that we've inherited from -- going back to half a century that has become an impediment now.

SEN. BENNET: Mr. Chairman, that's all I had. I do have a statement that, with your permission, I'd like it entered into the record.

SEN. LIEBERMAN: Without objection, so ordered. Thank you, Senator Bennet.

SEN. BENNET: Thank you. Thank you, Mr. Chairman.

SEN. LIEBERMAN: Not at all -- do another round.

I appreciate what you said, Mr. Jenkins. I think it's an important point, as we try to sort out responsibilities, that on these matters of protecting soft targets there's no question that this is primarily -- this is initially private sector, because most of these are privately owned. The federal government has a role here, which I want our committee to explore as to what we can do.

Both of you made suggestions to incentivize or assist the private sector in preparedness and upgrading security on soft targets. But then the real work, it has to be done at the local level. That's the natural place. It's certainly the obvious. We're simply not going to - - as our friends in India found out, if you're dealing with a central, national response it's hard to get them there in time. But, we'd like to think we'd get our people there more quickly than happened in Mumbai.

But still, the first order of response, as Commissioner Kelly made very clear when he was with us, is local; and the natural interaction -- much more easy interaction between law enforcement and private sector is at the local level. It's just not going to happen nationally.

So, part of what we have to decide -- I agree with you, I repeat, I think Commissioner Kelly and the NYPD are the gold standard. There are others -- Chicago, Los Angeles, Washington doing well, but then there are a lot of other places in this country which have

soft targets, where the local police simply have not had the capacity to get involved. And that's where I'd like to see that we're -- we're feeling strapped too these days financially -- how we can assist the local police departments and assisting the private sector in getting this done.

While you were out, Senator Bennett questioned. I've started around, and I'll go right to you -- (to another senator).

Let me ask you, just in that regard -- and I'll start with Mr. Norton because you had some suggestion on this -- develop just a bit more what you have in mind that the government can do in those particular areas that you focused on -- communications, training, target-hardening, to either incentivize or assist the private sector?

MR. NORTON: I think it's important to just know, in the industry itself, security offices have about 110 to 125 percent turnover rate. So, from our perspective, we want to do anything we can to incentivize, give them dignity, give them benefits, make them feel good that they have a job that they can go to. And, most importantly, create continuity and consistency, because when you have a high turnover of upwards of 125 percent, your people may be trained one day, the next day they're gone to a new job and you have the next guy in.

So, I think creating standards, best practices that we can implement and execute, and make it attractive, as an industry, would be very helpful. I think that is starting to happen. It hasn't fully been executed yet here in the United States. It all started with the cleaners. It's sort of ironic, you have a security guard making \$8 an hour and he's the front teeth of a billion-dollar asset; and the guy pushing the broom can walk into a union and make \$20 an hour and speak no English. And, really, I think it sets a different tone. And that's why you have such a high turnover.

So, I think we need to somehow continue to push that, if we're going to secure these soft targets.

SEN. LIEBERMAN: Yeah, I agree. It's a few years since I've heard this, but at one point, in the last two or three years, security guards were the fastest growing job sector in our economy. But that doesn't mean that they were getting paid well or that they were well-trained. We know that some of the private companies do very well at this, others did not. And we've actually done some work, including legislative work, on this.

Let me, in the few minutes we've got left on this round, go to Dr. Tellis and ask you to respond to this. Mr. Jenkins said, I think, something to me that seems quite right, which was that in one sense -- in many senses, but in one particular sense I want to ask you about, Mumbai was for India what 9/11 was for the U.S.

And in the one sense I'm talking about it, for us, obviously it revealed the stove-piped federal agencies -- state and local too -- nowhere to connect the dots. I think some of the most significant things we've done after that, create the organized, coordinated Director

of National Intelligence, and particularly -- unsung, but very critical, 24/7, the National Counterterrorism Center.

