

A COMMAND AND CONTROL STRUCTURE FOR JOINT
INTERAGENCY COUNTERTERRORISM OPERATIONS
INVOLVING WEAPONS OF MASS DESTRUCTION
WITHIN A REGIONAL COMMANDER-IN-CHIEF'S
AREA OF RESPONSIBILITY

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by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

A COMMAND AND CONTROL STRUCTURE FOR JOINT INTERAGENCY COUNTERTERRORISM OPERATIONS INVOLVING WEAPONS OF MASS DESTRUCTION WITHIN A REGIONAL COMMANDER-IN-CHIEF'S AREA OF RESPONSIBILITY, by Major Kevin C. Colyer, 147 pages.

The threat of state or nonstate actors conducting terrorism utilizing weapons of mass destruction (WMD) against U.S. personnel, property, or other locations of U.S. interest outside the continental U.S. or its territories represents a serious threat to U.S. vital interests. While numerous U.S. government agencies have joined the effort to prepare against this possibility, the system remains disjointed and inefficient.

This study presents a command and control structure that meets the requirements of the operation to solve this dilemma. The study first examines the WMD counterterrorism environment and the agencies currently involved to determine what is required to counter the threat. From this a set of command and control criteria is established to compare against current command and control models.

The results of comparing the requirements to current models revealed two gaps in the command and control of these operations. The study continues to propose an organizational structure that maintains the strengths of the current system and fills the gaps discovered during the research.

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ABBREVIATIONS

AAR	After-Action Review
ASD SOLIC	Assistant Secretary of Defense for Special Operations and Low Intensity Conflict
CBAT	Chemical Biological Assessment Team
CINC	Commander in Chief
CJCSI	Chairman of the Joint Chiefs of Staff Instruction
CMEST	Consequence Management Emergency Support Team
CP	Counterproliferation
DEA	Drug Enforcement Agency
DEST	Domestic Emergency Support Team
DOD	Department of Defense
DOS	Department of State
DTRA	Defense Threat Reduction Agency
EOD	Explosive Ordnance Disposal
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FEST	Foreign Emergency Support Team
FRMAC	Federal Radiological Monitoring and Assessment Center
HEU	Highly Enriched Uranium
IND	Improvised Nuclear Device
JFCOM	U.S. Joint Forces Command
JIATF	Joint Interagency Task Force

JTF--CS	Joint Task Force--Civil Support
LOAC	Law of Armed Conflict
NBC	Nuclear Biological Chemical
NEST	Nuclear Emergency Search Team
NRAT	Nuclear Radiation Assessment Team
NSC	National Security Council
ONDCP	Office of National Drug Control Policy
OPCON	Operational Control
RAID	Rapid Assessment and Initial Detection
RDD	Radiological Dispersal Device
SOFA	Status of Forces Agreement
TACON	Tactical Control
TEU	Technical Escort Unit
TSWG	Technical Support Working Group
WMD	Weapons of Mass Destruction

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CHAPTER 1

INTRODUCTION

The American soldier going to the battlefield has become the most expensive item of all; so expensive that people fear that it will be smashed, like a precious vase. All those who have fought the U.S. military have grasped this truth: if you can't beat the U.S. military, kill their soldiers. The U.S. wants victory but no casualties. (Liang and Xiangsui 1999, 17)

The end of the Cold War was a harbinger of change in the conduct of warfare. As evidenced in recent Chinese writings on asymmetric warfare, nations are currently reluctant to engage the U.S. in direct force on force operations (Liang and Xiangsui 1999). The special operations imperative to apply capabilities indirectly has become the acme of foreign nations' military policy. Among these asymmetric methods is conducting terrorism utilizing weapons of mass destruction (WMD) to produce a greater psychological and political effect. WMD includes nuclear, biological, or chemical (NBC) material. The release of an NBC agent in the continental U.S. or on a U.S. installation, concern, or other location of U.S. interest outside the continental U.S. or its territories would have profound and far-reaching impacts. The frightening reality is that the materials are relatively easy to acquire. A psychological and or political statement can be made simply with an explosive dispersal device loaded with nuclear waste.

The U.S. has designed and funded a program to combat and react to this type of terrorism within the continental U.S. and its territories. What is missing is an effort to address the issues of protecting U.S. forces, civilians, and interests abroad that is as comprehensive as the efforts to study domestic counterterrorism. Some sources agree that this scenario is far more likely than an attack within the continental U.S. or its

territories. The Departments of Defense, State, and Energy have begun to develop the forces within several regional Commanders in Chief's (CINC's) areas of responsibility. However, they have not yet delineated a clear command and control structure for conducting these operations. This is the basis for the thesis topic.

The Primary Research Question

What command and control structure for a joint interagency counterterrorism operation involving WMD, outside the continental U.S. or its territories but within a regional CINC's area of responsibility, meets the requirements of the operation?

The Subordinate and Tertiary Research Questions

Subordinate question 1. What are the characteristics of the operational environment, which define command and control requirements for operations to counter WMD terrorism?

Tertiary question 1a. How, generally, will terrorists conduct these operations?

Tertiary question 1b. What can be done to combat the threat during the crisis and consequence management phases of a terrorist incident?

Tertiary question 1c. What command and control capabilities should forces that will combat this threat possess and what overall command and control requirements does this define?

Subordinate question 2. What command and control measures exist for forces already involved in WMD counterterrorism by mandate or charter?

Tertiary question 2a. What are the roles and functions, with respect to command and control, of forces currently involved in combating WMD terrorism?

Tertiary question 2b. What level of authority does each element have or need to have?

Tertiary question 2c. What relationships currently exist between these agencies and or forces?

Tertiary question 2d. What problem areas in command and control have they experienced?

Subordinate question 3. Are there any existing command and control models for joint interagency operations that can be applied to WMD terrorism response within a regional CINC's area of responsibility?

Context of the Problem and Significance of the Study

The void resulting from the end of the cold war, where now there is no peer competitor to the U.S. military might has carried asymmetric warfare back to the forefront of contemporary military thought. The *Joint Doctrine Encyclopedia (JDE)* defines asymmetric as, "posing threats from a variety of directions with a broad range of weapon systems to stress the enemy's defenses" (*JDE* 1997, 59). This type of warfare is nothing new. Even Sun Tzu espoused the merits of a defeating an enemy without fighting (Griffith 1971, 39). The devastation wrought by total war as experienced in the recent history of World Wars I and II and the threat of a similar confrontation with the Warsaw Pact, had thrust asymmetric threats to the background of national and military concern prior to the fall of the Soviet Union. Although the U.S. has continued to be

involved in many conflicts short of war during this period, it has been the more destructive form of conventional warfare that had dominated foreign policy development, military theory, and force structure development. This reemergence of asymmetric warfare to the forefront of international conflict gives rebirth to a shadowy realm of anonymous slaughter, where a resourceful enemy can destroy a nation while offering no target to counterattack. This is where America finds itself.

The prospect of WMD terrorism, whether it is conducted by transnational criminal or revolutionary elements or under the sponsorship and or execution of a foreign state, is a realistic threat to the U.S., its citizens, and its interests. These incidents can be designed not only to produce immediate physical and psychological damage, but to also provoke an overwhelming conventional force response to gain additional psychological and or political emphasis from other nations. The operations described by Liang and Xiangsui are constructed to produce one of two situations. First, it can serve to preclude the focusing of large numbers of U.S. conventional forces through access denial. Second, because the enemy is dispersed and unidentifiable, the adversary(ies) present limited targets for U.S. precision strikes (Liang and Xiangsui 1999).

The Weapons of Mass Destruction Act of 1996 led to the development of a program to combat and react to this type of terrorism within the continental U.S. and its territories. The solution combines the efforts of the Federal Emergency Management Agency (FEMA), the Departments of Defense, Justice, Energy, Health and Human Services, Transportation, Agriculture, the Federal Bureau of Investigation, Environmental Protection Agency, and the General Services Administration (Holmes 1997, 3). As recently as June 2000, *USA Today* published an article about the complicated command

and control structure of these operations. The major criticism thus far has been the command and control architecture for these forces (Eisler 2000, 1). Five different governmental organizations have created emergency response teams for domestic crisis and consequence management and have thrown in their bid for funding (Roos 1999, 46).

On 10 January 2001, Senator Gilmore, the Chairman of the Senate Terrorism Advisory Panel, testified that the current U.S. Counterterrorism Program had three flaws. First, there is no overall national strategy to combat terrorism, just an ad hoc approach. Second, there is no command and control system in place for the multitude of forces involved. Third, military involvement is inevitable but needs to remain under federal control (Gilmore 2001, 1).

The Threat

In the movie *The Peacemaker* the ultimate nuclear terrorism threat is played out. A well-organized and well-financed terrorist group boards a military train loaded with Russian nuclear weapons and escapes with SS-18 warheads, one of which is smuggled into the U.S. for an attack on New York City. The movie indulges in some Hollywood-style sensationalism, but the plot line is not far removed from well-documented, real-life incidents. At least twenty times each year since 1992, Russian or Western authorities have apprehended individuals with stolen nuclear materials. At a highway rest stop in Germany, in a restaurant in the Czech Republic, and on the Turkish border, nuclear thieves have been arrested at the last moment while trying to sell their smuggled materials. For those thieves not apprehended, an eager market awaits. There is evidence

that certain nations and groups, including known terrorist organizations, are attempting to acquire Soviet nuclear materials from inside the former Soviet Union (Cohen 1998, 2).

The consequences, should they succeed, would be catastrophic. As Senator Richard Lugar (Republican-Indiana) warned in 1995:

Suppose that instead of mini-vans filled with hundreds of pounds of the crude explosives used in Oklahoma City and New York [World Trade Center], terrorists had acquired a suitcase carrying a grapefruit-sized 100 pounds of highly-enriched uranium. Assuming a simple, well-known design, a weapon fashioned from this material would produce a nuclear blast equivalent to 10,000 to 20,000 tons of TNT. Under normal conditions, this would devastate a three-square-mile urban area. Most of the people of Oklahoma City would have disappeared. In the case of New York, the tip of Manhattan, including all the Wall Street financial district, would have been destroyed. (Cohen 1998, 3)

It is becoming increasingly likely that some of these attempts to steal nuclear materials will succeed and probably have already. The risk of theft, sale, or diversion of nuclear materials from Russia's military research and production complex has increased as the facilities, once the best-funded in the Soviet Union, struggle to pay their staffs, assure adequate security, and maintain proper accounting of all their nuclear materials. Tons of weapons-grade fissionable material and thousands of warheads now sit in Russian facilities that are less secure than many American homes. In February 1997, the institute responsible for designing the sophisticated control systems for Russia's Strategic Nuclear Rocket Forces staged a one-day strike to protest pay arrears and the lack of resources to upgrade their equipment. Three days later, the Russian Defense Minister Igor Rodinov said: "If the shortage of funds persists . . . Russia may soon approach a threshold beyond which its missile and nuclear systems become uncontrollable." Reports from the Central Intelligence Agency confirmed that Russia's Strategic Rocket Forces are

not immune to the growing lack of discipline and resources that also plague Russia's conventional armed forces (Center for Nonproliferation Studies 1999, 3).

General Alexander Lebed's allegation, articulated during a meeting with a U.S. Congressional delegation in May 1997 and again in an interview broadcast on *60 Minutes* on 7 September 1997, that some former Soviet suitcase-sized nuclear weapons may be missing generated a storm of negative media commentary in Russia and concern and unease in the U.S. Even though many contradictory reports were subsequently published, some patterns are discernable that provide important clues to unraveling the story of the "suitcase nukes." Lebed claimed that the Soviet Union created perhaps one hundred atomic demolition munitions or atomic land mines. These low-yield (circa 1 kiloton) devices were to be used by special forces for wartime sabotage and thus were small, portable, and not equipped with standard safety devices to prevent unauthorized detonation. According to Lebed, some of the atomic demolition munitions were deployed in the former Soviet Republics, and might not have been returned to Russia after the Soviet Union's collapse (Kimball 1998, 1).

In 1998 three seizures of plutonium and one of highly enriched uranium (HEU) in Germany, all in ounce quantities or less, were seen as the tip of an iceberg of bomb material beginning to be smuggled out of the former Soviet Union. Larger seizures of HEU were also reported to have taken place: one involving six pounds in St. Petersburg in March 1994 one of three pounds near Moscow in October 1992, and one of about four and one-half pounds in Lithuania in 1992 (Kimball 1998, 3).

These are examples of proliferation of potentially fissionable material. However, since the objective for these attacks can be primarily psychological, a nuclear detonation

may not be necessary. A device, that is designed to spread material out over as large an area as possible similar to chemical or biological weaponry delivery means could be adapted to disperse nonfissionable nuclear material as well. Consider what would happen if the World Trade Center bomb did not contain fissionable material as presented by Senator Lugar, but instead simply dispersed radioactive waste material with the explosion. This Radiological Dispersal Device (RDD) may be constructed using material that is currently far less well regulated and monitored than fissionable material, but it would still have profound psychological power.

Likewise transnational terrorist and or criminal organizations can similarly employ the chemical and biological aspects of WMD. Former Secretary of Defense William S. Cohen expressed concern over two dozen countries that either have developed or are in the process of developing WMD. He punctuated the magnitude of the threat through an analogy, "If you take a five-pound bag of sugar and you say, assuming this were filled with anthrax instead of sugar and you spread that with the right kind of temperatures and right kind of wind over a city the size of Washington DC, you could wipe out almost 70 percent of the population just with five pounds. There are tons of anthrax in existence" (Cohen 2000, 4).

Since 1979, the U.S. has released an annual list of "State Sponsors of International Terrorism." The nation states on the list provide either some or all of the following to the numerous groups that they support: training, sanctuary, documents, funding, explosives, or weapons. Of those states that have appeared on this list, virtually year after year, no less than five also appear on another list of states that the U.S. charges have offensive biological weapons programs: Iraq, Iran, Libya, North Korea, and Syria.

These facts, combined with the multiple chemical weapons attacks in Japan by the Aum Shinrikyo cult, should firmly substantiate the existence of the threat. Other authorities assert that Usama bin Laden wants chemical weapons and has worked to acquire them (Kimball 1998, 3).

The Research Design

This thesis is constructed as an unclassified product. The research focuses on WMD counterterrorism operations outside the continental U.S. and its territories, but within a regional CINC's area of responsibility. This reduces the scope of the study down to the principal problem of combating these threats overseas using the assets legally available under U.S. and international laws. All forces and assets throughout the various U.S governmental agencies, as well as discuss host nation involvement and relationships are included.

Assumptions

In the conduct of these operations abroad, the host nation will be involved somehow. This does not mean that the foreign government would be privy to U.S capability, tactics, techniques, and procedures, and or forces involved. It does mean that they would have to be told something because the operation would occur in their country: therefore, they have the primary responsibility to deal with the threat. However, if U.S. forces, facilities, or other interests were threatened, the U.S. Department of State and the respective U.S. Embassy would be involved in the operation in addition to the regional CINC.

Since President Bush directed that all functions and responsibilities of the old office of the National Coordinator for Counter-Terrorism and Infrastructure Protection transfers over to the new office, the conditions established under Presidential Decision Directives 39 and 62 will still exist since they have not been wholly superseded (Bush 2001).

Delimitations

Discussions of specific counterterrorist units by name or any tactics, techniques, and procedures for these types of operations are not published because that information is classified. This thesis does discuss command and control relationships between executing elements of the operation, but refrains from naming them or discussing their capabilities. The researcher personally assisted in developing the Department of Defense's classification guidance on these operations and has strictly adhered to it in order to produce an unclassified product.

The focus of this study is on WMD counterterrorism as a whole. This thesis does not discuss antiterrorism as part of an overall national program to combat terrorism.

This thesis also does not discuss the roles and missions of nongovernmental or other private volunteer organizations as they relate to countering WMD terrorism because they are outside the U.S. Government's direct control. This means that any relationships established between U.S. governmental agencies do not apply to nongovernmental or other private volunteer organizations. This thesis does address the need to integrate these organizations and the mediums for coordination.

Chapter 2: Literature Review

The amount of unclassified information specifically addressing the combat of WMD terrorism abroad is rather limited. However, this is because most sources discuss units and tactics, techniques, and procedures, which are classified. Given that situation, the actual information on agencies involved and relationships within these sources is typically unclassified. There are applicable joint publications, theater specific publications, presidential, and Department of Defense (DOD) directives that address joint and interagency operations that can provide the base command and control requirements that will have to be met. These will help to establish the criteria for evaluating the model. Additionally, joint and interagency publications exist for current missions, such as counterdrug operations that delineate relationships between similar types of organizations that are being developed to combat this terrorist threat abroad.

Primary source material on command and control doctrine of joint and interagency operations as stated above exists in official publications. There are also numerous articles on command and control and exercising forces that would combat terrorism within the continental U.S. in unclassified sources. These sources are invaluable in the development of a command and control model for operations outside the continental U.S. and its territories, because they involve many but not all of the same key players. In addition to the existing joint doctrine the researcher interviewed two officials from DOD that were both involved in counterterrorism policy development. What are difficult to find are unclassified discussions of command and control within a regional CINC's area of responsibility.

Secondary sources include articles, journals, official records, and after-action reviews about general joint and interagency command and control issues that appear in both military and civilian periodicals. The development of the new Joint Forces Command is predicated on solving some of these issues, and many sources exist that document its genesis.

The purpose of this study is to design a model for command and control structure of an element that will combat NBC terrorism within a regional CINC's area of responsibility. This model will pull fragments from the cited resource materials using some of the same agencies in a unique emerging mission area. Through the author's work with the Defense Threat Reduction Agency this may lead to development of doctrine for these operations and contribute to the unity of effort.

Chapter 3: Research Design

Since the primary question involves the design of a command and control model, the supporting subordinate and tertiary questions were focused on determining the command and control requirements based on the WMD counterterrorism environment itself, the forces currently involved and those that should be, and what command and control problems have been noted by those involved. The answers to these questions then are deductively and inductively gathered into a set of evaluative criteria derived through research of the source material discussed in chapter 2. This is the focus of chapter 3. The evaluation criteria are then used in chapter 5 to analyze the existing command and control models presented for consideration in chapter 4.

Chapter 4: Existing Models

This chapter is dedicated to presenting existing models discovered through research. The models are then compared against each other to determine the similarities and differences.

Chapter 5: Evaluation of the Models

This chapter comprises an evaluation of the models presented in chapter 4 against the command and control criteria determined through research and defined in chapter 3.

Chapter 6: Conclusions and Recommendations

Chapter 6 then consists of the conclusions from the comparison of the models against the derived criteria and a recommendation for model that satisfies all of the requirements. Workable solutions or workable parts that can be extracted from each model that meets some but not all of the criteria are discussed. Neither of the existing models satisfied all of the requirements, therefore, a workable model is presented as the recommendation.

Defining The Terms

Command is discussed as authority, encompassing both legal and personal authority. Control is defined in terms of directing actions and forces. Command and control therefore is the exercising of legal and personnel authority to direct forces and compel action. The relationship between units is a measure of the authority one commander has over another to direct action. Joint Publication 3-08, *Interagency Coordination During Joint Operations*, Volume I, aptly states that, “Forces, not

command relationships, are transferred between commands. When forces are transferred, the command relationship the gaining commander will exercise (and the losing commander will relinquish) over those forces must be specified” (Joint Publication 3-08 1996, 1).

Antiterrorism (AT). Defensive measures used to reduce the vulnerability of individuals and property to terrorist acts, to include limited response and containment by local military forces.

Combatant Command (Command Authority). Nontransferable command authority established by title 10 (“Armed Forces”), United States Code, section 164, exercised only by commanders of unified or specified combatant commands unless otherwise directed by the President or the Secretary of Defense. Combatant command (command authority) cannot be delegated and is the authority of a combatant commander to perform those functions of command over assigned forces involving organizing and employing commands and forces, assigning tasks, designating commands established by the President.