In your testimony you talked about these attacks offering us an opportunity for improved cooperation with India on counterterrorism, including intelligence sharing and law enforcement training. I wonder if you'd speak in a little more detail about that, and also indicate whether you think the first round of Indian legislative response -- which has occurred, will deal with this stovepipe problem and will make it more likely that the dots will be created if there is a next time.

MR. TELLIS: Let me address the last question first --

SEN. LIEBERMAN: Good.

MR. TELLIS: -- I think the legislative response that they have engaged in has been quite inadequate, because what, in effect, they have done is they've created a new investigative agency to dealing with the problems after they've occurred, an investigative agency that essentially will bring perpetrators to justice.

Now, that's important but it doesn't help them solve problems in terms of prevention. They still have to create something like the equivalent of the NCTC. They haven't done that yet. They are struggling with the issues of classification, that Brian mentioned. Because, traditionally, the information that they got has been primarily through technical intercepts, which are shared by a very small group of people. They've not had a system that this information is rapidly disseminated to law enforcement and to those elements on the front line.

And so the big challenge for them is fusion: How do you fuse the information coming from diverse sources, different organizations, maybe even different levels of classification, and getting it to the people who actually need to have it? This is where I think we really can make a difference -- bringing them to the United States, really giving them the tour, as it were; having them intern in institutions like NCTC so that they get a feel for how we do it.

Now, obviously the solution can't be replicated in exactly the same way, but the basic principles -- that you can fuse information coming from different sources and make it available to people who need it, I think is something that they still have a lot of work to do.

SEN. LIEBERMAN: It's a very -- it's a very helpful response.

As you know, I visited New Delhi with Senator McCain about a week after Mumbai. And Mr. Narayanan, the national security adviser, we talked about what could we do to help. He said he had been in New York -- I believe, for the General Assembly of the U.N. last fall, and spent some time with Commissioner Kelly; went to one of our fusion centers. And that's good, but I think you had a -- you had a very relevant idea, which is we ought to try to get some high-ranking Indian officials to come back and spend some time with

the DNI, and particularly at the National Counterterrorism Center. Because I agree with you, my impression from here has been that they've not done enough. And this is not easy. I mean, these are, as we can tell you, these are entrenched bureaucracies, all working for the national interest, but really not wanting to share information.

I'll never forget the first trip that Senator Collins and I made out to the National Counterterrorism Center. The director took us around the floor -- quite impressive, every agency there, at real time, 24/7, constant information sharing. (Laughs.) And he said, "This desk -- this gentleman at this desk is with the CIA. This lady at this desk is from the FBI. Note, there is neither a wall nor a door between them." (Laughter.) That was an advance.

So, okay, thank you. (Laughs.)

Senator Collins.

SEN. COLLINS: Thank you, Mr. Chairman. I remember that trip very well too, and it was, indeed. And I do think it's making a real difference. And while it's not discussed nearly as much as the other reforms of the 9/11 bill, the Intelligence reforms of 2004, I think it's one of the most important as far as making a difference, and it brings us back to the importance of information sharing.

Dr. Tellis, you made a comment in your testimony about LeT having the capacity, the capability to launch attacks in the United States. And you also referred to the fundraising and recruitment activities that LeT is conducting in our country. On the way to work this morning I heard on NPR a report of a case that has troubled me, where citizens of Somalian descent are disappearing from Minnesota, and there was concern -- and it had been a classified concern, but I heard it on the radio this morning that there was a plot against our new president, around inauguration, that originated in Somalia.

So, we're seeing activity right here in the United States to recruit American citizens. Now, this makes sense if you think of the advantage of having an American who can travel freely, who isn't going to be under the kind of surveillance of someone who has to come into our country.

But what we're finding, or what we're told, is that in some cases American citizens who have become radicalized are being recruited to go fight elsewhere, to conduct suicide missions.

Why would groups like LeT and other terrorist organizations go to the expense and trouble of recruiting Americans to die in an operation overseas?