Command. The authority that a commander in the Armed Forces lawfully exercises over subordinates by virtue of rank or assignment. Command includes the authority and responsibility for effectively using available resources and for planning the employment of, organizing, directing, coordinating, and controlling military forces for the accomplishment of assigned missions. It also includes responsibility for health, welfare, morale, and discipline of assigned personnel. An order given by a commander; that is, the will of the commander expressed for the purpose of bringing about a particular action.

Command and Control (C2). The exercise of authority and direction by a properly designated commander over assigned and attached forces in the accomplishment of the mission. The precise limitations of command and control should be agreed upon between agencies prior to assigning forces. Command and control functions are performed through an arrangement of personnel, equipment, communications, facilities, and procedures employed by a commander in planning, directing, coordinating, and controlling forces and operations in the accomplishment of the mission.

Control. (1) Authority which may be less than full command exercised by a commander over part of the activities of subordinate or other organizations. (2) Physical or psychological pressures exerted with the intent to assure that an agent or group will respond as directed. And (3) in civilian terms this refers to the level of authority to direct the execution of operations by certain elements.

Consequence Management. Comprises U.S. Government interagency assistance to mitigate damage resulting from the release, exposure, or employment of WMD materials. This includes responding to an accidental or deliberate release or detonation of a chemical, biological, radiological, nuclear, or conventional high-yield explosive device. Consequence management also includes preincident predictive analysis, preparing to deploy WMD consequence management assets, and determining logistics requirements for an effective and timely response should crises management efforts fail. Likely DOD support may include medical, air or ground transportation, supply and services, evacuation, decontamination, and an information center.

Counterproliferation (CP). The activities of DOD across the full range of U.S. Government efforts to combat proliferation, including the application of military power to protect U.S. forces and interests; intelligence collection and analysis; and support to diplomacy, arms control, and export controls. Accomplishment of these activities may require coordination with other U.S. government agencies.

Counterterrorism (CT). Offensive measures taken to prevent, deter, and respond to terrorism.

Crisis Management. Refers to the counterterrorism portion of resolving a terrorist incident. Crisis management operations are aimed at interdicting or otherwise preventing the threat from achieving its intended goal.

Operational Authority. That authority exercised by a commander in a military chain of command, defined further as combatant command (command authority), operational control, tactical control, or a support relationship. In civilian terms operational authority refers to the relationship that exists between agencies executing operations in support of the same mission or incident. This relationship defines the level authority to reorganize, move, or assign missions to specific forces.

Operational Control (OPCON). Transferable command authority that may be exercised by commanders or other non-DOD organizations at any echelon at or below the level of combatant command. Operational control may be delegated and is the authority to perform those functions of command over subordinate forces involving organizing and employing commands and forces, assigning tasks, designating objectives, and giving authoritative direction necessary to accomplish the mission. Operational control includes authoritative direction over all aspects of operations and joint training necessary to

accomplish missions assigned to the command. Operational control should be exercised through the commanders of subordinate organizations. Normally this authority is exercised through subordinate joint force commanders and Service and or functional component commanders. Operational control normally provides full authority to organize commands and forces and to employ those forces, as the commander in operational control considers necessary to accomplish assigned missions. Operational control does not, in and of itself, include authoritative direction for logistics or matters of administration, discipline, internal organization, or unit training.

Tactical Control (TACON). Command authority over assigned or attached forces or commands, or military capability or forces made available for tasking, that is limited to the detailed and, usually, local direction and control of movements or maneuvers necessary to accomplish missions or tasks assigned. Tactical control is inherent in operational control. Tactical control may be delegated to, and exercised at any level at or below the level of combatant command.

CHAPTER 2

LITERATURE REVIEW

Numerous sources exist in reference to the validity and environment surrounding the threat of terrorism involving WMD. In the last five years, the U.S. Government has made great strides to combat the growing threat of terrorism utilizing the measures outlined in Presidential Decision Directives 39 and 62 on Combating Terrorism (Clinton 1995, 1998). In regards to the threat of domestic terrorism these efforts and resulting structures are well documented. The after-action reviews (AARs) from agencies involved in exercises of the forces created for domestic and international terrorist response as a result of Presidential Decision Directives 39 and 62 are classified. The author has reviewed these documents but will not include specific data from them as mentioned in chapter one because of their classification. Many unclassified reports to Congress that outline the issues from these AARs were available through the Freedom of Information Act, and these comments have been included.

The literature review is organized according to how the resources address each of the subordinate questions to the overall thesis question. The focus therefore of the review is on how each resource relates to the individual question, what answers it provides, and its value. The resources are further organized by U.S. Government documents, books, and articles according to those that support the thesis first then those that refute it, respectively.

Subordinate Question 1: What are the characteristics of the operational environment, which define command and control requirements for operations to counter WMD terrorism?

There is a plethora of material on the motivations and methodology of terrorist incidents involving WMD in the future. The likelihood of such an event, however, is a contested issue.

Tertiary Question 1a: How, generally, will terrorists conduct these operations?

U.S. Government Documents

Presidential Decision Directive 39, Combating Terrorism, dated 26 June 1995, and Presidential Decision Directive 62, Combating Terrorism, dated 22 May 1998, both proclaim that, with the unequaled strength of the U.S. military, many adversarial states and nonstates actors will resort to asymmetric capabilities including the use of terrorism in place of conventional military action. These adversaries may be tempted to use unconventional tools, such as WMD, to target U.S. cities and disrupt the operations of the U.S. Government. The U.S. Government believes that the majority of future terrorist incidents will remain focused in urban areas and is a significant threat both domestically and abroad. While methods of terrorist action are not specifically addressed in these documents, the documents clearly illustrate a threat to urban areas potentially involving government functions and locations of dense population (Clinton 1995).

Several Presidential Executive Orders and Congressional hearings, beginning with Executive Order 12398, dated 14 November 1994, and leading up to Presidential Decision Directive 39, are available through several U.S. Government websites. The

Executive Orders articulate President Clinton's view that "the proliferation of nuclear, biological, and chemical weapons (WMD) and the means of delivering such weapons, constitutes an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and (I) hereby declare a national emergency to deal with that threat" (Clinton 1996, 1).

The Permanent Subcommittee on Governmental Affairs of the United States Senate held hearings entitled *Global Proliferation of Weapons of Mass Destruction*, on 31 October and 1 November 1995 and again on 13 through 17 March 1996. These hearings discussed the threat of chemical and biological terrorism through a case study of the Tokyo subway gas attack of 20 March 1995 conducted by the Aum Shinriko Nun religious cult. Further hearings focused on the threat of nuclear proliferation and the availability of nuclear fissile materials from the former Soviet Union (FSU) and on the equally dangerous threat posed by the exploitation and hiring of Soviet scientists and technicians that are currently out of work. These hearing underlined the President's view that these threats constitute a serious threat to national security, that state and nonstate actors, including transnational terrorist and criminal organizations, could have access to WMD materials and possess the will to employ them. Neither of these hearings discussed solutions.

The *National Security Strategy for a New Century*, December 1999, proclaimed that terrorism from state-centered and nonstate transnational organizations threatens U.S interests. Vital interests include the safety of U.S. citizens, the economic well being of the country, and the protection of critical infrastructures. Important national interests include regions in which the U.S. has sizable economic stakes or commitments to allies,

protecting the global environment from severe harm, and crises with a potential to generate substantial and highly destabilizing refugee flows (Clinton 1999).

The supporting *National Military Strategy*, August 2000, defines the asymmetric challenge of terrorism as the use or threatened uses of WMD and information warfare that have the potential to threaten the U.S. homeland and population directly and to deny the U.S. access to critical overseas infrastructure. An adversary might attempt to combine multiple asymmetric means with a seizure of a strategic objective before the U.S. could respond. Such an attack--timed to avoid U.S. forces while they are committed elsewhere and supported by diplomatic and propaganda efforts--could be directed against an important national interest.

Both of these documents address the threat both within and outside the continental U.S. They make important statements estimating the operational environment surrounding this form of terrorism that they could be: state or nonstate supported; occur not only against U.S. interests but against allies to indirectly attack U.S. interests; could, as in conventional terrorism, comprise informational and propaganda elements; and could occur singularly or nearly-simultaneously with other efforts around the world. This echoes the doctrine espoused by recent Chinese military thought that the objective is to overwhelm the U.S. ability to react by conducting through saturation, multiple terrorist attacks almost simultaneously throughout several theaters (Liang and Xiangsui 1999).

Raphael Perl, Specialist in International Affairs, Congressional Research Service testified before the House Committee on Government Reform, Subcommittee on National Security, Veterans Affairs, and International Relations on 26 July 2000 on the environment and motivational changes of terrorism. He discusses a shift from political

motivation to religious, ethnic, and national motivations and beliefs. These conditions increase the possibility for the use of WMD to produce mass amounts of casualties.

Perl also discussed the difficulties with defining terrorism as criminal acts or acts of war.

Norman J. Rabkin, Director for National Security Preparedness Issues, National Security and International Affairs Division, testified before Congress for the Government Accounting Office on 26 July 2000. In his testimony, Mr. Rabkin asserted that policy makers in both the executive and legislative branch may have an exaggerated view of the terrorist WMD threat. Though this testimony refutes the likelihood of these types of terrorist attacks, it provides valuable information on what capabilities the terrorist groups would have to possess.

Books

Several books support the Presidential and Congressional views, refuting the Government Accounting Office opinion, that WMD materials are in fact accessible to terrorist and other nonstate sponsored organizations. *The Curve of Binding Energy*, by John McPhee, 1974, discussed the technical process of handling fissile material and the production of nuclear weapons. The process of making a nuclear weapon is possible but technically complex. What McPhee did not anticipate in 1974 was the possibility of a Radiological Dispersal Device (RDD). An RDD is simply taking radioactive material, fissile or otherwise, and attaching it to an explosive device designed to spread the material. While this does not create an atomic explosion it does contaminate the area.

The New Terrorism: Fanaticism and the Arms of Mass Destruction, by Walter Laqueur, a noted historian and political scientist, examined the new terrorist environment.

He provided evidence that left wing motivated terrorist groups have died out and right wing groups have risen to fill the void. The book gives insights to terrorism environment centering on urban areas, involving WMD, and conducting the operations in a covert manner to achieve their objectives while concealing their responsibility.

Periodicals

Two articles from *Terrorism and Political Violence*, a quarterly periodical, are extremely detailed in their descriptions of the mind-set of the terrorist that is likely to use WMD. The first by Ronald D. Crelinsten entitled “Terrorism and Counter-Terrorism in a Multi-Centric World: Challenges and Opportunities” concurred with the opinions of Laqueur and Perl and elaborated on overall terrorist motivations that have changed from the rational politically motivated to the irrational religiously motivated.

The second article “Military Options in Response to State Sponsored Terrorism” by G. Davidson Smith asserted that state-sponsored terrorism is a form of asymmetric warfare and is therefore as Clausewitz theorized, the continuation of (foreign) policy by other means (Howard 1983, 34). This model agrees with Liang and Xiangsui who describe the environment in which terrorism is conducted as a rational offensive action of unconventional warfare (Liang and Xiangsui 1999). Smith further discussed the problem of the definition of state-sponsored terrorism as a criminal act or an act of war. It challenges current U.S. policy which views terrorism as a criminal act and therefore is handled primarily through law enforcement lead agencies (Clinton 1996).

Adam P. Stoffa takes this same approach of terrorism as asymmetric warfare and analyzes legal response options in article “Special Forces, Counterterrorism, and the Law

of Armed Conflict.”¹ Stoffa is a Judge Advocate General (JAG) officer in the U.S. Naval Reserve. Stoffa pointed out that under current U.S. policy terrorist are viewed as ordinary criminals. Stoffa continued to discuss agency capabilities and legalities of possible counterterrorism operations.

Tertiary Question 1b: What can be done to combat the threat during the crisis and consequence management phases of a terrorist incident?

U.S. Government Publications

Presidential Decision Directive 39 illustrates President Clinton’s policy for combating terrorism. His three-pronged method calls for the U.S. to take actions to reduce the U.S.’s vulnerability, deter attacks, respond to terrorist attacks, and conduct consequence management after a terrorist attack. Presidential Decision Directive 62 supports this framework of options and details the structure in terms of U.S. Government agency responsibilities for terrorism response that are discussed in detail in chapters 3 and 4. Presidential Decision Directive 62 establishes the policy of lead agencies for coordinating counterterrorism policy and operations.

Periodicals

In contrast to Presidential Decision Directives 39 and 62, Adam P. Stoffa, in his article “Special Forces, Counterterrorism, and the Law of Armed Conflict,” proposed a set of military led options including recommended roles and missions. Stoffa combines reducing vulnerability and deterring attacks into antiterrorism missions. Stoffa further proposed that response be in one of three missions, preemptive strikes, hostage rescue, or capturing terrorists. All of these operations are legal under the Law of Armed Conflict

and are provided for under Articles 2 and 51 of the UN Charter. This model is discussed in chapter 3. What Stoffa does not consider is the technical aspects of handling WMD materials. U.S. SOF requires the assistance of the Department of Energy for this expertise (Department of Energy Order 5530.2 1991, 3).

Military Options in Response to State Sponsored Terrorism, by G. Davidson Smith only wrestles with options for response. He discussed major pitfalls for the use of military force in that sufficient intelligence must be available to publicly justify the use of military force. Also, although there is controversy over whether terrorist acts are criminal or an act of war, the justification for the extraterritorial use of military force depends on this definition. Smith drew this technique from successful British operations against the Irish Republican Army. Smith asserted that Special Operations Forces are the best equipped and trained to conduct interdiction and raids (Smith 1999, 318).

Tertiary Question 1c: What command and control capabilities should forces that will combat this threat possess and what overall command and control requirements does this define?

U.S. Government Publications

Several seminal documents that were previously described provide insight into the command and control capability requirements for the interagency forces that will counter this form of terrorism. Presidential Decision Directive 39 defines the capabilities necessary to respond and for consequence management (Clinton 1998, 2). Raphael Perl's testimony also discussed capabilities required to combat the technology available to terrorist groups (Perl 2000, 5). Joint Publication 3-08, *Interagency Coordination During*

Joint Operations, Volume I, also provides the basic considerations for interagency relationships and capabilities.

Subordinate Question 2: What command and control measures exist for forces currently involved in WMD counterterrorism by mandate or charter?

Tertiary Question 2a: What are the roles and functions, with respect to command and control, of forces currently involved in combating WMD terrorism?

U.S. Government Publications

At the national level, the recent changes to the National Security Council organization by President Bush have consolidated many of the separate policy functions under one office. President Bush's National Security Presidential Directive 1 combined the Counter-Terrorism Security Group, Critical Infrastructure Coordination Group, Weapons of Mass Destruction Preparedness, Consequences Management and Protection Group, and the Interagency Working Group on Enduring Constitutional Government under the Counter-Terrorism and National Preparedness, National Security Council Policy Coordination Committee.

Presidential Decision Directives 39 and 62 detail the roles and mission of each U.S. Government department and agency within the counterterrorism arena and the application of interagency emergency support teams. The discussion includes the establishment of the lead federal agency policy for coordinating counterterrorism policy and operations. These presidential requirements are presented in chapters 3 and 4.

A number of Department of Defense (DOD) Directives define DOD's role in counterterrorism operations. DOD Directive 2060.2, dated 9 July 1996, Department of Defense Counterproliferation (CP) Implementation, defines the roles of DOD

components down to the unified commander level within the CP program. This role includes counterterrorism operations to protect American lives and interests.²

DOD Directive 3150.5, dated 24 March 1987, *Department of Defense Response to Improvised Nuclear Device Incidents*, outlines DOD's roles and responsibilities in dealing with nuclear terrorism. This directive reflects agreements between the DOD, Federal Bureau of Investigations, Department of Energy, and the Department of State. It establishes DOD policy to assist the lead federal agency during an improvised nuclear device incident.

DOD Directive 5105.62, dated 30 September 1998, *Defense Threat Reduction Agency (DTRA)*, establishes the Defense Threat Reduction Agency as the Department of Defense focal point for counterproliferation programs.

The Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 3214.01, *Military Support to Foreign Consequence Management Operations*, delineates the DOD's consequence management responsibilities abroad. Overall, only the National Command Authorities can authorize the use of DOD assets to support foreign consequence management. While this is a major step forward, it does not direct Joint Forces Command to establish a permanent "standing" organization. Also, it only applies to consequence management and does not integrate crisis management for counterterrorism operations, nor does it apply to the other U.S. governmental agencies involved in WMD counterterrorism operations.

U.S. Department of Energy Order 5530.2, dated 20 September 1991, *Nuclear Emergency Search Team (NEST)*, establishes Department of Energy policy for NEST operations to malevolent radiological incidents. The major factor missing from this

Department of Energy Order is the relationships between the Departments of Energy and Defense.

Mr. James Q. Roberts, Principal Director to the Deputy Assistant Secretary of Defense (Policy and Missions), Office of the Assistant Secretary of Defense (Special Operations and Low-Intensity Conflict) gave testimony before the Subcommittee on Research and Development, of the House Committee on National Security, House of Representatives, in reference to the status of DOD support programs to federal response to terrorist incidents involving WMD, reinforcing the lead agency concept from Presidential Decision Directives 39 and 62.

Tertiary Question 2b: What level of authority does each element have or need to have?

This question addresses the major issue surrounding the problems with C2 of these types of counterterrorist operations. Not surprisingly, this issue is not discussed in any open forum. The problems of command and control experienced thus far are addressed later in this chapter. The essence of this tertiary question is determining specific levels of authority. The researcher was not able to find anything written on authority between agencies other than Presidential Decision Directives 39 and 62 establishing the lead agencies for domestic and foreign terrorist response. Also each service has published doctrine delineating authority within its own individual organization.

DOD Directive 3150.5, dated 24 March 1987, *Department of Defense Response to Improvised Nuclear Device Incidents*, establishes DOD policy for the senior DOD

representative to retain authority over DOD assets. It also establishes DOD policy to assist the lead federal agency during an improvised nuclear device incident.

Joint Publication 3-08, *Interagency Coordination During Joint Operations*, Volume I, dated 9 October 1996, describes the chain of command and authority between ambassadors (Department of State) and regional CINCs (DOD).

Tertiary Question 2c: What relationships currently exist between these agencies and forces?

Presidential Decision Directive 62, while it defines the roles of each U.S. government department and agency with regards to combating terrorism and delineates the lead agents for domestic incidents and foreign, it does not establish authority or command and control relationships. This directive is the primary source for the discussion in chapters 4, 5, and 6 on the domestic and foreign counterterrorism command and control model. The roles of the individual U.S. governmental agencies are contained within their individual agency directives as discussed above.

Joint Publication 3-07.4, *Joint Counterdrug Operations*, dated 17 February 1998, discusses interagency relationships between those U.S. governmental agencies involved in both domestic and foreign counterdrug operations. This publication is the primary source for the discussion in chapters 4, 5, and 6 on the counterdrug command and control model. Additionally, Joint Publication 3-08 contains an excellent discussion of relationship issues between interagency elements.

Tertiary Question 2d: What problem areas in command and control have they experienced?

Data was difficult to find in answering this question. As mentioned earlier, the after-action reviews for the individual exercises in domestic preparedness and those conducted abroad are all classified. Unclassified congressional testimony, summarizing the results of these exercises, provided evidence for the major issues indirectly.

U.S. Government Publications

Raphael Perl's testimony outlines problems in funding departmental counterterrorism programs and the current problem of having too many U.S. Government organizations involved without a coordinated endstate or agreed relationships (Perl 2000).

The U.S. Army's released *Report to Congress: Domestic Preparedness Program in the Defense Against Weapons of Mass Destruction* outlines the Department of the Army's domestic preparedness actions to date in accordance with Presidential Decision Directive 62. One of the major shortfalls of the program highlighted in this report is the difficulty of command and control (Department of Defense 1999, 3.2.5).

Periodicals

In his article, "Everyone gets into the terrorism game: Too many SWAT teams spells confusion," David E. Kaplan reports that more than forty U.S. government agencies have roles in combating terrorism. His data agrees with the structure spelled out in Presidential Decision Directive 62. The Department of State, Federal Bureau of Investigation, Department of Energy, Public Health Service, National Guard, and the

U.S. Marines all have some form of emergency support team to respond to terrorist attacks involving WMD. Kaplan discusses problems in coordination that are caused by unclear command and control relationships.

More recently, John G. Roos' September 1999 article, "Who's in Charge? Turf Battles Plague US' Counterterrorism Program," provided further evidence of command and control problems that the National Security Council's National Coordinator oversees a complex organization loosely held together by unity of effort rather than unity of command. He quoted an unclassified version of a General Accounting Office 1999 classified report stating, "Federal agencies have not completed interagency guidance and resolved command and control issues." This Government Accounting Office report also stated that the Department of State's international guidelines for U.S. Government response to overseas terrorism are on hold because the Department of State, Department of Justice, and DOD have not reached agreement on the level of participation of each agency (Roos 1999). These issues may be purely historical and their relevance is questionable given the recent change in the administration.

Subordinate Question 3: Are there any existing command and control models for joint interagency operations that can be applied to WMD terrorism response within a regional CINC's area of responsibility?

The Weapons of Mass Destruction Act of 1996, also known as the Nunn-Lugar-Domenici Act, established the groundwork for Presidential Decision Directive 62. The act added funding for DOD to improve the capability of the federal, state, and local emergency response agencies. Both Presidential Decision Directive 62 and the WMD Act of 1996 dealt primarily with domestic operations to combat WMD terrorism.

Raphael Perl proposed other solutions from foreign counterterrorism organizational models from Canada, France, Germany, India, Israel, and the United Kingdom. Perl also proposed the counterdrug model for consideration. He suggested that the Office of National Drug Control Policy (ONDCP) model may have applicability to counterterrorism (Perl 2000). This model is presented and evaluated in chapters 4, 5, and 6.

JP 3-08, *Interagency Coordination During Joint Operations*, Volume I, dated 9 October 1996, is an excellent source for interagency command and control doctrine. Although it does not specifically dictate nor illustrate any representative models, it does outline a detailed checklist of considerations for designing a command and control structure under a combatant commander. It acknowledges the challenges involved in interagency and joint operations and presents a step-by-step process for building a command and control structure to meet the need of the particular mission.

Summary

The volume of information available regarding the threat and the nature of the operations that are feasible, acceptable, and supportable to combat the threat overshadows the thin volume of information on how U.S. Government agencies could work together to counter this threat. Clearly, Presidential Decision Directives 39 and 62 remain the primary source for roles, missions, and responsibilities of the various agencies involved in countering WMD terrorism. That is until President Bush supersedes these two directives in a future National Security Presidential Directive. Currently though,

Presidential Decision Directives 39 and 62 fail to delineate clear command and control relationships between agencies.

The lack of an established command and control structure justifies asking the primary research question. Since no command and control structure for WMD counterterrorism abroad has even been proposed, the secondary questions are also justified. The absence of an established structure dictates that the research first establish the command and control requirements and then seek out existing models that can provide insights to satisfying those requirements. The research then necessarily started from defining the WMD counterterrorism environment and finishes with a recommended command and control model to satisfy the requirements imposed by that environment.

¹A. P. Stoffa, 1995, *Special Forces, Counterterrorism, and the Law of Armed Conflict*, vol. 18, *Studies in Conflict and Terrorism*, 47-65, UK. Stoffa is a Judge Advocate General (JAG) officer in the U.S. Naval Reserve.

²Department of Defense, 9 July 9 1996, DOD Directive Number 2060.2, *Department of Defense Counterproliferation (CP) Implementation*, Washington, D.C. This directive establishes policy, terms of reference, assigns responsibilities, and formalizes relationships among DoD organizations for the implementation of Department Of Defense CP activities and programs.

CHAPTER 3
METHODOLOGY AND COMMAND AND
CONTROL REQUIREMENTS

Researching this topic area proved difficult. Extensive background information exists on the threat of terrorist attacks involving WMD. However, as discussed in chapter 2 the modus operandi of these attacks is a matter of estimation based on trends because this type of operation has not occurred to date (Rabkin 2000). Presidential Decision Directives 39 and 62 provided a wealth of information on the roles and responsibilities of U.S. governmental agencies and departments in combating terrorism involving WMD. As noted, however, the key missing parts of the material were the establishment of command and control relationships and the responsibilities for policy and budgets shared by multiple organizations.

Methodology

The methodology utilized for this research was to define the problem in terms of the primary research question. Subordinate and tertiary questions were then identified, which in satisfying would lead to the answer of the primary question. Since the primary question involves the design of a command and control model, the supporting subordinate and tertiary questions were focused on determining the command and control requirements based on the WMD counterterrorism environment itself, the forces currently involved and those that should be, and what command and control problems have been noted by those involved. Chapter 3 answered the first two subordinate research questions then deductively and inductively established the command and control

requirements. These requirements were then transformed into a set of evaluative criteria. In chapter 4 the existing model for domestic WMD counterterrorism and the foreign counterdrug models are presented for consideration. These models are then compared to each other to determine their similarities and differences. Chapter 5 then comprises an evaluation of these two models against the command and control criteria determined through research and defined in chapter 3. The concluding chapter, chapter 6, then consists of the conclusions from the comparison of the models against the derived criteria and a recommendation for model that satisfies all of the requirements.

The specific methodology utilized to answer each question and the relationship between each subordinate question and the primary research question is as follows.

Primary research question. What command and control structure for a joint interagency counterterrorism operation involving WMD, outside the continental U.S. or its territories but within a regional CINC's area of responsibility, meets the requirements of the operation?

This question addresses the basic problem that is the focus of this study, defining an adequate command and control structure for this type of operation. Joint Publication 3-08, *Interagency Coordination During Joint Operations*, Volume I, was instrumental in developing the subordinate questions. Joint Publication 3-08 outlines a detailed checklist of considerations for designing a command and control structure under a regional CINC that supports effective interagency coordination and identify mutual objectives. The steps of this “checklist” comprise the essence of the subordinate questions. The steps relevant to command and control organization are (Joint Publication 3-08 1996, III-1):

1. Identify all agencies and organizations that are or should be involved in the operation.

2. Establish an interagency hierarchy and define the objectives of the response effort.
3. Define courses of action for both theater military operations and agency activities.
4. Solicit from each agency, department, or organization a clear understanding of the role that each plays.
5. Identify potential obstacles to the collective effort arising from conflicting departmental or agency priorities.

Subordinate Question 1: What are the characteristics of the operational environment, which define command and control requirements for operations to counter WMD terrorism?

This question addresses, in part, the first step of the process outlined in Joint Publication 3-08. It was necessary to define the operational environment in order to both deductively and inductively determine the capabilities required to combat the identified threat. Answering this question will yield two results. First, it will produce a list of operational environment requirements that the command and control model will have to satisfy. Second, when compared to the capabilities current U.S. interagency forces can provide, one can deductively determine which forces should be involved in these operations as detailed in step one of the interagency command and control process.

This subordinate question was further dissected into three tertiary questions. Each question was focused on defining aspects of the subordinate question, in order to provide a comprehensive answer.

Tertiary Question 1a: How, generally, will terrorists conduct these operations?

The focus of this question is on inductively and deductively defining the operational environment in which these terrorist actions could occur. Answering this question required background research into the motivations, capabilities, and methods of terrorist groups. Additional research was required to understand the measures necessary to handle WMD materials and to construct devices of terror utilizing these materials.

Tertiary Question 1b: What can be done to combat the threat during the crisis and consequence management phases of a terrorist incident?

The intent of this question is to identify characteristics of the crisis and consequence management phases of a terrorist incident and actions that can mitigate or prevent the terrorist act. As mentioned in chapter 1 the scope of this study is delimited to these two phases to eliminate discussion of preemptive strikes, reprisals, counterproliferation, and antiterrorism. Answering this question will yield another list of required capabilities that the counterterrorist force must possess based on the vulnerabilities of the terrorist acts themselves.

Tertiary Question 1c: What command and control capabilities should forces that will combat this threat possess and what overall command and control requirements does this define?

This question is formulated to combine the research derived from answering questions 1a and 1b into a comprehensive list of required command and control capabilities based on deductive and inductive analysis of the environmental factors of WMD terrorism and the characteristics and vulnerabilities of the terrorist acts.

Additional open source research into counterterrorist operational methods provided additional capabilities required for a counterterrorism force.

Subordinate Question 2: What command and control measures exist for forces already involved in WMD counterterrorism by mandate or charter?

This question addresses the second part of step one, and the essence of steps two through five of the process outlined in JP 3-08. The supporting tertiary questions are designed to identify the forces currently involved; their roles, missions, and command and control relationships; and the relevant authority of the mandates that govern their involvement. The last supporting question identifies problems experienced in exercises or operations conducted by these forces with respect to command and control, authority, and interagency relationships. The combined answers to these tertiary questions then will provide a list of the forces involved, their roles and relationships with each other, and the problems experienced between them that then can be analyzed against the requirements developed from subordinate question one. This analysis is necessary to evaluate whether the current forces involved can satisfy the requirements needed to combat the threat, and is contained in chapter 4.

Tertiary Question 2a: What are the roles and functions, with respect to command and control, of forces currently involved in combating WMD terrorism?

This question is focused on identifying the forces and the command and control structures currently involved. The intent is to develop a list of forces mandated by U.S. counterterrorism policy, their assigned roles and functions, and their relationships with each other. Additional study was required to determine the command and control capabilities inherent within each of these forces identified. The command and control

capabilities and assigned roles could then provide the basis for comparison of forces to the required capabilities determined in answering subordinate question one.

Tertiary Question 2b: What level of authority does each element have or need to have?

Answering this question required research of the governing mandates, interagency agreements, and joint doctrine. The intent of the question was to establish the hierarchy of authority alluded to in step two of the Interagency Organization process from Joint Publication 3-08. Also, based on the roles and missions identified in tertiary question 2a, this question requires deductive analysis of levels of authority that are not currently directed but are necessary to ensure success of the operation. There was very little information available regarding authority between agencies. This lack of directive guidance is part of the justification for undertaking this entire study.

Tertiary Question 2c: What relationships currently exist between these agencies and or forces?

This question address relationships but is otherwise similar in all respects to question 2b. The lack of directive guidance for relationships in interagency operations also contributes to the justification for undertaking this study.

Tertiary Question 2d: What problem areas in command and control have they experienced?

The intent of this question is to identify issues of authority and control experienced between the forces identified in tertiary question 2a in the conduct of WMD counterterrorism exercises. As mentioned in chapter 2, the primary source for this information was contained in classified after-action reviews. The information presented

in this study comprises secondary sources including congressional testimony and editorials that identify in an unclassified forum, the major points of the classified after action reviews.

Subordinate Question 3: Are there any existing command and control models for joint interagency operations that can be applied to WMD terrorism response within a regional CINC's area of responsibility?

This question seeks to identify command and control models for operations to counter WMD terrorism. Other joint interagency command and control models that perform similar functions are also considered. Chapters 4 and 5 comprise the comparison of these models to the evaluative command and control criteria determined through research.

Command and Control Requirements--The Criteria

In accordance with the established methodology above, the author will now answer the first two supporting subordinate and their associated tertiary questions. The objective here is to determine the command and control capabilities required to counter this form of terrorism, the agencies involved, and those that need to be involved. To determine agencies not involved but that should be requires comparison of the command and control capability requirements to the capabilities of the forces currently involved. The next objective is then to establish a set of evaluative criteria, through research to compare against existing command and control models.

Subordinate Question 1: What are the characteristics of the operational environment, which define command and control requirements for operations to counter WMD terrorism?

Tertiary Question 1a: How, generally, will terrorists conduct these operations?

It is important to first discuss the estimated nature of these terrorist incidents. Several analysts discuss a trend indicating a shift from politically motivated terrorism to religious, ethnic, and national motivations and beliefs. Laqueur in *The New Terrorism: Fanaticism and the Arms of Mass Destruction* noted that as a result the violence is increasingly indiscriminate, targets are chosen for their symbolic value or societal position, and the targets are often totally unconnected to the perpetrators grievances (Laqueur 1999). Raphael Perl, Specialist in International Affairs, Congressional Research Service, asserted also that these new terrorist groups are less subject to compromise or negotiation. The traditional immediate aim of terrorist acts was often to gain publicity for the terrorist's cause. The new terrorists, however, often tend to seek to remain anonymous; inflicting pain on the “enemy” seems to be the terrorists' goal, rather than drawing publicity to a cause. These new terrorist groups even show a propensity for instances of economically motivated terrorism--so called “terrorism for profit” (Perl 2000, 4).

Laqueur utilized several examples to illustrate this rise in the tendency towards religiously motivated violence. He noted groups like the Aum Shinrikyo (nerve gas attack in Tokyo) and other anarchist groups in Germany who hold the stated goals of bringing about the end of the earth. Also Middle East Islamic groups, both Shia and Sunni, have emerged to challenge incumbent regimes and westernized life-styles. Significantly, he points to the increased role of single individuals against that of the

classic clandestine band. “Terrorist campaigns are now waged more by such isolated individuals as the Unabomber, Ted Kaczinski, or by wealthy Saudi businessman Usama bin Laden with his network of Islamists stalking American targets” (Laqueur 1999, 127).

Ronald D. Crelinsten echoed this prediction in his book entitled *Terrorism and Counter-Terrorism in a Multi-Centric World: Challenges and Opportunities*. He posits that these new terrorists are unconcerned about repercussions because their audience is God not a particular constituency. WMD becomes attractive when one’s goal is to trigger an apocalypse to gain entrance to paradise (Crelinsten 1999, 186).

There is another side to this debate, however. Most of these experts agree that the demise of the Soviet Union and the end of the Cold War brought about a resulting abandonment of many communist state-sponsored revolutionary groups. Religious, ethnic, and other nationalist motivated groups then filled this void. The other side of the issue is that the end of the Cold War made projection of U.S. forces on the magnitude of Desert Storm possible almost anywhere on the globe. Capabilities that even Chinese military theorists, such as Liang and Xiangsui, admit that they do not want to engage directly. The counter then to U.S. conventional capability is a rising concentration on asymmetric capability. This can equate to state-sponsored terrorism within or outside a declared war (Liang and Xiangsui 1999).

In order for these operations to be successful the smaller, or less capable forces, must not directly engage concentrations of conventional forces, except at the times when their combat power is reduced by some other limiting factor such as during the deployment phase of an operation. The less capable force must conduct asymmetric attacks over a large area to prevent the adversary from concentrating, and it must

maintain a sanctuary either in a “safe area” or in anonymity. These factors will act to preserve the smaller force by preventing the conventional force from attacking them directly. As discussed by Liang and Xiangsui, a large conventional response to this type of attack whether physical, informational, or psychological becomes nearly impossible in the context of today’s global economics and politics (Liang and Xiangsui 1999, 14).

The environment for asymmetric warfare therefore becomes the entire earth and its surrounding space. It is the cyberspace and the electromagnetic spectrum. Transnational terrorist and criminal organizations as well as the majority of the world’s sovereign nations have the capability to strike targets asymmetrically in this manner almost anywhere in any of these environments.

The battlefield is everywhere. From a computer room or on from the trading floor of a stock exchange a lethal attack on a foreign country can be launched. In such a world is there anywhere that is not a battlefield? Where is the battlefield? It is everywhere. (Liang and Xiangsui 1999, 176)

The international community recognizes the dominant military capabilities of the U.S. As discussed above then, in order to defeat the U.S. capability, Liang and Xiangsui suggested that an opponent must strike the U.S. simultaneously at different critical or weak points in geographically separated locations. The multiple simultaneous attacks do not require an equal level of effort. In fact one or more attacks can be a ruse. The object is to overwhelm the U.S.’s capability, by operating in more locations than U.S. assets can cover. The U.S. will have to prioritize and most likely one or more attacks can then achieve success (Liang and Xiangsui 1999). As Sun Tzu proclaims, when the enemy concentrates you should disperse (Griffith 1971, 67). The implication is that any

command and control structure that is built upon a shallow depth of assets in any one area will comprise natural decisive points for the enemies of the U.S. to exploit.

State sponsorship may be a requirement for WMD terrorism to become a reality. Norman J. Rabkin, Director for National Security Preparedness Issues, National Security and International Affairs Division, General Accounting Office, testified before Congress that the technical aspects of committing a terrorist act involving WMD would necessitate the need for a state sponsor. He noted for example that terrorists would have to overcome significant technical and operational challenges to successfully make and release many chemical or biological agents of sufficient quality and quantity to kill or injure large numbers of people without substantial assistance from a foreign government sponsor (Rabkin 2000, 2).

In most cases, specialized knowledge is required in the manufacturing process and in improvising an effective delivery device for most chemical and nearly all biological agents that could be used in terrorist attacks. Moreover, some of the required components of chemical agents and highly infective strains of biological agents are difficult to obtain. Finally, terrorists may have to overcome other obstacles to successfully launch an attack that would result in mass casualties, such as unfavorable meteorological conditions and personal safety risks (Rabkin, et al 2000, 2).

But is state sponsored terrorism the same as that by individuals or nonstate actors? G. Davidson Smith in his article, "Military Options in Response to State Sponsored Terrorism," asserts that state-sponsored terrorism is a form of asymmetric warfare and is therefore as Clausewitz theorized, the continuation of (foreign) policy by other means (Howard 1983, 34). This agrees with Liang and Xiangsui who describe the environment

in which terrorism is conducted as a rational offensive action of unconventional warfare (Liang and Xiangsui 1999, 16). Smith further discussed the problem of legality in this model. It challenges current U.S. policy which views terrorism as a criminal act and therefore is handled primarily through law enforcement lead agencies (Clinton 1996, 2). If terrorism is a form of asymmetrical warfare then is it a criminal act or an act of war? Smith asserts the latter (Smith 1999, 295).

That raises an international issue, the distinction between criminal terrorism and asymmetric warfare. Perl testified that there is no universally accepted international definition of terrorism in law. Terrorism is defined in law differently in different contexts. To some degree governments have established a compartmentalized way of looking at terrorism as a phenomenon distinct and separate in and of itself. He claims that this worked in past years, but in today's rapidly changing, more fluid and interconnected environment, our approaches to terrorism, as crime or war, should be reexamined (Perl 2000, 1).

Adam P. Stoffa takes this same approach of terrorism as asymmetric warfare and analyzes legal response options in article "Special Forces, Counterterrorism, and the Law of Armed Conflict." Stoffa pointed out that under current U.S. policy terrorist are viewed as ordinary criminals. Under International Law, the country in which the criminal act was committed has primary law enforcement jurisdiction regardless of the target. Therefore, the U.S. could not legally send in counterterrorism units unless that country requested assistance. However, if U.S. policy were changed to accept that terrorism could be viewed as asymmetric warfare then in some cases the Law of Armed Conflict (LOAC) applies. The LOAC is an internationally recognized body of law provided for in

Articles 2, 4 and 51 of the United Nations (UN) Charter. Under the LOAC this form of asymmetric warfare would be viewed as an act of war. The LOAC provides for the inherent right of self-defense, which includes the use of force to prevent an anticipated attack and allows for preemptive strikes by military counterterrorism units.

So what does this mean? First, there is the issue with the definition regarding state-sponsored terrorism as an act of war or crime. The definition determines in a large part the type of operation and the forces that can be involved. The types of operations and forces have profound impacts on the requirements for command and control of those forces. A policy refinement in this area could necessitate a change in the authority for response from law enforcement to military channels. This should only affect the U.S.'s options of retaliation, as military preemptive strikes against a probable attack are allowable under the UN Charter, Article 51, self-defense provisions. The clarification of definitions will most likely not necessitate a change in the Department of State (DOS) position as lead federal agency in a WMD terrorist incident abroad in accordance with Presidential Decision Directive 62.