MR. TELLIS: I think it's ideological. I mean, there is a vision that there is a global struggle against the United States, and if you can find people from outside to conduct the struggle, and if the foot soldiers are entirely from the outside, then it becomes an us-

versus- them problem. It breaks down across national lines. It's the United States versus the rest or others versus the United States.

If you can get people from the United States to join this movement, then essentially what you've done is you've exploited corrosion from within. And this is really part of the vision.

The vision that LeT has in particular is that the West is decadent, that the West is immoral, that it will crumble. It needs to be assisted in the process of doing so. And so I see this as being, again, a part and parcel of this -- very corrosive vision that takes them wherever they can go. In fact, the fascinating thing about LeT, and we noticed this, actually, in the early '90s, way before -- way before global terrorism was on anyone's agenda, was that LeT had moved out of the subcontinent in a very big way.

We noticed their presence in West Africa, fund raising. We'd noticed their presence in Europe. These are not places that you would think of in the '90s as being, you know, ripe for terrorist activity. But LeT saw opportunities, and they were there. And so the important thing about this group is that they are extremely opportunistic. They are extremely adaptable. And the point that Brian made earlier, their vision is utilizing the best of modern science and technology for ideological ends.

SEN. COLLINS: It also struck me, when you were talking about not only their capabilities but their ability to form alliances with other terrorist groups, and that is very threatening as well.

I would wager that if you surveyed 10 Americans on the street, that every one of them would have heard of al Qaeda. I bet you not a one knows about the threat from LeT. And part, I believe, of our mission is to try to raise public awareness that the threat is not just from al Qaeda, but from like- minded terrorist groups.

And also, and we've done a lot of work on this, on groups or individuals who are inspired by the extremist Islamic ideology but aren't linked to any of these groups. And that's where we get the homegrown terrorists. And we've seen evidence of that kind of radicalization in our prisons, for example.

So this is an area where I think we need to do a lot more work.

I want to ask our two private-sector witnesses not only -- you've talked about the need for information sharing. But what about training? Do you think DHS could be helpful to you in that area? I noticed that the FBI and the DHS -- and I don't know whether you've seen this -- but they've come up with a private-sector advisory that has a checklist on how to detect potential terrorist surveillance and what you should do -- everything from identifying locations that the terrorists must occupy to view security or to identify vulnerabilities. It talks about that many terrorists lack the training to conduct skillful surveillance and they'll make mistakes -- how you can catch them. Are you familiar with these efforts by DHS? I'm trying to assess how helpful DHS is to you.

MR. NORTON: I am familiar with that, and I think I talked to your staff a couple of weeks ago about this.

Something that was very helpful to us as we worked with the Red Cross in New York a couple of -- last year, actually, where we had Red Cross Awareness Day, where they set up booths in our buildings and they gave away kits to our employees and the tenants of the buildings -- Everything from a flashlight to a bottle of water to a blanket, the things that they get on a train every day -- and don't think, you know, this could break down; we could get attacked; we might be stuck here for a long period of time -- we take for granted.

But now we're trying to make people more aware and be safer. We gave them home plans, things that they can do at their own homes and be prepared in the event that they have shelter-in-place at their house for a period of time. So how do you walk down and have water and food and keep your children safe? Fire emergency plans.

I think it was a great tool. We got tremendous feedback from the tenants, and it's keeping New York safe. And it's a program that we're going to take to the next level and roll it out into our other markets.

SEN. COLLINS: Thank you.

Mr. Orlob.

MR. ORLOB: I think that is a good tool. What have to look at is we need to develop something specific to the hotel industry. And I talked about earlier, we even have to make it specific to what they do in the hotel. The housekeeper's going to be looking at something different than a bellman, for instance. So that's what we've tried to do, is take this information and then make it specific to what they do in the hotel. The other challenge we had as we started developing this is we have a lot of people who speak a lot of different languages. Not all of them speak English. So we tried to make something with as much pictures as possible so that they could visualize it, rather than read it. My original concept as we developed this was to come up with a booklet that people could look at. And then we started talking about the different languages and the challenge of doing that, and that's when we decided we need to shift to another way of educating them, maybe, and making them aware.