Second, the nature of the threat environment suggests a somewhat common set of characteristics. The attack will likely be conducted discretely, with intent to conceal the responsible party. Even if this is not the particular case, the success of attack will greatly depend on the perpetrators ability to conceal the means until the desired time and place are reached. This scenario inductively suggests that the force to combat this threat during crisis management, prior to the actual release of WMD, should have a surreptitious capability to detect and locate the WMD materials. Conducting the detection part of the mission in this manner would aim to prevent the terrorists from detecting the

counterterrorist force early and subsequently releasing the WMD material. If the forces need the capability to conduct surreptitious searches, then the command and control organization must have the capability to control and support this kind of low visibility operation.

A logical deduction from Rabkin's testimony is that if the terrorists require highly technical assistance to handle, transport, and effectively release WMD materials, then so would a force that was responsible to secure and neutralize this threat. This includes the separate and distinct requirements to accurately identify and locate the WMD material, but also to later handle, neutralize, or in the case of a release to conduct consequence management. Consequence management should include capabilities parallel to those being developed to respond to domestic WMD terrorism. This would include a medical treatment capability including the ability to handle mass casualties, the ability to handle, dismantle, and dispose of WMD material, firefighting capability, crowd control and civil disorder handling, decontamination, and public affairs. The equipment to accurately locate and identify will require research and development to further refine it and adapt it to the covert or clandestine search environment and eventual procurement and fielding.

For the controlling organization these types of operations levy several varied command and control requirements. First, the organizational structure must be able to control and support the resolution of an active terrorist attack, whether by law enforcement agencies or military forces depending on the governing policy and international law. Second, the leading organization must be capable of controlling both crisis and consequence management operations simultaneously or individually depending on the circumstances. If WMD material is involved the logical solution is to conduct

both crisis and consequence management operations simultaneously. If one were conducted without the other, the WMD material could be released prematurely or accidentally. If the material is released and consequence management has not already begun, at least clearing the area of civilians, then casualties could result that may have been avoidable. It logically appears folly to conduct crisis and consequence management in isolation if WMD material is involved in a terrorist incident. Third, the controlling organization must be able to provide or coordinate for the medical treatment of its own forces involved. Finally, the controlling organization must be able to interface with host nation emergency services to integrate their efforts and mitigate the damages.

Tertiary Question 1b: What can be done to combat the threat during the crisis and consequence management phases of a terrorist incident?

Presidential Decision Directive 39 illustrates President Clinton's policy for combating terrorism. He calls for the U.S. to take actions to reduce the U.S.'s vulnerability, deter attacks, respond to terrorist attacks, and conduct consequence management after a terrorist attack (Clinton 1995, 1). Presidential Decision Directive 62 establishes the policy of lead agencies for coordinating counterterrorism policy and operations (Clinton, 1998, 2). The salient point from each of these documents is that the DOS is the lead federal agency for terrorism response abroad. This is appropriate since as mentioned above these operations involve matters of foreign policy. Also they may involve either or both military and law enforcement components depending on the terrorist group or individual.

The options for immediate response or crisis management are clear. The appropriate forces are not. G. Davidson Smith drew his conclusion from studying

successful British operations against the Irish Republican Army utilizing conventional terrorist attacks. Generally, he feels that use of counterterrorist forces should meet the following criteria: be clearly justifiable and in accordance with the rule of law, limited, reasonable and surgically precise in application, have defined goals, and be capable of positive results. Smith proposes that the range of response options should be interdiction, rescue, advisory and equipment support, blockades, raids, and outright invasion. Interdiction is possible when detailed intelligence is available on the terrorist's activities and is primarily land, sea, and aerial mobile patrols and checkpoints, well-laid ambushes, and the use of quick reaction forces. These options are fully applicable to WMD terrorism response (Smith 1999, 310).

Adam P. Stoffa proposed a set of military-led options including recommended roles and missions. That response should be in one of three missions, preemptive strikes, hostage rescue, or capturing terrorists. All of these operations are legal under the Law of Armed Conflict and provided for under Articles 2 and 51 of the UN Charter. Article 51 recognizes the right of a nation to use force for the purpose of self-defense. It states: "Nothing in the present Charter shall impair the inherent right of individual or collective self defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security." Thus force may be used for self-defense against an armed attack. If evidence exists of impending terrorist attack, counterterrorism units could be used for preemptive strikes without violating international law. Proportionality is a major concern under the Law of Armed Conflict. Thus in eliminating the terrorist threat under the provisions of the Law of Armed Conflict, the level of force used must not exceed the level of force

proposed to be used by the terrorists (Stoffa 1995, 53). DOD Special Operations Forces are trained to operate in the required covert or clandestine environment, not drawing attention to their presence, and in employing the lowest level of force necessary to eliminating a terrorist threat. Furthermore, they are able to conform their use of force to changes in circumstances and thus minimize collateral damage.

Presidential Decision Directives 39 and 62 delineate what will be done as far as deterrence, vulnerability reduction, response, and consequence management. The remaining question is, What command and control requirements proceed from determining the appropriate agencies? The answer to this question depends once again upon the definition of the terrorist act as criminal or an act of war. Historical studies suggest that DOD Special Operations Forces are the best asset to use, but all of the experts mentioned cautioned that extraterritorial use of the military under the wrong circumstances could in itself constitute an act of war. Also, analysis of international law suggests that there are conditions that will dictate the use of law enforcement elements rather than military forces regardless of capabilities (Stoffa 1995). The logical deduction then is that the controlling organization for the counterterrorism force should have the capability to command and control either law enforcement agency forces, military forces, or both to meet the needs of the individual incident.

Tertiary Question 1c: What command and control capabilities should forces that will combat this threat possess and what overall command and control requirements does this define?

Presidential Decision Directives 39 and 62 define the capabilities necessary for crisis response and for consequence management. To respond to terrorism, the U.S.

must have a rapid and decisive capability to protect Americans, defeat or arrest terrorists, and respond against terrorist sponsors. The goal during the immediate response phase of an incident is to terminate terrorist attacks so that the terrorists do not accomplish their objectives or maintain their freedom, while seeking to minimize damage and loss of life and provide emergency assistance. In the case of WMD Consequence Management Presidential Decision Directives 39 and 62 stress preventing the acquisition of such materials and weapons or removing this capability from terrorist groups (Clinton 1998, 1).

Raphael Perl testified before the Congress that speed and coordination of operations are essential to both terrorists and counterterrorist organizations. He said: “Many of the advantages historically available to counterterrorist forces—even those with large resources— are potentially neutralized by instantaneous secure communications available to terrorists through the internet and other technology” (Perl 2000, 5).

Adam P. Stoffa proposed that counterterrorism forces should have highly accurate intelligence to support the capability to intercept materials necessary for an attack (WMD included) and to eliminate terrorists planning to carry out the attack. These forces must be proficient in assault techniques, communications, ordinance disposal, armed and unarmed close-quarter combat, marksmanship, emergency medicine, and hostage management and possess a streamlined chain of command to the National Security Council because of the strategic policy implications (Stoffa 1995, 49).

G. Davidson Smith recommended that soldiers are better to deal with urban or rural areas controlled by well-armed terrorist groups because they are trained to cope with sniping attacks, ambushes, and booby-traps and are better equipped to contend with

counterterrorist operations. Both sources also recommend a comprehensive, coordinated, and centrally controlled intelligence framework. Both sources concluded that military forces often have readily available short-term tactical information pertaining to immediate area of operations, while local police forces, generally have access to a broader pool of data based on informants and international connections with other law enforcement agencies (Smith 1999, 311).

From these sources the following command and control requirements can be derived. The controlling organization for a WMD counterterrorist force must have a highly effective and coordinated intelligence capability. The force itself must be mobile and rapidly deployable because there is likely to be limited time between when an imminent attack is discovered and the time of the attack. The controlling organization then should also be rapidly deployable or be able to rapidly extend its command and control capability to support the WMD counterterrorist force once it deploys. The controlling organization must have the ability to integrate interagency efforts to detect and identify WMD materials and defeat or at least intercept the terrorist's communications technology.

Once the counterterrorist force encounters the terrorists, the controlling organization must be prepared to command and control either or both law enforcement and military forces while it engages in armed and unarmed close-quarter combat and assaults. The force and the controlling organization must also then be prepared to render or coordinate medical support for its members or any one else injured during the operation.

Consequence management as mentioned above is a separate and distinct requirement. The controlling organization absolutely must be able to command and control both the crisis and consequence management operations. As discussed above, these two operations are mutually dependent on each other during WMD counterterrorism operations.

Finally, all of these command, control, and operational capabilities involve equipment. In order to minimize expenditure of financial resources, there should be a controlling organization at the national level with authority to direct research and development and eventual procurement and fielding of equipment. This additionally implies the need for authority to control the budget if this is to be an overall national program.

Subordinate Question 2: What command and control measures exist for forces already involved in WMD counterterrorism by mandate or charter?

Tertiary Question 2a: What are the roles and functions, with respect to command and control, of forces currently involved in combating WMD terrorism?

Presidential Decision Directive 62 established the requirement for a National Coordinator for Security, Infrastructure Protection, and Counterterrorism. President Bush recently eliminated this position and consolidated its responsibilities under the National Security Council Policy Coordination Committee on Counter-Terrorism and National Preparedness (Bush 2001). President Bush has not yet replaced the other policy guidelines established in Presidential Decision Directive 62. The requirements articulated within Presidential Decision Directive 62 include oversight of a broad variety of relevant polices and programs including such areas as counterterrorism, protection of

critical infrastructure, national preparedness, consequence management for WMD, and integrating policies and programs on unconventional threats to the U.S. and Americans abroad. The responsibilities also include producing an annual Security Preparedness Report, providing advice regarding budgets for counterterrorism programs, and leading in the development of guidelines that might be needed for crisis management.

Presidential Decision Directives 39 and 62 assert that both crisis and consequence management are the responsibility of the host nation and that U.S. assistance therefore requires host-nation approval. Presidential Decision Directive 62 further dictates the requirement for a rapidly deployable interagency emergency support team to provide the required capabilities on scene once an incident is imminent or has occurred.

Additionally, Presidential Decision Directive 62 established the requirement for an organization to conduct counterterrorism technology research, development, and prototyping; focusing on explosives detection and technologies that will detect and protect against WMD terrorism.

These two presidential directives authorize the Department of State and the Department of Justice to exercise lead federal agency responsibility for overseas and domestic incidents respectively. Lead agency responsibility as outlined in the two presidential directives only extends to policy coordination and establishment of strategic objectives and designates the respective agency as the equivalent of the supported agency (Clinton 1998, 2). It does not give the respective agency the military equivalent of combatant command, operational or tactical control over the forces of other agencies. Interagency relationships must be agreed upon by all agencies involved (Joint Publication 3-08 1996, III-2).

DOD plays a significant supporting role to each of the lead federal agencies. When looking at counterterrorism efforts, DOD has a number of rapid response elements for responding to specific terrorist events including WMD incidents. These elements are broken down into crisis management (attempts to resolve an incident) and consequence management (efforts to mitigate the effects of an incident). These capabilities include a twenty four-hour command center to provide national level command and control during a response to any terrorist incident; a number of specialized military units, with appropriate operational and tactical level command and control organization on alert, ready to respond within a few hours.

DOD Directive 2060.2, *Department of Defense Counterproliferation (CP) Implementation*, addresses the Department of Defense's role in counterterrorism operations to protect American lives and interests. This directive gives DOD the authority to:

1. Deter and prevent the use of NBC weapons against the United States, its allies, and United States and allied forces.
2. Detect, prevent, defeat, and manage the consequences of NBC materials or weapons use by terrorists.
3. Applying technical, military, and intelligence expertise to arms control, export controls, inspection, monitoring, interdiction, and related activities.
4. Interdict efforts to proliferate or use NBC weapons and their means of delivery.
5. Defend the United States, its interests, forces, allies and friends from the use and effects of NBC weapons and their means of delivery.

6. Conduct all necessary military actions to respond against the use of NBC weapons.

This directive also establishes that the U.S. Commander in Chief, Special Operations Command, shall organize, train, equip, and otherwise prepare U.S. Special Operations Forces to conduct operations in support of U.S. Government counterproliferation objectives. When DOD assets respond to a terrorist incident including those involving WMD, the senior DOD representative exercises operational control over all DOD assets involved. Under this directive the secretaries of the service departments shall provide a trained response team of explosive ordinance disposal personnel and other required support for responding to WMD incidents on U.S. installations in the continental U.S. and other areas as directed by the National Command Authorities through the Joint Chiefs of Staff (DOD Directive 2060.2 1996).

The implied task that proceeds from this directive is to provide a command and control structure within the DOD to assume the appropriate command relationship over DOD forces that become involved in crisis and or consequence management. This organizational structure must extend from the national to the tactical level. It also must include the ability to integrate operations in support of the respective Chief of Mission and regional CINC for operations abroad. As this DOD directive continues to establish that when the U.S. Government responds to a WMD incident in a foreign country, the U.S. Ambassador shall coordinate U.S. response operations with the host government. Also DOD Directive 2060.2 dictates that the DOD response team shall establish secure communications with the respective regional CINC (DOD 2060.2 1996).

Presidential Decision Directives 39 and 62 established numerous national and operational level command and control requirements. These directives recognized the need to rapidly deploy an element to assess the situation on the ground and provide advice and assistance to the Ambassador on further actions. These directives also established the requirement for a centralized clearinghouse for equipment research and development like the current Technical Support Working Group (Clinton 1998, 3). Under DOD directives, DOD has the capability and responsibility to conduct counterterrorism operations, while the Departments of State and Energy, and the other U.S. governmental agencies have a supporting role during actual counterterrorist or WMD material securing operations (DOD Directive 2060.2 1996). Therefore, DOD assets should control the execution of securing material in the event of interdiction or assault, and during explosive ordinance disposal (EOD) operations. Also one can inductively reason that with all of these federal agencies descending on an ambassador, a foreign sovereign nation, and a regional CINC, that the capability for increased liaison support must exist between all parties involved.

Tertiary Question 2b: What level of authority does each element have or need to have?

Joint Publication 3-08, *Interagency Coordination During Joint Operations*, Volume I, describes the chain of command and authority between ambassadors (Department of State) and regional CINC's (DOD) such that Department of State remains the lead federal agency authority while the CINC maintains command and control of any military operations conducted within his area of responsibility. The CINC may give operational control over military forces to the senior military advisor to the ambassador.

In this case the ambassador himself ultimately has authority over the utilization of DOD assets similar to the military equivalent of tactical control. When DOD responds to acts of terrorism abroad, the Secretary of Defense personally oversees the operation. Early in crisis action planning for operations outside the continental U. S. and its territories, the regional CINC communicates with the appropriate ambassador(s) as part of crisis assessment. Often the ambassador and his or her Country Team are often aware of factors and considerations that the regional CINC might apply to develop courses of action, and they are key to bringing together US national resources within the host country (Joint Publication 3-08 1996, III-6).

Raphael Perl proposed other command and control requirements based on analysis of several foreign nations' counterterrorism programs. Foreign organizational models from Canada, France, Germany, India, Israel, and the United Kingdom all share common structural elements in their approach to terrorism. These include (Perl 2000, 4):

1. Centralization of decision making (i.e., one lead ministry) with coordinating mechanisms.
2. Guidelines for clear designation of agency in charge during a terrorist incident.
3. Strategies with a strong intelligence component.

Tertiary Question 2c: What control relationships currently exist between these agencies and or forces?

DOD Directive 3150.5, *DOD Response to Improvised Nuclear Device Incidents*, establishes DOD policy to assist the lead federal agency during an improvised nuclear device incident. When the DOD responds to an improvised nuclear device incident the DOD response team remains under the command and control of the DOD senior

representative. This command and control relationship is exercised through the responsible Service or CINC, who shall establish coordination with the lead federal agency (DOD Directive 3150.5 1987, 4).

Department of Energy Order 5530.2, *Nuclear Emergency Search Team (NEST)*, establishes the Department of Energy policy for NEST operations in response to malevolent radiological incidents. This policy directs the Department of Energy to establish and maintain capabilities for technical response to potential and actual threats and incidents in support of the lead federal agency. In response to a request for NEST assistance, whether for a threat assessment or activation and deployment of NEST resources, the Department of Energy will activate an Operational Emergency Management Team. If required this team will coordinate the response and provide authorization, direction, and support for the mobilization and deployment of NEST and other supporting elements. Clearly the Department of Energy intends to support the lead federal agency. However, they also maintain authority and control of the deployment of their own forces similar to DOD (Department of Energy 1991).

One can inductively reason then that the supporting and supported relationships between all of the agencies involved must facilitate the execution of both the crisis and consequence management requirements. Current interagency agreements recognize the designation of supported and supporting agency. U.S. governmental departments will desire to retain the equivalent of military operational control over their own assets. The military equivalent of tactical control or a support relationship may therefore be more appropriate during execution (Joint Publication 3-08 1996).

Tertiary Question 2d: What problem areas in command and control have they experienced?

In the DOD's *Report to Congress: Domestic Preparedness Program in the Defense Against Weapons of Mass Destruction*, one of the major shortfalls of the program highlighted in this report is the difficulty of command and control. During the numerous exercises that have been conducted over the past few years, several U.S. governmental agencies have participated in support of state and local forces. A recurring problem according to this report is the involvement of a variety of different agents without a clear framework of authority and control. This is also evident in the difficulties experienced in properly requesting assistance from U.S. governmental agencies (DOD 1997, 5).

H. Allen Holmes, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD SOLIC), identified similar problems in his statement before Congress. Holmes outlined the difficulties with multiple agencies independently interfacing with each other, state, and local agencies. He also noted the need for better control and cooperation to reduce duplication of effort in research and development of technologies and systems related to countering WMD proliferation and terrorism. Finally, he recommended better interagency coordination on the application of intelligence resources (Holmes 1997, 6).¹

The problems then that can be deduced from these examples of past exercises revolve around the issues of command and control relationships. There is a lack of authority to plan interagency contingency operations and establish procedures. Once interagency elements deploy there is no central authority to orchestrate the organization

of assets in country, the designation of relationships between interagency forces, and the control of their execution.

Summary

In accordance with the established research methodology, by deductively and inductively answering subordinate questions one and two, the command and control requirements levied by the environment, the current organizational relationships, and the command and control problems experienced in past exercises can be identified. These become the criteria to compare the existing command and control models against. Generally in order to achieve unity of command and effort from National Command Authorities level down to execution, the command and control model must include: an interagency group at the national level, and a command and control structure for both operational and tactical level control of the WMD counterterrorist operation. Also the supporting and supported relationships between the agencies should facilitate the execution of the crisis and consequence management command and control requirements because they are interdependent. Through answering the first two subordinate questions the following command and control requirements were identified:

1. National level--Interagency group requirements

- a. Authority to develop policy for recommendation to the National

Command Authorities

- b. Authority to coordinate implementation of policy

- c. Authority for planning, programming and budgeting

2. Operational level requirements

a. A command and control structure to bridge the gap between national level agencies and executing agencies. This includes the responsibility for manning, equipping, training, and resourcing an interagency force. This structure must provide sufficient depth throughout the organization providing the required tactical capabilities so that natural weak or decisive points are not created within the system.

b. Command responsibility for research and development, procurement and fielding of equipment

c. Authority and capability to conduct liaison with host nation and U.S. Ambassador

d. Authority and capability to conduct liaison with the appropriate theater CINC

e. Command authority to direct intelligence support

f. Command authority to coordinate transportation support

g. Command responsibility for interagency contingency planning

3. Tactical level requirements--authority to command and control interagency execution of the following capabilities simultaneously and independently.

Crisis Management Phase (prior to an actual release of WMD)

a. Surreptitious detection, identification, and location of WMD materials

b. Handling, neutralization, and or disposal of WMD materials

c. Armed and unarmed close-quarter combat and assaults

d. Either law enforcement agency or military force execution or both as required by the needs of the individual incident

e. Intelligence collection, production, and dissemination

f. The conduct of Information Operations (IO) to include defeating or at least intercepting the terrorist's communications technology

g. Provide emergency medical support to elements executing any of the other requirements and providing for their medical evacuation if necessary

h. Employment of a Quick Reaction Force (QRF)

Consequence Management Phase (after release of WMD)

i. Handling, neutralization, and or disposal of WMD materials

j. Liaison and or combined operations with host nation fire and emergency services

k. Coordination for public health and safety, and emergency relief

l. Conduct of WMD decontamination, mitigation, or counteraction

These then are the command and control criteria that are compared to the existing command and control models in chapter 5. The intent of chapter 4, as established in the research methodology, is to present the existing command and control models. Chapter 6 then comprises a recommended model utilizing the functional pieces of existing models and proposes solutions to fill the deficits.

¹Purpose and structure of domestic preparedness forces obtained from a statement by H. Allen Holmes, Assistant Secretary of Defense (Special Operations and Low-Intensity Conflict), before the Research and Development Subcommittee of the House Committee on National Security, House of Representatives, 105th Congress entitled: Federal Response to Terrorist Incidents Involving Weapons of Mass Destruction: Counter-Terrorism Research and Development Programs 28 February 1997, published by the House National Security Committee.

CHAPTER 4

EXISTING MODELS

Chapter 3 presented answers to subordinate research questions one and two, subsequently establishing the command and control criteria necessary to conduct WMD terrorism operations. As discussed in the research methodology the next step next is to answer subordinate research question three, Are there any existing models for joint interagency operations that can be applied to WMD terrorism response within a Theater CINC's AOR?

The first model to examine is the current C2 structure for domestic WMD counterterrorism. This will serve as the base WMD counterterrorism model. The command and control organizations and functions for interagency elements designated for overseas operations that are included in the current unclassified counterterrorism doctrine are presented at the end of the base domestic model. Also included is the command and control guidance contained in Chairman of the Joint Chiefs of Staff Instruction 3214.01, Military Support to Foreign Consequence Management Operations. The second model presented is the current command and control structure for foreign counterdrug operations from current joint doctrine and interagency agreements. Finally, the summary of the chapter comprises a comparison of the models with each other to identify similarities and differences.

WMD Counterterrorism Response Within the Continental U.S.

This model is depicted in figure 1. The presentation of this model is subdivided by agency and then by crisis or consequence management functions. The first office

under the President is the National Security Council (NSC). President Bush has recently reorganized the NSC (not depicted in figure 1). This reorganization consolidated the Counter-Terrorism Security Group, Critical Infrastructure Coordination Group, Weapons of Mass Destruction Preparedness program, Consequences Management and Protection Group, and the interagency working group on Enduring Constitutional Government under the newly formed NSC Policy Coordination Committee on Counter-Terrorism and National Preparedness.

This new office has overall responsibility to integrate government policies and programs concerning terrorism, whether in the U.S. or abroad. Policy Coordination Committee on Counter-Terrorism and National Preparedness oversees the broad variety of relevant policies and programs including such areas as counterterrorism, protection of critical infrastructure, national preparedness, and consequence management for WMD. The responsibilities of the former national coordinator included producing an annual Security Preparedness Report, providing advice regarding budgets for counterterrorism programs, and leading in the development of guidelines that might be needed for crisis management. The former coordinators duties also included the responsibility to integrate the U.S. Governments policies and programs on unconventional threats to the U.S. and Americans abroad. The former coordinator had no real authority to direct or compel agreement between U.S. governmental agencies or over their budgets.

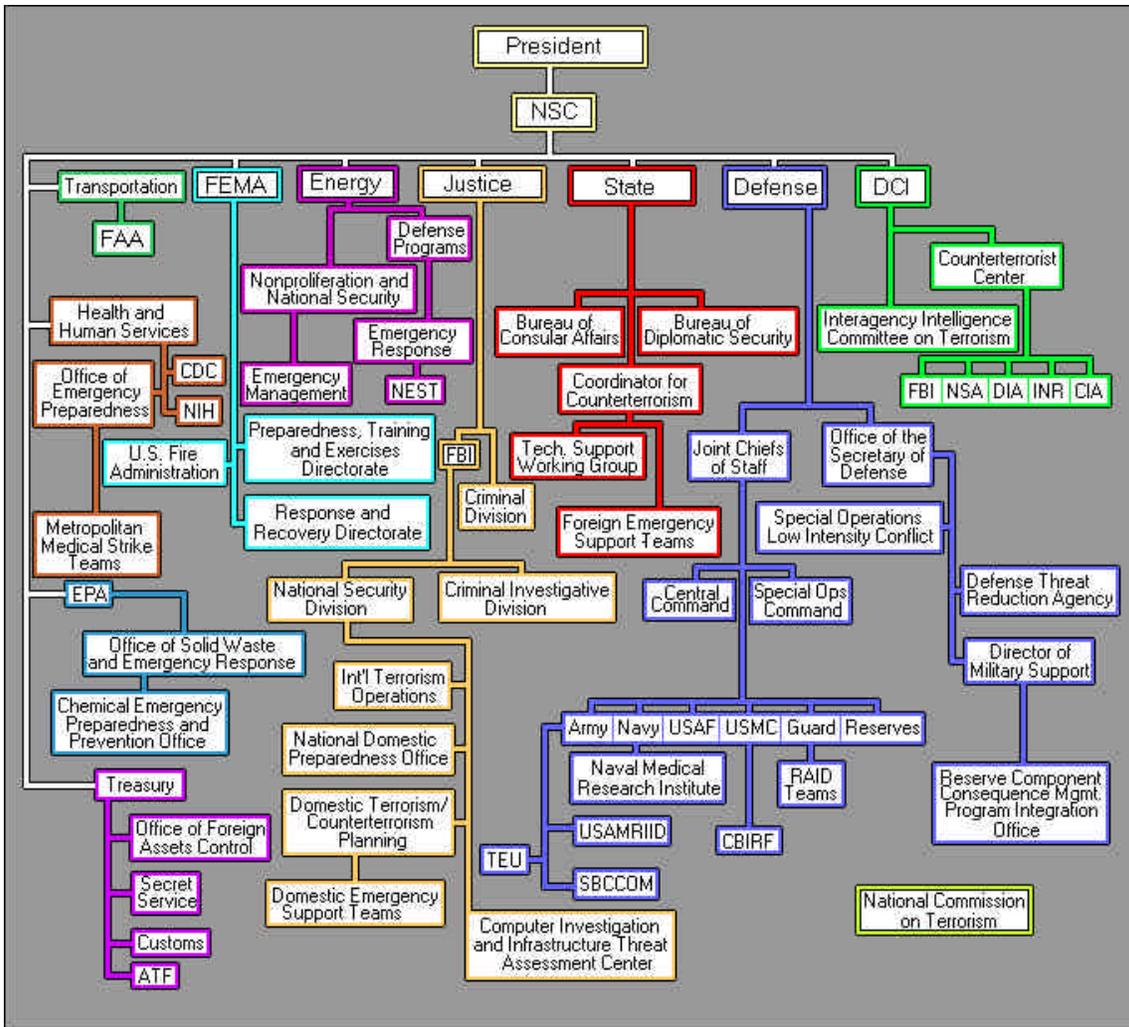


Figure 1. United States Domestic Preparedness Program Organizational Chart. Source: Center for Nonproliferation Studies, Monterey Institute of International Studies, United States Domestic Preparedness Program Organizational Chart, Monterey, CA [document on-line]; available from <http://cns.miis.edu/>; Internet.

The organizational changes are not yet complete; however, President Bush did direct that all interagency working groups be dissolved and their functions to be absorbed by the Policy Coordination Groups. Presumably this means that the Counter-Terrorism and National Preparedness office will assume the responsibility for coordinating agency responses to specific terrorist incidents, including the use of military force and have the

authority for oversight of operational programs to conduct both crisis and consequence management, and intelligence. The authority for these functions was formerly divided amongst several interagency working groups. This new office appears to satisfy the national level command requirement for policy development and implementation (Clinton 1998; and Bush 2001).

Department of State

The Department of State is the lead federal agency for managing and coordinating counterterrorism policy and operations abroad not for domestic incidents. The Department of State roles and missions are discussed below in the section devoted to foreign counterterrorism operations.

Department of Defense

According to Presidential Decision Directive 62, the Secretary of Defense led the Emergency Response Assistance Program to train first responders. President Clinton transferred the lead federal agency authority for training to the Attorney General in 2000 (Clinton 2000, 1).¹ The Secretary of Defense continues to support the program in consultation with the Director of the FEMA, the Secretary of Energy, and the heads of any other federal, state, and local agencies with expertise and responsibilities in the

In accordance with DOD Directive 2060.2, when DOD responds to a terrorist incident including those involving WMD, the senior DOD representative exercises operational control over DOD assets. Under the domestic counterterrorism program, DOD provides training for first responders at the state and local levels including police, fire, medical, and emergency support personnel. As mentioned in chapter 3 DOD

Directive 2060.2 gives DOD the authority to command and control operational elements to deter and prevent the use of NBC weapons against the U.S., its allies, and U.S. and allied forces through conducting operations to:

1. Detect, prevent, defeat, and manage the consequences of NBC materials or weapons use by terrorists.
2. Applying intelligence expertise to arms control, export controls, inspection, monitoring, interdiction, and related activities.
3. Conduct all necessary military actions to respond against the use of NBC weapons.

This directive also establishes DOD policy for each service secretary's Title X requirements. Under this directive the secretaries of the service departments shall: Provide a trained response team of Explosive Ordnance Disposal personnel and other required support for responding to WMD incidents on U.S. installations in the continental U.S. and other areas as directed by the National Command Authorities through the Joint Chiefs of Staff. Additionally, the U.S. Special Operations Command is responsible for organizing, training, equipping, and otherwise preparing U.S. Special Operations Forces to conduct operations in support of U.S. government counterterrorism objectives. This directive also reinforces Department of State and Presidential Decision Directive 62 policy that when the U.S. government responds to a WMD incident in a foreign country, the U.S. ambassador retains authority to coordinate U.S. response operations with the host government (DOD Directive 2060.2 1996, 4)

Under DOD Directive 5105.62 the Defense Threat Reduction Agency (DTRA) is responsible for establishing operational procedures dealing with the safety, security, and

explosive ordnance disposal of nuclear weapons or devices and providing operational planning assistance for matters involving WMD (DOD 1998).²

The Secretary of the Army has command authority over the uniquely specialized Technical Escort Unit (TEU). The TEU is the only unit within DOD that is trained to handle, dismantle, and dispose of chemical and biological weapons and munitions. This is also the most capable, and arguably the only fully capable element for chemical and biological agent handling and disposal within the U.S. federal government system (Center for Non-Proliferation Studies 2000, 5). This is a critical and scarce resource. DOD controls it but it is often called to support the Department of Energy even during a nonterrorist WMD incident. The lack of depth within this organization appears to be a critical vulnerability if multiple incidents occur in geographically separate areas within a small span of time.

The standing Joint Task Force Civil Support (JTF-CS) is assigned to the U.S. Joint Forces Command (not depicted in figure 1). It provides command and control over DOD consequence management forces in support of a civilian lead federal agency following a WMD incident in the U.S., its territories, or possessions.

Joint Task Force Civil Support's specified tasks are to save lives, prevent injury, and establish temporary critical life support. Its implied tasks run the gamut from command and control to a wide variety of nuclear, biological, chemical, radiological, medical, transportation, and other logistics requirements. JTF-CS will form a subordinate element called Task Force Liaison to serve both as part of a support distribution system and as a mechanism to assist end users. The JTF-CS additionally focuses on training, exercises and contingency planning.

During a domestic WMD terrorism incident, the Federal Bureau of Investigations will, as the lead federal agency, conduct crisis management operations aimed at interdicting or otherwise preventing the threat from achieving its desired goal. During crisis management, if requested by the lead federal agency and when directed by the Secretary of Defense, JTF-CS will deploy in support of the lead federal agency to conduct detailed planning for a consequence management operation. The main tasks that the initial JTF-CS assessment team conducts are predictive analysis, preparing to deploy WMD consequence management assets, and determining logistics requirements for an effective and timely response should crises management efforts fail.

The U.S. Joint Forces Command's Joint Operations Center arranges for JTF-CS's transportation needs and works to gain situational awareness at the site. This effort frees the JTF to focus its attention on preparations for immediate deployment of the main body. The Joint Operations Center serves will satisfy requests for assistance and plan for and monitor the movement of Department of Defense forces responding to the incident.

The Secretary of the Navy has command authority over the Marines Chemical and Biological Incident Response Force. This unit has the capacity to identify chemical and biological agents, assess downwind hazards, conduct advanced lifesaving support, decontaminate patients, provide communications, and enhance transportation capability.

The Reserve Component Consequence Management Program Integration Office has command authority to coordinate training, equipping, and exercising of Reservists and Guard components including the Rapid Assessment and Initial Detection (RAID) Teams. RAID teams act in support of first responders at the request of the State or

federal government. The RAID teams are integrated into the Joint Task Force Civil Support system.

Directorate of Central Intelligence

The Directorate of Central Intelligence's mission is to gather timely intelligence on terrorist groups abroad in order to prevent and prepare for terrorist attacks. The Directorate of Central Intelligence's Counterterrorist Center is a hub for interagency intelligence sharing to further efforts to combat terrorism. The center has representatives from all major facets of the intelligence community, including the Federal Bureau of Investigation, National Security Agency, Defense Intelligence Agency, Bureau of Intelligence and Research of the State Department, and the Central Intelligence Agency.

Department of Justice

The Domestic Terrorism and Counterterrorism Planning office contains the domestic terrorism operations unit, which monitors militias; the special events management unit; the WMD countermeasures unit; and the domestic terrorism analysis unit. This office serves as the program manager for WMD threats and incidents including the coordination of the threat credibility assessment process. The Domestic Terrorism and Counterterrorism Planning office also has command authority over Domestic Emergency Support Teams (DEST). Though the composition of this rapid deployment team will vary case by case and include members of several agencies, overall policy coordination rests with the Domestic Terrorism and Counterterrorism Planning office under the WMD unit. The role of the DEST is to provide expert advice and guidance to the Federal Bureau of Investigation's On-Scene Commander for the event,

and to coordinate follow-on response assets (Center for Non-Proliferation Studies 2000, 10).

Department of Energy

The Department of Energy maintains the Radiological Assistance Program and the Radiation Emergency Assistance Center and Training Site. The Radiological Assistance Program provides 24-hour access to personnel and equipment for radiological emergencies. The Radiation Emergency Assistance Center and Training Site provides around-the-clock direct and consultative assistance in the area of human health effects of radiological hazards. This program also trains Emergency Medical Technicians, physicians, and nurses to operate in radiological hazardous environments. This program works closely with national Domestic Preparedness Program.

The Department of Energy Office of Emergency Response retains authority and ability to immediately respond to radiological accidents or incidents anywhere in the world. It directs several emergency response capabilities, including Nuclear Emergency Search Teams (NEST). NEST consists of engineers, scientists, and other technical specialists from the Department of Energy 's national laboratories and other contractors. This element is deployable within 4 hours of notification with specially trained teams and equipment to assist the Federal Bureau of Investigations in handling nuclear or radiological threats. NEST assets include command and control, intelligence, communications, search, assessment, access, diagnostics, disablement, operations, containment and damage limitations, logistics, and health physics capabilities.³

The Consequence Management Emergency Support Team (CMEST), Nuclear Radiation Assessment Team (NRAT), and or the Chemical and Biological Assessment Team (CBAT) deploy as part of the lead agency's Emergency Support Team, whether foreign or domestic. These assessment teams will analyze the situation, recommend, and request, through the National Command Authorities, for deployment of any of these Department of Energy operational elements. NEST is also responsible for establishing the Federal Radiological Monitoring and Assessment Center (FRMAC), when required, to provide the coordination with host nation State, tribal, and local representatives and officials from federal agencies regarding the control and mitigation of radiological hazards (real or potential) as may impact the incident site (Department of Energy Order 5530.2 1991, 3).

Federal Emergency Management Agency

Presidential Decision Directive 62 assigns lead federal agency responsibility for domestic consequence management to FEMA. Aside from DOD and the Department of Energy supporting consequence management capabilities, the Department of Health and Human Services and Public Health Services and the Environmental Protection Agency both have a domestic only, supporting responsibility (Clinton 1998). FEMA will operate as the lead if an incident involving WMD material occurs in the absence of a terrorist threat, otherwise the Federal Bureau of Investigations (FBI) is the lead. Though state and local officials bear primary responsibility for consequence management, FEMA is in charge of the federal aspects of consequence management including those involving a terrorist act. Consequence management includes protecting public health and safety and

providing emergency relief support to state governments, businesses, and individuals. Consequence management includes liaison and support to other federal, state, and local government emergency services.

Department of Health and Human Services

Under the Department of Health and Human Services, Metropolitan Medical Strike Teams provide initial on-site response and safe patient transportation to hospital emergency rooms. They also provide medical and mental health care to victims and will move victims to other regions should local health care resources be overrun during a terrorist attack.

United States Secret Service

The Secret Service is developing chemical and biological detection, mitigation, and decontamination support for all Presidential movements. The service is constructing a chemical and biological detection and protective program, which combines multiple systems to include fixed detectors, collective protection systems, and portable detection equipment.

Environmental Protection Agency

The Environmental Protection Agency (EPA) has authority strictly to support domestic consequence management. It has authority over preparation and response to emergencies with oil, hazardous substances, and certain radiological materials. It also assists in the Domestic Preparedness Program on identification of hazardous materials and with environmental cleanup. The Chemical Emergency Preparedness and Prevention

Office under the EPA's Office of Solid Waste and Emergency Response is the primary office with authority for overall management and coordination of EPA's activities involving accident prevention, preparedness, and response for natural and manmade disasters. It also oversees the EPA's Counter-Terrorism Planning Preparedness Program and the National Security Emergency Preparedness Program.

Support to Foreign Counterterrorism Operations

Specific organizations, which conduct counterterrorism, are not discussed in this study because of the classification of the information. In general though, the Department of State remains the lead federal agency for counterterrorism abroad. DOD provides assets to conduct counterterrorist and antiterrorist operations in support of the lead agency.

The Department of State's Coordinator for Counterterrorism remains the lead agent in consultations and cooperation with foreign countries. The Department of State Coordinator for Counterterrorism formerly served as the chair of the Interagency Group on Terrorism, which included the Federal Bureau of Investigations, Department of Justice, Central Intelligence Agency, DOD, and Federal Aviation Administration. How this will work under President Bush's new Policy Coordination Committee system remains to be seen.

The Department of State Coordinator for Counterterrorism also supports the law enforcement efforts of the Department of Justice and Federal Bureau of Investigations officials in pursuit of terrorists abroad, including extradition and rendition of terrorist suspects. The Department of State Coordinator for Counterterrorism has authority over

the Office of Terrorism, Narcotics, and International Crime of the Bureau of Intelligence and Research, which collects and produces all-source intelligence. The Department of State Coordinator for Counterterrorism has tasking authority over the Foreign Emergency Support Teams and oversees the Technical Support Working Group.

The Foreign Emergency Support Team (FEST) is intended to be a small and flexible team of experts that rapidly deploys to assist an Ambassador and host government in resolving a terrorist and or WMD incident. It consists of an advisory and communications element from the Department of State Office for Counterterrorism; negotiators, investigators, and debriefers from the Federal Bureau of Investigations; counterterrorism planners, intelligence support officers, and counterterrorist unit liaison officers from DOD; and incident managers and the NRAT and CBAT from the Department of Energy. This is an interagency low visibility assessment, planning, and coordination team with no capability to provide command and control of follow-on operational forces. This element assesses the situation and provides advice and assistance to the Ambassador on U.S. assistance to resolve the crisis. If the incident involves WMD, an optional Consequence Management Emergency Support Team, also from the Department of Energy, can deploy as part of the FEST. The Chief of Mission retains the authority to conduct liaison with the host government and with the regional CINC.