And we started putting these posters together, again, with a lot of pictures that they could look at, because we operate in 70 countries around the world, and not everyone speaks English. And sometimes we think a little U.S.-centric at times, and we need to kind of get out of that mindset and think around the world.

In our hotels, we meet a lot of American citizens staying in our hotels, too. So we have a real challenge there, to make sure that all our hotels are safe, to take care of everyone staying there.

SEN. COLLINS: That is a challenge, and I appreciate both of you sharing your expertise with us.

My final question is for Mr. Jenkins, if I may.

MR. JENKINS: Please.

SEN. COLLINS: And I'm thrilled to have your book, because the chairman initiated hearings last year on the threat of nuclear terrorism, and we've done a lot of work. And I realize you can't sum up your entire book in two minutes -- (laughter) -- but I'm going to ask you to try, nevertheless, to answer the question you posed on the cover: Will terrorists go nuclear?

Not that I'm not going to read the entire book, I hasten to say. (Laughter.) But given the work that's -- done, I know it's a little bit off our hearing topic today. I thought I'd take advantage of your being here.

MR. JENKINS: Senator, unfortunately, I'm not nationally recognized in the field of prophecy -- (laughter) -- so I'm not able to offer probabilistic statements about the likelihood of terrorists going nuclear.

I think there have been some exaggerated statements indicating that it's not a matter of if but when, or it's going to happen within five years in this country. I'm not quite sure how to judge those because, as I say, I have no basis for making probabilistic statements. I think it is a frightening, real possibility. Whether or not I can make a prediction is not important. I'll regard myself as a prudent agnostic and say that it is of sufficient concern that I want to see us taking all of the necessary steps to prevent it from occurring. And that includes those efforts that already have been taken to ensure the security of nuclear weapons worldwide, our own arsenal, the Russian arsenal and others; to take greater steps to ensure the security of highly enriched uranium, both in military programs, leftover HEU from the decommissioning weapons and HEU that is available in civilian research reactors.

I think we have to do more to discourage the development of a potential nuclear black market. That means sting operations. I think that's -- no one should have the certainty, whether a potential buyer or a potential seller, that their seller or buyer is not an intelligence agent or a law enforcement official. And I think we can do a lot more in that area.

I think we also have to think about the frightening possibility of if, heaven forbid, an event were to occur in this country, how would we respond to that nationally? What decisions would we confront, and to think about that. That's the kind of thing we do in games that are conducted in -- the Pentagon and elsewhere.

A final point is I do think we have to make a distinction between nuclear terrorism and nuclear terror. Nuclear terrorism is about the frightening possibility that terrorists may acquire and use nuclear weapons. Nuclear terror is about our apprehension of that event.

Nuclear terrorism is about intelligence, assessments, capabilities. Nuclear terror is driven by our imagination.

And we have to be, one, both very careful that we don't allow our terrorist adversaries to take advantage of our understandable anxieties and exploit those to crank up a level of nuclear terror, even without possessing on their part any nuclear capability. And at the same time we have to make sure that we as a society are psychologically prepared for that event.

It would be a horrific human tragedy. It would not be the world ending event of a full nuclear exchange such as existed during the Cold War. We would survive, but we want to make sure that we will survive as a functioning democracy and not commit suicide ourselves in the wake of a terrorist attacks. That's the best I can do in a couple of minutes.

SEN. COLLINS: Thank you.

Thank you, Mr. Chairman.

SEN. LIEBERMAN: Well you certainly aroused my interest in reading your book. (Laughter.) Thanks. Senator Bennet?

SEN. BENNET: I don't have any other questions, Mr. Chairman. Thank you.

SEN. LIEBERMAN: Thanks, Senator Bennet. I'm just going to ask one more while I have the four of you here.