The Technical Support Working Group (TSWG) is an interagency team, funded mostly by the Department of Defense that coordinates and manages the National Counterterrorism Research and Development Program. This includes conducting counterterrorism technology research, development, and prototyping. This organization

focuses on explosives detection and technologies that will detect and protect against WMD terrorism (Center for Non-Proliferation Studies 2000, 3). The TSWG is made up of representatives from eight federal departments and over fifty agencies. It also has cooperative programs with Canada, the United Kingdom, and Israel to develop counterterrorism technologies. This organization has no authority to control or direct the research and development conducted by individual U.S. Government agencies. Therefore duplication of effort can and does occur (DOD 1997).

The Department of Justice National Domestic Preparedness Office, International Terrorism Operations office has the authority to investigate acts of international terrorism and foreign terrorists within the borders of the United States and abroad. This division heads the Federal Bureau of Investigation's Legal Attaché Program to conduct law enforcement investigations abroad, including those pertaining to terrorist acts. It has a broad mandate for conducting investigations into organized crimes and is responsible for contacts with other Executive Branch agencies; Interpol; foreign police and security officers based in Washington, D.C.; and national law enforcement associations.

Support to Foreign Consequence Management Operations

Under the DOD, the Chairman of the Joint Chiefs of Staff Instruction 3214.01 prescribes three important general coordination considerations. First, that primary responsibility for managing and mitigating the effects of a foreign WMD incident remains with the host-nation government. Second, the Department of State is designated as the lead federal agency for foreign CM operations in support of a foreign government. Therefore, all U.S. government support, including DOD support for consequence

management must be coordinated through the responsible Chief of Mission and his or her Country Team. Third, this directive specifies that if the target of a WMD terrorism attack is a U.S. military installation, concern, or asset the regional CINC in consultation with the responsible Chief of Mission and his or her Country Team will coordinate DOD support.

This directive dictates several germane regional CINC command and control responsibilities. First, that all DOD assets employed in foreign consequence management will remain under the command of the regional CINC. The provision of support by other agencies would be governed and coordinated by existing or special interagency agreements or arrangements. Second, and very importantly, under this directive each regional CINC must develop plans, identify and exercise forces for, and, when directed by the National Command Authorities respond to foreign WMD incidents within their assigned areas of responsibility. They must establish liaison with regional nongovernmental organizations, private voluntary organizations, international organizations, and regional military commands that contribute resources to consequence management operations. Additionally, the regional CINC's must verify that existing multinational and bilateral agreements contain stipulations for providing emergency or disaster-related assistance.

The concept for foreign consequence management operational support involves three stages. During Stage 1, Initial Department of Defense Response, each regional CINC will provide DOD's initial response to any foreign WMD incident. This initial response may be limited to deployment of a headquarters element capable of conducting a situation assessment and evaluation. This headquarters element will form the nucleus for subsequent DOD support and may assume command and control of any and all DOD

assets committed to help resolve a particular incident. During Stage 2, Subsequent DOD Response, the affected regional CINC must be prepared to push assigned and available assets to the incident site to provide immediate assistance. Finally, during Stage 3, Follow-on Assistance, when directed by the National Command Authorities, Joint Forces Command (JFCOM) will deploy specialized U.S. based assets to augment the affected regional CINC's organic committed resources. This includes the responsibility for JFCOM to establish a Joint Task Force Consequence Management to deploy in support of the regional CINC.

The military services are required to provide forces to the Joint Task Force Consequence Management when directed by the National Command Authorities. From the Army, these include but are not limited to: Chemical Biological Defense Command's Chemical and Biological-Rapid Response Team and U.S. Army Material Command Treaty Lab; U.S. Army Technical Escort Unit; U.S. Army Medical Research Institute of Infectious Diseases and U.S. Army Medical Research Institute for Chemical Defense, U.S. Army Medical Research and Material Command. From the Navy, these forces include: U.S. Navy Medical Research Institute and U.S. Navy Naval Research Laboratory, Office of Naval Research; U.S. Navy Environmental and Preventive Medicine Unit, Naval Environmental Health Command. The Air Force assets include the Air Force Radiological Control Team. Finally, the Marine Corps provides the JFCOM assigned Chemical Biological Incident Response Force when required to the JTF Consequence Management.

The Chairman of the Joint Chiefs of Staff Instruction 3214.01 further directs responsibility for intelligence and liaison support. The Director for Intelligence, Defense

Intelligence Agency, will provide direct intelligence support to assist in planning and executing foreign consequence management operations. The Director for Operations will provide a representative to the Department of State Foreign Emergency Support Team to deploy to the site of a WMD incident in order to advise the senior U.S. government official on DOD capabilities and responsibilities for foreign consequence management.

The majority of the Department of Energy elements also provides assistance in foreign radiological incidents. The CMEST, NRAT, and or the CBAT deploy as part of the Department of State's FEST. These assessment teams analyze the situation, recommend, and request through the appropriate Chief of Mission for deployment of any of the follow-on operational elements of the Department of Energy. The operational elements include the NEST and the FRMAC (Department of Energy 1991).

U.S. Counterdrug Model

Figure 2 illustrates the command and control structure for foreign counterdrug operations. The ONDCP is a coordinating office in the Executive Office of the President established by Congress in 1988 by Public Law 100-690. The office is charged with: (1) establishing policies, objectives, and priorities for the national drug control program; (2) promulgating a National Drug Control Strategy; (3) coordinating agency implementation of the strategy; and (4) developing and transmitting to the president and Congress, with the advice of the program managers of agencies, a consolidated national drug control budget proposal to implement the strategy. The office is unique in the federal bureaucracy in its merging of international and domestic responsibilities in bringing together the law enforcement, intelligence, foreign policy, national security policy, and

domestic health communities. All of these are also components of the counterterrorism community as well.⁴

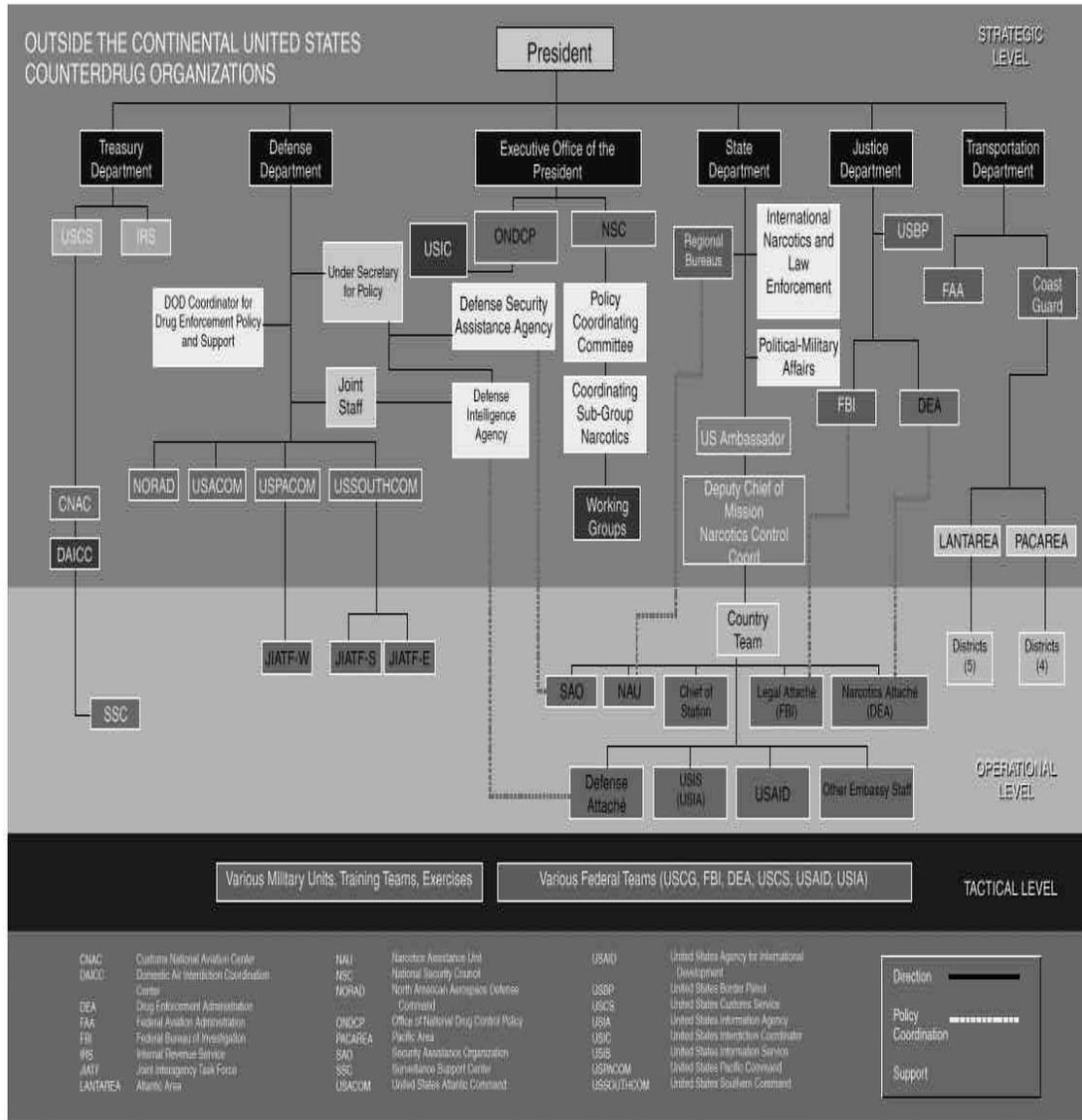


Figure 2. Counterdrug Organizations for Operations Outside the Continental U.S. Source: Joint Publication 3-07.4 1998, III-42.

The Director of the Office, though not a formal statutory voting member of the National Security Council, as the President's key drug policy adviser, is the principal adviser to the National Security Council on national drug control policy (Executive Order 12280). Other agencies are required by law to provide ONDCP, upon the request of the director, with such information as may be required for drug control and the Director of Central Intelligence is specifically required by law to render full assistance and support to ONDCP.

Specifically the ONDCP has overall authority for developing a consolidated national drug control budget for presentation to the president and Congress. It coordinates and oversees narcotics-related programs and policies of the federal departments, agencies, and bureaus. The ONDCP recommends changes to the president in the organization, management, and budgets of federal agencies involved in the counterdrug effort. It also represents the administration's drug policies before Congress.

Department of State

The Department of State, as in counterterrorism operations, is also the lead federal agency for counterdrug operations in support of or supported by a foreign nation. Under the direction of the Secretary of State, the department has three units that contribute significantly to counterdrug operations: the Bureau for International Narcotics and Law Enforcement Affairs; the Agency for International Development; and the U.S. Embassy Country Team. The U.S. Embassy Country Team is the U.S. diplomatic mission to a host government comprised of representatives of all U.S. departments and agencies physically

present in the country. The Chief of Mission represents the President, but takes policy guidance from the Secretary of State through regional bureaus. The ambassador is responsible for U.S. counterdrug activities within the host nation, but not personnel or facilities under the command of a U.S. area commander. He interprets U.S. national drug policy and strategy and oversees its application.

The “Country Team Concept” denotes the process of in-country, interdepartmental coordination among key members of the diplomatic mission. The Ambassador uses the Country Team to assist in translating strategy or policy into operational direction for the host nation. The Deputy Chief of Mission is often tasked, as the Narcotics Control Coordinator to chair the Country Team meetings that concern counterdrug matters. Although CINCs or subordinate subunified commanders are not members of diplomatic missions, they often participate in meetings and coordination sessions concerning counterdrug and security assistance matters that are in support of the host government.

Department of Defense

Within the DOD, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, Defense Agencies, combatant commands, North American Aerospace Defense Command, the Military Departments (services), and the National Guard Bureau have been assigned counterdrug responsibilities. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict is also the designated DOD drug coordinator and is the principal staff assistant and adviser to the Secretary of Defense for drug enforcement policy, requirements, priorities, systems, and resources.

The Defense Intelligence Agency (DIA) is responsible for producing and disseminating intelligence for the Secretary of Defense, Chairman of the Joint Chiefs of Staff, and other major elements of DOD. DIA produces strategic intelligence based on all-source collection assets. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict in conjunction with the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence coordinates and monitors the provision of DIA produced intelligence and communication support to drug law enforcement agencies.

Within DOD, the Joint Staff provides strategic level command and control of U.S. military forces in support of counterdrug operations. The Chairman of the Joint Chiefs of Staff provides strategic guidance to the respective combatant commanders for the conduct of counterdrug operations. This guidance is based primarily on the *National Military Strategy* and the Joint Strategic Capabilities Plan, both key components of the Joint Strategic Planning System. The Joint Staff Operations Directorate Counternarcotics Division operates as the central coordinating element in the Joint Staff for employment of DOD counterdrug forces and reviews current program and budget to ensure that they resource military support to counterdrug missions. The Joint Staff Operations Directorate Geographic Divisions are responsible for worldwide monitoring of current drug interdiction operations; coordinating all operational aspects of the Chairman of the Joint Chiefs of Staff responsibilities for implementing the Department of Defense's mission to conduct and support counterdrug operations; and serving as the coordinator for counterdrug operational matters on all requests for military support.

The National Command Authorities have assigned four counterdrug commanders to specific counterdrug missions. These primary commanders have each organized their counterdrug efforts in different ways. The National Interdiction Command and Control Plan provides for three geographically oriented Joint Interagency Task Forces, JIATF-East, -South, and -West, and one Domestic Air Interdiction Coordinator Center. The military services contribute to the counterdrug effort by providing personnel and equipment support to the JIATFs through the regional CINCs for the entire range of Department of Defense mission categories. The JIATFs therefore do not possess combatant command authority over forces. They do provide a standing interagency group responsible for planning, liaison with host nation and other international organizations, intelligence support, and the military equivalent of operational control over executing agencies (Joint Publication 3-07.4 1998).

This JIATF structure establishes a common superior commander, responsible for determining the basis on which subordinate commanders will exercise command and control and for clearly assigning responsibilities, authorities, and command relationships for subordinates. While the commander of each JIATF is subordinate to a regional CINC, it must coordinate through the CINC with the appropriate Chief of Mission and Country Team for each foreign nation in which it desires to operate. The JIATF provides a medium for coordination of effort and an operational level joint interagency command and control structure. It does not supplant the coordination authority between the regional CINC's and the Chiefs of Mission (Joint Publication 3-07.4 1998).

Interagency relationships within the counterdrug organizational structure are developed by agreements between the numerous agencies involved. Synchronization is

accomplished through detailed planning, the application of resources, and focusing on unity of effort. Between governmental agencies planning and operations are achieved more by persuasion and cooperation than by direct exercise of authority between different agencies. Constant liaison and the building of good working relationships are essential to unity of effort. The Joint Interagency Task Force (JIATF) structure provides an excellent medium for this cooperation to develop (Joint Publication 3-07.4 1998).

The U.S. military or law enforcement agencies and host nations command their respective units and normally work in cooperation with, but not under the OPCON of each other. In limited circumstances, the DOD can be granted the military equivalent of TACON over law enforcement agency forces and law enforcement agency forces can do the same over DOD forces.

The JIATFs are responsible for providing operational level command and control for the interagency forces involved. This includes providing targets to law enforcement agencies for interception and apprehension. It also includes providing training to host nation counterdrug forces whether they are military or law enforcement agencies. The regional CINCs can provide training by special operations forces, conventional forces, or a combination of both. The other U.S. governmental agencies provide forces through the JIATF or in rare cases directly to the appropriate Country Team (Joint Publication 3-07.4 1998).

The JIATF Intelligence Directorates maintain a 24-hour intelligence watch that provides real-time tactical intelligence to all deployed interagency elements. The Intelligence Directorates also operate an intelligence fusion center that provides indications and warning (predictive) and targeting intelligence in support of interagency

interdiction operations. The JIATF Intelligence Directorates also provide support to counterdrug elements of an Ambassador's Country Team. This ensures a synchronization of intelligence support between the JIATF, the Country Team, and host nation counterdrug forces.

Another important function of regional CINC's that also impacts on counterdrug operations is the monitoring of Status-of-Forces Agreements (SOFAs). When conducting counterdrug operations in another country, planners should determine whether or not a SOFA is in place in that country. If a SOFA exists, it should be reviewed to determine if it provides sufficient protection for the military members participating in the operation, and to ensure that it allows for adequate freedom of action to accomplish the mission. If a SOFA is inadequate, the regional CINC may contact the appropriate Chief of Mission to determine whether or not the host nation government is willing to reach an agreement on military members' status and related issues (Joint Pub 3-07.4 1998).

Department of Justice

The Department of Justice supports the national counterdrug effort through prevention and detection of drug-related crime. The Federal Bureau of Investigations is the principal investigative arm of the Justice Department. The Federal Bureau of Investigations' drug program targets major drug trafficking organizations through long-term investigations aimed at dismantling trafficking networks, arresting core leadership, and seizing illegally obtained assets.

The DEA's mission, under the Department of Justice, is to enforce the controlled substances laws and regulations of the U.S. and to bring to the criminal and civil justice

systems those organizations and principal members of organizations involved in the growing, manufacturing, or distribution of controlled substances appearing in or destined for illicit traffic in the U.S. The major functions of DEA are to act as lead agency for developing the overall federal drug enforcement strategy, programs, planning, and evaluation; to manage a national narcotics intelligence system; and to seize and forfeit assets from illicit drug trafficking.

The DEA maintains a liaison officer within the Country Team of certain U.S. Embassies. The DEA also provides a small staff to the JIATFs. Within a JIATF, the DEA is the lead law enforcement agency in coordinating the operations of all other U.S. law enforcement agencies and their international counterparts' efforts that operate in conjunction with U.S. elements. In this capacity the DEA maintains liaison with the United Nations, International Criminal Police Organization, and law enforcement agencies in foreign countries (Joint Publication 3-07.4 1998, III-9).

Summary

Through the presentation of both models, one can see threads of continuity that run throughout. Drugs and terrorism are both multifaceted and interagency issues. They cut across traditional bureaucratic and subject jurisdictions and structures. Both counterdrug and counterterrorism models have strong national security, law enforcement, military, economic and trade, and medical components. Today there are some fifty federal agencies with some degree of counterdrug responsibilities and at least twelve federal agencies with important counterterrorism responsibilities.

Both models have a structure at the national level, which more or less controls the development and execution of national policy. President Bush's recent consolidation of counterterrorism policy functions under a single office has, at least in initial appearance, corrected the problem of division between responsibility for domestic and international policy between multiple agencies. His action created an office with consolidated authority for national policy similar to the Office of the National Director of Counterdrug Policy from the counterdrug model.

The Office of the National Director of Counterdrug Policy is unique in the federal bureaucracy in its merging of international and domestic responsibilities in bringing together the law enforcement, intelligence, foreign policy, national security policy, and domestic health communities--all of which are components of the counterterrorism community as well. Supporters of the strong Office of the National Director of Counterdrug Policy concept find favor in the current structure in that it permits the Director to serve as both a national and international Administration spokesperson on drug policy issues. From the congressional viewpoint, an attractive component of the drug czar model is accountability to Congress. Unlike the current counterterrorism policy and leadership structure under NSC direction, the ONCDP is confirmed by Congress and testifies regularly before congressional committees. Moreover, when Congress reauthorized ONDCP in 1988, it enacted specific targets that the drug strategy was required to meet (Perl 2000, 8).

Below the national level the two models diverge. The WMD counterterrorism model provides a somewhat disjointed operational command and control architecture. The domestic and foreign programs designate lead federal agencies, but do not possess an

organization to coordinate the interagency efforts supporting each lead agency. Within DOD there are independent joint task forces that provide operational level command and control to domestic counterterrorist crisis management and WMD consequence management operations separately. The counterterrorist joint task force's authority extends to operations outside U.S. territory, but the consequence management joint task force's does not.