Senator Collins in her opening statement and then you Mr. Jenkins in your statement mentioned the problem of rail and transit security. This is something that has unsettled this committee for some period of time. We've really done very well at improving our aviation security at this point, passenger security. And I know it's different and difficult to deal with rail and transit, but when you see what happened in Mumbai and of course Mumbai earlier with the trains and then London and Madrid, you've got to worry about it. I know the conventional answer always is -- I mean we're doing some things now. We have more dogs on, we have more personnel, more police on various rail and transit -- I think the number's something like more than 13 million people ride mass transit everyday in America -- and the conventional answer is well you can't do what we do with planes because people wouldn't use the subways and the trains anymore if you forced them to go through. I just wonder whether any of you have any both from the public think tank private sector point of view, any ideas, because this is going to continue to be a focus of this committee. What more can we do to improve security on non-aviation transportation in the U.S.?

MR. JENKINS (?): One of the answers is controversial. We can't go as we -- you're correct, we can't go to the aviation model of 100 percent passenger screening; that's probably not realistic. We can go and Amtrak has done so, Washington Metro has done so, New York has done so, a couple of other places, we can go to selective screening.

SEN. LIEBERMAN: Right.

MR. JENKINS (?): Now that doesn't mean screening on the basis of racial or ethnic profiling, that would be inappropriate as well as stupid security. But certainly we can do more with selective screening and putting into place the platforms for programs that can be rapidly expanded if threat conditions warrant that we expand those. There are some capital investments that probably we can make in terms of taking advantage of some of the technologies, both in camera surveillance and in explosive detection. DHS is doing some terrific work on improvised explosive devices, but there the challenge is working out as our capabilities of improving our detection of explosives as those improve, what are the operational and policy issues that come up? If for example we can remotely detect the suspected possession of explosives in a crowd of people by one individual, we have that information, now how do we respond?

SEN. LIEBERMAN: Yeah.

MR. : Do we say, I mean, you're a suicide bomber and then what, how do we handle that? So there are a lot of operational and policy things that we need to work on. And then the final area and I'm mindful of this most recent Department of Homeland Security report card in effect. It was the first time they looked at the preparedness of surface transportation for response. And this was a set of criteria. And I forget the exact statistics but fewer than half of the entities that were surveyed made it to the standards required in those.

Hopefully that report card will become an incentive for people to do things that don't require major capital investments, but things like tabletop exercises, crisis management plans –

SEN. LIEBERMAN: Right.

MR. : -- liaison with local police, a lot of things that we saw didn't work in Mumbai, we won't replicate those errors here.

SEN. LIEBERMAN: That's helpful. Any of the other three of you have anything you want to add about rail and transit? I know it's not particularly in your area. I thank you, you know I was thinking and I'll just say this -- Senator Collins, do you have another question?

SEN. COLLINS: I don't.

SEN. LIEBERMAN: Senator Collins was talking about how people in the U.S. don't know about -- (inaudible) -- type and she's absolutely right. We're all focused on al Qaida because of 9/11. I do want to say my own impression is based on my service on this committee and on the Armed Services Committee that we have actually done serious damage to al Qaida in various ways. But that, I don't mean they're done and this is a war

in which a few people with no concern about their own life or anybody else's could do terrible damage, but they're, I would really say, in retreat, I mean that is that they're weakened. But the threat goes on and here you have another group showing both the willingness and the capability to really not only kill a lot of people at Mumbai but engage the attention of the world, which was a great strategic goal.

So this is going to be a long war. Although we're learning as we go on and we're getting better at both preventing and responding and I think the four of you have really helped us today in a very real way to dispatch our responsibility, we're now going to be working with the Department of Homeland Security to see the ways in which we can together apply the lessons of Mumbai and I thank you very much for what you've done to help us to that today.

Do you have anything you'd like to say, --

SEN. COLLINS: Thank you.

SEN. LIEBERMAN: The record of this hearing will be kept open for 15 days in case any of you want to add anything to your testimony or any of the members of the committee want to ask you questions for the record, but I thank you very much. And with that, I will adjourn the hearing.

END.