In contrast, the counterdrug model creates a well-integrated JIATF that coordinates the efforts of all interagency forces involved in counterdrug operations. This system operates both domestically and internationally. The JIATF provides an organizational structure to bridge the gap between national level policy makers and executing elements. Command and control relationships between agencies are established during interagency planning. Coordination authority with the counterdrug agencies of a foreign country still resides with the appropriate Chief of Mission, but the regional CINCs maintain the authority to plan the execution of counterdrug operations. The JIATF system provides a medium to accomplish both in an interagency forum. Also since the forces and the personnel that man the JIATF staffs are provided by the individual U.S. governmental agencies; this system does not incur a resource drain on either the Chiefs of Mission or the regional CINCs.

¹Office of the Press Secretary, 7 April 2000, Designation of the Attorney General as the lead official for the Emergency Response Assistance Program, the White House. This act designates the Attorney General to replace the Secretary of Defense as the lead federal official. This includes responsibility for carrying out these programs commonly known as the "Domestic Preparedness Program,; to provide civilian personnel of federal, state, and local agencies with training and expert advice regarding emergency responses to a use or threatened use of a weapon of mass destruction or related materials, and for to a use or threatened use of a weapon of mass destruction or related materials, and for

testing and improving the responses of such agencies to emergencies involving chemical or biological weapons and related materials.

²Department of Defense, September 30, 1998. DOD Directive Number 5105.62, *Defense Threat Reduction Agency (DTRA)*, Washington, D.C. Pursuant to the authority vested in the Secretary of Defense, this Directive establishes the DTRA with responsibilities, functions, and authorities as prescribed therein. The mission of DTRA is to reduce the threat to the United States and its allies from nuclear, biological, chemical (NBC), other special weapons, and from conventional weapons, through the execution of technology security activities, cooperative threat reduction (CTR) programs, arms control treaty monitoring and on-site inspection, force protection, NBC defense, and counterproliferation (CP); to support the U.S. nuclear deterrent; and to provide technical support on weapons of mass destruction (WMD) matters to the DoD Components.

³U.S. Department of Energy, 20 September 1991, *DOE Order 5530.2, Nuclear Emergency Search Team (NEST)*, Washington, D.C. This order establishes the Department of Energy policy for Nuclear Emergency Search Team (NEST) operations to malevolent radiological incidents. It establishes and describes the NEST capabilities and responsibilities to maintain capabilities for technical response to potential and actual threats and incidents as may be requested by the appropriate lead federal agency.

⁴Chairman of the Joint Chiefs of Staff, 17 February 1998, *Joint Publication 3-07.4, Joint Counterdrug Operations*, Pentagon, Washington, D.C. JP 3-07.4 describes the national drug control strategy (NDCS) as a comprehensive program of CD actions that employs a multinational and multiagency approach to the problem of illegal drugs. This program employs geographically oriented Joint Interagency Task Forces to coordinate the efforts of multiple U.S. government, international, and host nation agencies towards a common focus.

CHAPTER 5

EVALUATION OF EXISTING MODELS

The purpose of this chapter is to compare the models presented in chapter 4 against the command and control criteria identified in chapter 3. This produces an answer to subordinate research question three regarding existing models that will adapt to counterterrorism response within a regional CINC's area of responsibility. At the conclusion of this chapter I will identify all of the portions of current models that can extrapolate over to a new model. Also, I will identify the unsatisfied requirements that I will have to create new relationships between elements in order to make up for those gaps.

The criteria established in chapter 3 are as follows:

1. National level--Interagency group requirements

- a. Authority to develop policy for recommendation to the National

Command Authorities

- b. Authority to coordinate implementation of policy

- c. Authority for planning, programming and budgeting

2. Operational level requirements

- a. A command and control structure to bridge the gap between national level agencies and executing agencies. This includes the responsibility for manning, equipping, training, and resourcing an interagency force. This structure must provide sufficient depth throughout the organization providing the required tactical capabilities so that natural weak or decisive points are not created within the system.

b. Command responsibility for research and development, procurement and fielding of equipment

c. Authority and capability to conduct liaison with host nation and U.S.

Ambassador

d. Authority and capability to conduct liaison with the appropriate theater

CINC

e. Command authority to direct intelligence support

f. Command authority to coordinate transportation support

g. Command responsibility for interagency contingency planning

3. Tactical level requirements--authority to command and control interagency execution of the following capabilities simultaneously and independently.

Crisis Management Phase (prior to an actual release of WMD)

a. Surreptitious detection, identification, and location of WMD materials

b. Handling, neutralization, and or disposal of WMD materials

c. Armed and unarmed close-quarter combat and assaults

d. Either law enforcement agency or military force execution or both as required by the needs of the individual incident

e. Intelligence collection, production, and dissemination

f. The conduct of Information Operations (IO) to include defeating or at least intercepting the terrorist's communications technology

g. Provide emergency medical support to elements executing any of the other requirements and providing for their medical evacuation if necessary

h. Employment of a Quick Reaction Force (QRF)

Consequence Management Phase (after release of WMD)

- i. Handling, neutralization, and or disposal of WMD materials
- j. Liaison and or combined operations with host nation fire and emergency services
- k. Coordination for public health and safety, and emergency relief
- l. Conduct of WMD decontamination, mitigation, or counteraction

Domestic Counterterrorism Model Including Foreign Applications

The current structure for Domestic Response to WMD Terrorism satisfies two of the three national level command and control criteria. The controlling documents for this model are Presidential Decision Directives 39 and 62, and Chairman of the Joint Chiefs of Staff Instruction 3214.01.¹ While President Bush has recently abolished the title Presidential Decision Directives, he has not published new National Security Presidential Directives to supercede Presidential Decision Directives s 39 and 62. The National Security Council's newly established Policy Coordination Committee on Counter-Terrorism and Domestic Preparedness has authority to develop and implement policy. Because the National Security Council does not have budgetary authority, this national coordinating office does not have authority to direct programming, planning, and budgeting within the national counterterrorist effort. Programming, planning, and budgeting, and procurement and fielding therefore remain within each independent U.S. governmental department.

The Department of State formerly led the interagency TSWG that had the authority to coordinate research and development between each U.S. governmental department. This function is undergoing reconstitution under the new system.

Satisfying the operational level criteria becomes even more complicated. Domestically, all WMD counterterrorism crisis response and consequence management efforts default to state and local emergency services. The federal government steps in to assist local authorities and to provide those capabilities that only exist at the national level. This is also true in foreign countries. The host nation in question has primary responsibility to handle the WMD terrorist incident. However, as discussed in chapter 1, when the target is American's, U.S. facilities, concerns, or other assets, then the division of responsibility becomes less clear.

The Department of State is the lead agency for any U.S. supported WMD counterterrorist effort abroad. The Department of State's interagency FEST deploys to the scene of terrorist incident whether WMD is involved or not and becomes the nucleus for U.S. governmental support. The FEST's capabilities do not extend beyond, liaison, crisis action planning, and coordination. The FEST is not a command and control cell for the follow on WMD counterterrorism and or consequence management operations. Additionally, none of the elements that deploy to execute these operations come from the Department of State.

While the FEST does include a CMEST from the Department of Energy, it does not have the equivalent capability that FEMA provides domestically. The crux of the support that FEMA provides domestically, is the ability to assist, coordinate, and or control the efforts of local, state, federal, or a combination of these emergency assets if

necessary. Additionally, DOD's Joint Task Force – Civil Support, provides operational level command and control for U.S. military forces conducting consequence management in support of the lead federal agency, usually FEMA. These are the main capabilities that the FEST lacks, which FEMA and the Joint Task Force – Civil Support provide domestically, in support of the Department of Justice's DEST. Neither FEMA's nor Joint Task Force – Civil Support's authority currently extends outside of U.S. territory however. It is clear though that these command, control, and operational capabilities need to be replicated in our efforts to combat WMD terrorism against U.S. interests abroad.

The Department of State's FEST also currently does not have a liaison element that extends to the appropriate regional CINC. While the FEST is responsible for liaison between the ambassador and the other interagency elements, the ambassador through his Security Assistance Officer is still responsible for liaison with the regional CINC. The regional CINC is required to push a liaison element to the FEST or the embassy's Country Team if DOD assets are required. In accordance with Chairman of the Joint Chiefs of Staff Instruction 3214.01, command and control of Department of Defense assets remains within the regional CINC even if they are supporting another lead federal agency.

Operational command and control of intelligence support is convoluted with each agency having their own collection, production, and dissemination. There is a potential disconnect in intelligence because the Department of State has authority over its Office of Terrorism, Narcotics, and International Crime of the Bureau of Intelligence and Research, to collect and produce all-source intelligence, but the intelligence support personnel that

deploy with the FEST are from the DOD and therefore not under Department of State control.

Transportation support within the continental U.S. is accomplished with departmental assets augmented with DOD or civilian contracted assets if required. In operations occurring outside the continental U.S. interagency elements rely more heavily on DOD assets for transportation. If required to deploy equipment and vehicles, other governmental agencies often work with the U.S. Transportation Command through the DOD to utilize military airlift.

Contingency planning is extremely complex under the current organization. As mentioned above the Department of State is the lead agency for U.S. governmental support, but they do not provide the actual executing elements. Also, the host nation authorities have primary responsibility to handle these types of incidents within their respective areas. This serves to complicate the effort to bring the appropriate elements together to plan let alone build consensus amongst them.

Additionally, the Joint Task Force – Civil Support and FEMA capabilities are not replicated for operations outside the U.S. Domestically, these agencies provide this contingency and crisis planning functions for consequence management. Outside of U.S. territory, this responsibility falls to the regional CINC. We have not given the regional CINC's the additional assets or expertise to conduct contingency planning of this nature (Chairman of the Joint Chiefs of Staff Instruction 3214.01 1998)

The authority to direct training, for domestic counterterrorism resides with the Attorney General, as the lead federal agency, and state and local authorities. However, DOD has the capability, in support of the Attorney General, to direct and conduct training

in consequence management operations. This is a responsibility of Joint Task Force – Civil Support. DOD could, therefore, also have the capability to train foreign authorities in counterterrorism operations utilizing the same assets. The issue then is should the U.S. train foreign countries in WMD counterterrorism operations? This appears to be a logical conclusion if we intend to protect U.S. facilities, personnel, and assets abroad and we also hold the host nation primarily responsible for these operations. If the answer is yes, then DOD assets could conduct this training within a regional CINC's peacetime engagement program.

Moving to the tactical level command and control criteria, the only assets with the capability to surreptitiously detect, identify, and locate WMD materials exist within DOD. Moreover, both Smith, 1999 and Stoffa, 1995 in their independent analyses of the international terrorism environment, claim that in the U.S. Department of Defense assets are uniquely suited to conducting counterterrorism operations involving WMD. They draw these conclusions from the characteristics of the environment and reviews of what has worked internationally. A major consideration for both is the ability to command and control tactical execution in a combative environment (Smith 1999, 310 and Stoffa 1995, 49).

The capability to handle, neutralize, and or dispose of WMD materials resides within only a handful of units and is generally handled by units assigned a consequence management function. The Department of Energy has an advisory role in dealing with and a limited capacity to actually handle nuclear material. The Department of Energy does have the ability to control these operations within the context of an overall interagency and international effort (Center for Non-Proliferation Studies 2000).

However, under Chairman of the Joint Chiefs of Staff Instruction 3214.01, the U.S. Army's TEU is tasked to conduct consequence management operations involving chemical or biological materials. This plan advocates the formation of a joint task force for consequence management to control the execution of consequence management by military forces. Several agencies, therefore, are able to satisfy this tactical command and control requirement, even though some are more capable than others. Only one, the Army's TEU, is tasked with this mission abroad (Chairman of the Joint Chiefs of Staff Instruction 3214.01 1998).

This system of multiple responsible agencies is cumbersome and inefficient. This current structure has received criticism from Senators Nunn, Lugar, Domenici, Graham, Lieberman and Specter (Clinton 1998, 2), Dr. Kaplan, 1997, Assistant Secretary of Defense Holmes, 1997, the Center for Non-Proliferation Studies, 1999, and Smith, 1999, and Stoffa, 1995 as mentioned above. Criticism centers on the inability to orchestrate the efforts of the agencies because there is no established framework for centralized coordination with authority to task interagency elements. This is the very reason for conducting this analysis.

There are no established criteria for transitioning between crisis and consequence management. The handling of WMD material is an essential task within both crisis and consequence management operations. If during the execution of the counterterrorist crisis management operation it becomes necessary to combat the terrorists to secure the WMD device and or material, then armed and unarmed close quarters combat becomes necessary. These combative operations fall into the category of actions that both Smith, 1999 and Stoffa, 1995 proclaim to be historically best suited to the military within the

U.S. system (Smith 1999, 310 and Stoffa 1995, 49). DOD possesses the authority, ability, and command structure to control and execute these operations abroad.

Domestic and international law also govern the related issue of controlling a law enforcement or military action. The Department of State is the lead agency for handling counterterrorist incidents abroad regardless of whether they involve law enforcement, military counteractions, or WMD materials. However, if the incident occurs on a U.S. military facility abroad then it is under the jurisdiction of the senior military officer to control the operation (Chairman of the Joint Chiefs of Staff Instruction 3214.01 1998, 3). Clearly under DOD policy, military forces will remain under the command of the military. As a consequence this excludes the Department of State from controlling a military operation. The salient point here is that a WMD counterterrorist operation, depending on the location of the incident and location of the terrorists, can be either a law enforcement or military action according to appropriate law. This is where Stoffa's research on the Law of Armed Conflict becomes very important. There is international legal precedence that provides for defining a terrorist act as a use of military force and the prevention or response to that terrorist act by military force (Stoffa 1995).

While the host nation retains the authority to control medical support for their people, in a mass casualty situation such as that potentially caused by WMD, they could require outside assistance. DOD has the ability to control medical support over a wide area and involving multiple medical organizations and facilities. This authority only exists over their organic medical support infrastructure and does not extend to civilian facilities. The U.S. does regularly form agreements with foreign countries for the use of host nation medical facilities by U.S. government personnel. DOD assets are

consequently adept at integrating into foreign medical systems and in assisting them as in disaster relief operations.

Counterdrug Model for Operations Outside the Continental U.S.

In evaluation against the national level command and control criteria, this model consolidates all of the authority necessary to satisfy these requirements under a single office. The counterdrug model has received both praise and criticism in the areas of policy and budget. Supporters of the strong ONDCP concept find favor that it permits the ONDCP to serve as both a national and international Administration spokesperson on drug policy issues. From the congressional viewpoint, an attractive component of the ONDCP model is accountability to Congress. The ONDCP is confirmed by Congress and testifies regularly before congressional committees. Moreover, when Congress reauthorized ONDCP in 1988, it enacted specific targets that the drug strategy was required to meet. The ONDCP also possesses budget certification authority, an authority not shared by National Security Council staff.

Opponents to this model resent a single office consolidating authority to task and certify budgets of other agencies (Gilmore 2001). Others, however, suggest that the effectiveness of the ONDCP's office in integrating the diverse and multifaceted federal counterdrug community has been mixed at best. Also, in an ONDCP type structure, perhaps more so than in other bureaucratic structures, changes in leadership could significantly impair or enhance the effectiveness of a national leadership effort.

The operational level criteria are well satisfied by this model. The current controlling documents for the counterdrug program for outside the U.S., including Joint

Pub 3-07.4, establish standing JIATFs under the control of specific regional CINCs (i.e. DOD). These standing JIATFs work for the regional CINCs and therefore the liaison criteria is satisfied within the established command structure. The JIATFs have the authority to conduct liaison with the U.S. Chief of Mission and if granted authority by the ambassador, with host nation forces. This standing JIATF also has authority to control attached intelligence collection, processing, and dissemination capabilities, and to consolidate, validate, and prioritize intelligence requirements of attached forces. The JIATF controls contingency planning in coordination with the regional CINC. Finally, the JIATFs control a budget allocated by the national director for transportation and training support.

Overall then, at the operational level the establishment of JIATFs consolidated the authorities to task, move, and control all counterdrug efforts under a permanent command and control organization. An additional benefit of this organization is that they establish long-term relationships, i.e. peacetime engagement programs, with the foreign nations with which they are tasked to operate. This provides the opportunity to assess the requirements for U.S. support in each particular country. Special operations forces are the primary assets utilized to conduct most operations abroad, under these JIATFs.

The tactical level command and control criteria become somewhat difficult for this model to control. The forces and organizational structure within the counterdrug program for outside the U.S can satisfy all of the criteria for commanding and controlling tactical execution of the counterterrorist operation during crisis management. Although the forces that execute the counterdrug missions are not organic to these standing JIATFs, the JIATFs do provide the operational level command and control for the tactical units

that are attached for each particular mission. The issue then turns to force providing. The military services provide forces through attaching them to the appropriate regional CINC to the JIATF. If necessary then, the regional CINC can give the appropriate Chief of Mission the military equivalent of tactical control over the JIATF and its forces.

These command relationships do not always smoothly transfer to other governmental agencies. The other agencies may choose to attach them directly to the embassy through the Country Team. The Chief of Mission then can direct them to support the JIATF. Healthy habitual relationships built upon a standing, agreeable organizational structure are what make the JIATFs operate with relative ease.

The major disconnect that exists between the counterdrug model and the established criteria, is that the model has no counterpart similar to the consequence management operations. It also lacks a system for dealing with two separate but interdependent efforts (i.e., crisis and consequence management). However, the model could easily be modified to accommodate these requirements.

Summary

While neither model sufficiently meets all of the criteria, both have usable components. At the national level, the counterdrug model appears to work more efficiently than the current counterterrorist model. The counterterrorist model retains authority for policy within the National Security Council, which eliminates not only congressional involvement but also budget authority. The counterdrug model consolidates authority into a single office outside the National Security Council and adds

the congressional oversight and budgetary authority. The single office concept, in theory, provides the opportunity to focus assets and reduce waste.

The situation is similar at the operational level. In the counterterrorist model the Department of State is the lead federal agency. The operational criteria are satisfied by a variety of sometimes competing agencies whose authority to task and move assets does not extend outside the parent organization. None of the organizations possesses the capability to execute this mission alone nor do they have the capability to command and control the execution by other agencies.

In contrast, the counterdrug model formed JIATF that operate under DOD authority. This authority is limited to tasking specific agencies, budget control, intelligence support control, and compelling agreement. It does not give authority to break-up and reorganize non-DOD elements. This is roughly equivalent to the military tactical control. Under the counterdrug model the established criteria are again met by multiple agencies but a standing joint interagency command and control structure exists to orchestrate these activities.

The tactical level becomes even more difficult to clarify. The current domestic WMD counterterrorism model is neither efficient nor does it fully extrapolate to foreign territory. The one characteristic of the domestic and international counterterrorist environment that appears to be currently universal is that responsibility for crisis and consequence management resides primarily with civilian agencies while DOD assets remain uniquely capable to control and execute these operations. This is why the regional CINC's have gained so much influence in world affairs during the last decade.

DOD has the manpower, training, and command and control structure that can project into virtually any area of the world.

Also, the crisis and consequence management efforts are not integrated at the tactical level because there is no operational command and control structure to manage both and because of the necessary differences in classification. The conduct of a counterterrorist operation is generally classified for good reasons. Likewise, for good reasons the consequence management operations are generally unclassified. There is no established guidance on transitioning from one to the other either. The only agencies responsible for conducting consequence management abroad are DOD for chemical and biological materials, and Energy for nuclear materials. DOD consequence management assets are the most capable for command, control, and execution of joint interagency operations.

The counterdrug standing JIATFs provide a relatively permanent command and control structure at the operational level, which possesses the necessary organization for tactical level elements to attach to and operate effectively. Under DOD these forces are predominately special operations forces for counterterrorism operations and intelligence collection assets from all military services. The DEA and other Department of Justice elements as appropriate, the Central Intelligence Agency, and the U.S. Coast Guard often provide assets directly to the JIATFs or through the respective embassy to the JIATF.

¹Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 3214.01, 30 June 1998, *Military Support to Foreign Consequence Management Operations*, Pentagon, Washington, DC. This instruction applies to all DOD activities tasked with planning for, support, or executing foreign CM operations. This instruction dictates that primary responsibility for managing and mitigating the effects of a foreign WMD incident resides with the host-nation government. DOS is designated as the lead federal agency for

foreign CM operations in support of a foreign government. All DOD support will be coordinated through the responsible Chief of Mission and Country Team. Responsibility for coordinating assistance for WMD attacks on US government property resides with the senior USG representative, but must be coordinated through the responsible COM and country team. In the event a US military installation is the target of a WMD attack, the geographic CINC may provide military assistance. All DOD support to respond to the consequences of a WMD attack on a US installation will be coordinated the CINC in consultation with the responsible COM and country team.

CHAPTER 6

CONCLUSIONS AND RECOMMENDATIONS

The current command and control structure for counterterrorism operations abroad involving WMD is an unorganized but well-intentioned grouping of agencies. The organizational diagram, figure 1, of the domestic WMD counterterrorism structure itself is a great illustration of this point. Lead agency responsibility is divided between two U.S. governmental departments with geography framing each one's area of responsibility. Neither lead agency has the resources or capabilities to command and control much less execute these operations. Numerous departmental and National Security Council oversight committees exist without real authority to direct the spending that careened out of control. Senators, scholars, and other congressional and professional researchers have concluded that this lack of command and control structure results in wasted effort and resources.

Described in military terms the current lack of control defies one of the principles of warfare, Unity of Command. DOD's Joint Publication 3-0, *Doctrine for Joint Operations*, best describes unity of command.

The purpose of unity of command is to ensure unity of effort under one responsible commander for every objective. Unity of command means that all forces operate under a single commander with the requisite authority to direct all forces employed in pursuit of a common purpose. Unity of effort, however, requires coordination and cooperation among all forces toward a commonly recognized objective, although they are not necessarily part of the same command structure. [In] interagency operations, unity of command may not be possible, but the requirement for unity of effort becomes paramount. Unity of effort--coordination through cooperation and common interests--is an essential complement to unity of command. (Joint Publication 3-0 1995, I-1)

The objective of this thesis was to define a command and control structure for a joint interagency WMD counterterrorism program that would operate abroad. This organizational command and control structure should be able to operate outside the continental U.S. in congruence with existing relationships between U.S. governmental agencies within a regional CINC's area of operations. It must also meet the command and control requirements defined by the counterterrorism environment and involvement of WMD, taking into account all agencies that are currently or should be involved in these operations.

This led to the development of two subordinate questions aimed at defining first the current WMD counterterrorism environment and the capabilities needed to combat this threat, and second the forces currently involved and those that could or should fill in the gaps. Answering these questions in chapter 3 produced a set of command and control criteria that any organization tasked to control and or execute these operations ought to be capable of satisfying. Since this research is limited to an unclassified presentation, there are no specific discussions of current tactical counterterrorism units, capabilities, or identities.

Having established the criteria the third subordinate research question was answered in chapter 4 by presenting two current command and control models for joint interagency operations. The first was the current domestic WMD counterterrorism model while the second was the counterdrug model for operations outside the continental U.S. Chapter 5 comprises a comparison of these two models against the command and control criteria established in chapter 3. The conclusions drawn from this research and the subsequent recommendation are what follow.

Conclusions

The analysis in chapters 3 and 5 confirmed the relevance of the primary research question. The current U.S. system for foreign counterterrorism involving WMD lacks: (1) Unity of command at all levels from national down to tactical execution, (2) depth of assets, (3) coordination between domestic and international policy, between crisis and consequence management efforts despite their obvious mutual dependence, and (4) coordination and cooperation of intelligence support.

Lack of unity of command is apparent in the upper echelons of the U.S. foreign WMD counterterrorism structure. The lead agency responsibility rests with the Department of State, which is also responsible for foreign policy and foreign relations. However, the national coordinator that oversees the counterterrorism program is a member of the National Security Council staff. This national coordinator possesses no true authority over the lead agency or over any of the other departments who provide forces and capabilities in support of the lead agency. Also, the national coordinator as a member of the National Security Council staff has no authority to direct the budgets of any departments involved in the counterterrorism effort. The result is good intentions but no authority to control. This environment has allowed the spending frenzy and development of numerous overlapping and competing WMD counterterrorism entities that are widely criticized.

At the national level, the recent changes to the National Security Council organization by President Bush have consolidated many of the separate policy functions under one office. In theory this should serve to solve the policy coordination problem that existed under the former multiple interagency working group format. However, this

new organization still resides within the National Security Council. As a consequence, the ability to control the actions and budgets of the other U.S. governmental departments that was identified within the previous system may still be an issue.

In the counterdrug model by comparison, the ONDCP was established outside the National Security Council system. This office has budgetary authority and is accountable to both the executive and legislative branches. This office is the single point of contact for all matters concerning counterdrug policy and operations. The ONDCP with its subordinate JIATFs appears to be an effective organizational structure.

The bottom line at the operational and tactical level is that WMD counterterrorism needs a command and control structure to bridge the gap from Department of State level to executing units. The Department of State has created a good initial nucleus for command and control in the development of the FEST. This small deployable interagency element reports directly to the respective Chief of Mission for the country involved. It can move to the scene of an incident or potential incident, assess the situation and recommend courses of action including interagency force utilization. It is capable of providing an interagency group capable of liaison, crisis action planning, and coordination but not a command and control cell for the follow on counterterrorism and or consequence management operations.

As discussed in chapter 5, the Department of State is the lead agency for handling terrorist incidents abroad including those involving WMD. However, the elements that execute these operations come from other agencies. The counterterrorism execution assets are provided by DOD. DOD also provides the consequence management assets with the exception of those involving nuclear material, which the Department of Energy

provides. Also, the FEST lacks assets to plan for and interface with host nation emergency services. In other words the FEST does not sufficiently replicate the capabilities that the FEMA and Joint Task Force--Civil Support provide to the Department of Justice's DEST.

DOD can satisfy most of the operational and tactical level command and control requirements. Any command and control structure established and supported by the Department of Defense would have to integrate elements from other federal agencies that provide forces to counter WMD terrorism. The main issues are that first, the Department of State led TSWG and the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict's Counterterrorism Technical Support Program are both interagency groups given authority for research and development of equipment. The Counterterrorism Technical Support Program appears to be primarily focused on the international terrorist threat rather than the domestic threat. Second, command authority for intelligence support remains resident within each Secretarial level department, although the Director of Central Intelligence is overall responsible for the national intelligence effort. Third, within DOD, U.S. Special Operations Command, the Marine Corps, and the Reserve Bureau are all developing the capability to identify and locate WMD. U.S. Special Operations Command however, is still the only element of the three that can command, control, and conduct surreptitious detection and location operations.

Another major flaw in the execution of this concept is that the Department of State is the lead federal agency with a WMD FEST concept that does not include liaison from the regional CINC. The Chief of Mission is responsible for liaison with the appropriate regional CINC through his respective Security Assistance Officer. However,

when the FEST arrives, assesses the situation and begins to make recommendations that involve assets assigned to the CINC, or that will come under OPCON of a CINC, it is only prudent for the FEST to have direct liaison. The CINC has responsibility under Chairman of the Joint Chiefs of Staff Instruction 3214.01 to plan for and conduct consequence management operations utilizing assigned assets to support foreign consequence management operations that the Department of State FEST arrives to coordinate.

Additionally, as mentioned there is no unifying organization to bridge the gap that exists between the strategic level, the Department of State's WMD FEST, and the theater's operational level and tactical level executing units. Without a replication of Joint Task Force--Civil Support's and FEMA's capabilities to conduct operational contingency planning, the agencies involved conduct contingency planning independently. This is a recipe for wasted resources and lack of unity of effort. The only agency currently able and in fact tasked to conduct contingency planning that spans the broad spectrum of these operations are the regional CINCs (Chairman of the Joint Chiefs of Staff Instruction 3214.01 1998). This directive of the Chairman of the Joint Chiefs of Staff tasking DOD organizations to plan and provide forces for these operations does not develop a standing organization. It also does not establish a link between consequence and crisis management and with the other U.S. governmental agencies involved. The question everyone is asking is then valid: "Who is in charge and of what?"

In contrast, the counterdrug model as discussed in chapters 4 and 5 provides a solution to the dilemma. Under the ONDCP there is a series of regionally focused JIATFs. These JIATFs comprise elements from each agency that has a role in

counterdrug operations. They work directly for an ambassador when in a foreign country. DOD element reports directly to the Special Operations Command of the regional CINC mainly because it is the CINC's subordinate command that provides the preponderance of executing assets. The JIATF also includes an intelligence staff that coordinates the intelligence support provided by and for the individual agencies.

The second major issue in the current WMD counterterrorism concept for operations outside the U.S. is lack of depth. The interagency entities that contribute to the WMD FEST can field only a few teams simultaneously. Returning to the WMD terrorism environment discussion from chapters 1 and 3, potential threat countries understand our capabilities to combat terrorism. They acknowledge that the U.S. can theoretically deal effectively with a single isolated terrorist incident, given sufficient warning or during a prolonged action like a hostage type situation. In order to defeat the U.S. capability a potential terrorist must overwhelm the system, as in countering theater missile defense tactics by conducting multiple events in multiple areas simultaneously or near simultaneously, and or by attacking without warning and without remaining accessible for retaliatory strikes (Liang and Xiangsui 1999). It stands to reason then that any organizational structure that is built upon a unique and shallow conglomeration of entities, that cannot be in multiple locations simultaneously, can be overwhelmed. The subsequent question is how much of what is enough?

Aside from the Department of State FEST's limited numbers another perhaps more disturbing shallow spot exists. The U.S Army's TEU is the only asset tasked, capable of, and planned for under both the domestic and foreign consequence management support plans to handle and dispose of chemical and biological weapons and

materials. Within the continental U.S. the only other agency with even a minimal role in handling and disposing is the EPA.

These two areas that lack reasonably sufficient depth pose the possibility of command and control challenges. As discussed in chapter 3, it is foolhardy to proceed with a WMD counterterrorism crisis management operation without consequence management assets already in place. If the single WMD device scenario occurs then the potential exists to effectively deal with it. However, it is apparent that if multiples are used, even if one were a decoy, critical command and control and execution assets will be unable to cover both. With lead agency responsibility divided between agencies, neither of which actually “owns” the executing entities, then the question becomes who gets priority foreign or domestic, and who will make that decision?

The lack of coordination between domestic and international WMD counterterrorism policy and between crisis and consequence management agencies is the third major issue within the current system. This is also a by-product of the division of lead agency responsibility coupled with the lack of authority in the national coordinator and of compartmentalization within the crisis management entities. The recent reorganization of the National Security Council, has at least superficially corrected the problem coordination between foreign and domestic WMD counterterrorism policy by combining responsibility for both under a single office. This new coordinator though, as discussed in chapter 3, still appears to have no real authority to direct or compel agreement and budgets between U.S. governmental agencies. His duties extend to integration of policies. The lead agency status however, remains divided between two agencies that lack the authority to command and control the primary execution assets of

the operations they are supposed to lead. The full impact of this recent reorganization will require further study.

The schism between crisis and consequence management assets stems from two issues. First, that domestically, both are the primary responsibility of various state and local agencies that have no authority over each other, or many opportunities to work jointly. This is what the domestic preparedness program and the exercises being conducted aim to rectify. The assets conducting these operations abroad originate from a handful of federal agencies, mainly DOD. As discussed in chapter 1, the main assets within DOD with responsibility for counterterrorism crisis management operations remain behind the screen of classified information for good reasons. The problem arises when these entities need to maintain their compartmentalization while conducting a crisis management operation that is mutually dependent on a supporting consequence management operation, which is necessarily unclassified. Once again this creates a command and control dilemma that a loosely conjoined organization has difficulty handling. Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 3214.01, which governs DOD support to foreign consequence management operations does not link them with crisis management (CJCSI 3214.01 1998).

While the counterdrug model does not have this type of issue to address, the concept JIATFs offers solutions. The intent behind forming JIATFs is to have an element from each agency involved in the operation that it is formed to control. In the case of WMD counterterrorism, the JIATF model would suggest that a single element should possess the appropriate assets to provide operational level command and control for crisis and consequence management operations. Likewise, it should be capable of

command and controlling these simultaneously or in isolation, as all three of the scenarios are possible.

Lastly, the issue of lack of intelligence coordination beckons discussion. The obvious potential disconnect is within the WMD FEST itself. As discussed in chapter 5, the FEST is led by the Department of State. However, DOD assets provide the intelligence for the team. This does not appear to be a problem on the surface. Digging deeper, the researcher discovered that the Department of State has an intelligence effort focused solely on this threat, while DOD's collection focus is wider spread. Presumably, the Director of Central Intelligence will coordinate to fill potential gaps. But the issue of bridging the gap from strategic to operational and tactical intelligence support is not something that the Director of Central Intelligence can solve.

Beyond the FEST's intelligence issue, there is no current cooperation between the other U.S. governmental agency's intelligence assets. An example of this lack of coordination exists between the Department of Energy's intelligence system and the Department of Justice's. Only DOD has the relatively robust worldwide network through the regional CINC's Joint Intelligence Centers and their connection back to the national centers. The fact remains, however, that each agency has its own organic capability that may or may not be compatible with the others.

Both of these intelligence issues present command and control hurdles in the path of WMD counterterrorism operations. Neither the lead federal agency nor any other interagency entity has the authority to direct the activities of the supporting agency's intelligence assets in the prosecution of these operations.

By contrast the intelligence structure within the counterdrug JIATF system is more formally organized. As discussed in chapter 4, the JIATFs have their own organic, appropriately sized intelligence staff. This staff provides intelligence support for execution elements that are attached to the JIATF by coordinating the intelligence efforts of the individual agencies that contribute to the JIATF. The advantage gained is that when units are attached to the JIATF to execute missions, they have a single point of contact to receive focused intelligence. This is important because the parent organization, while it most likely has at least indirect access to the necessary information; it is probably focused on a wider range of missions over a larger area of responsibility.

Recommendations

Overall, to answer the primary research question and establish a command and control structure for WMD counterterrorism operations outside the continental U.S. and its territories, adopting a modified structure similar to the current counterdrug model is recommended. The major recommendations are thus twofold: (1) Create a national coordinator position responsible for WMD counterterrorism outside the National Security Council, granting him authority over foreign and domestic policy and budget oversight similar to the ONDCP; and (2) create a standing joint interagency task force system with responsibility over federal response for both WMD counterterrorism crisis and consequence management.

The actual effect of the recent elimination of the National Coordinator for Infrastructure Protection and Counterterrorism's position by President Bush and the reconstitution of the functions performed by the former multiple interagency working

groups under a single National Security Council Policy Coordination Committee, will require future analysis. This new development appears to satisfy this study's recommendation to consolidate the functions under one office overall responsible for the national program. The remaining recommendation however is that in congruence with the counterdrug model, this newly created office should possess the authority to direct budgetary spending of the supporting agencies to this national program.

The second recommendation is to create a standing JIATF focused on accomplishing four things: (1) Bridging the gap between the WMD FEST and executing entities, (2) providing the mechanism for better coordination between crisis and consequence management operations, (3) providing assets to interface with host nation emergency services, and (4) integrating and focusing intelligence support. The lead agency responsibility can remain with the Department of State for foreign support. For the reasons discussed above there is logical justification for this agency remaining in the lead at the national strategic and or theater strategic level. The JIATF then can fit in at the operational to tactical level for all WMD counterterrorism operations.

Establishing a standing JIATF ensures better readiness, contingency planning, and preparation over having a concept for creating one in times of need. There should be a single national JIATF perhaps under JFCOM. There are not enough active threats to warrant multiple JIATFs working under regional CINCs as in the counterdrug model. Under JFCOM, the JIATF would retain the advantages of operating under a CINC. This concept would facilitate the establishment of supported and supporting relationships. Between DOD assets, the regional CINC would be supported while JFCOM would be a supporting CINC, along with the other appropriate force providing CINC's. Overall, the

Department of State could retain its supported agency role (i.e., lead federal agency) with command and control exercised through the regional CINC to the JIATF.

Just as in the counterdrug model the JIATF should include all agencies that are involved in WMD counterterrorism operations. This includes both crisis and consequence management assets. This JIATF should have assigned, or have the capability to integrate, as subordinate joint task forces, the JTF for counterterrorism, JTF-CS, and if necessary a separate JTF for consequence management. In this manner the JIATF could integrate the operations of all three simultaneously in support of single or multiple simultaneous operations. This JIATF could also support the deployment of any of these joint task forces individually if the situation only required one type of support. This would require extension of JTF-CS's mission to outside U.S. territory, and the establishment of a standing Joint Task Force--Consequence Management like the one discussed in Chairman of the Joint Chiefs of Staff Instruction 3214.01 (CJCSI 3214.01 1998).

The military tactical level assets and other governmental agency operational elements do not need to be assigned to this JIATF, only a representative element from each agency with capability and authority to conduct the following: joint interagency contingency planning, provide operational level command and control, provide intelligence support, coordinate for medical support beyond that organic to each subordinate element, provide connectivity to host nation emergency forces, provide liaison with nongovernmental organizations, and to provide the mechanisms for tactical entities to connect to the JIATF structure. Simply put, the JIATF would be a headquarters and staff element that is prepared to provide command and control,

communications, and intelligence to interagency entities that are involved in conducting crisis management, consequence management, or both simultaneously.

In a contingency, the Department of State's FEST would still deploy, provide national level command and control, assess the situation, and recommend follow-on capabilities necessary to resolve the situation for incidents abroad. Recommendations for interagency force deployments then would proceed through the National Command Authorities and if approved, through the Chairman of the Joint Chiefs of Staff to CINC Joint Forces Command for the military, and through the other applicable U.S. governmental departments. The JIATF would then deploy command, control, communications, and intelligence architecture to orchestrate the operations of the various interagency executing entities. The JIATF then would have the authority to establish supported and supporting relationships between elements, and in the case of multiple simultaneous or near simultaneous incidents, authority to move and or relocate interagency assets if necessary. These relationships between agencies can be agreed upon during contingency planning and modified by the JIATF as the particular situation warrants. Realistically understanding that the National Command Authorities may direct priorities of effort in spite of the JIATF's analysis.

The JIATF would require sufficient depth to cover multiple occurring contingencies. This will require the JIATF staff itself to have multiple deploying command, control, communications, computers, and intelligence packages. These elements must integrate into a regional CINC upon deployment. The regional CINCs will retain combatant command of assigned forces and OPCON over apportioned DOD assets that the Joint Chiefs of Staff attach to him for the specific operation. There are

two options for satisfying the remaining personnel requirements to flesh out the JIATF's necessary capabilities. First, the JIATF could be sufficiently large to comprise multiple deployable command, control, communications, computers, and intelligence elements. Second, the regional CINC could provide a significant portion of the personnel from DOD side, to fill out the JIATF.

The first option would be the easiest on the regional CINCs and would provide the best vehicle for continuity and expertise. By forming a large enough JIATF staff to provide self-sufficiency, the deploying entities would attach to the regional CINC as a subordinate JIATF but work directly for the respective country's Chief of Mission through the Department of State's FEST. The disadvantage to this option is that it does require a large commitment of resources to a specialized function. All agencies contributing to this JIATF would have to invest heavily in terms of manpower and command, control, communications, computers, and intelligence capability. Although the current counterterrorism task force could be integrated into this JIATF, this option would still call for an expansive commitment of resources. The fact that this threat currently remains theoretical and the likelihood of occurrence is under debate may make this large commitment of forces to a specialized function undesirable.

The second option of creating a smaller JIATF staff that receives augmentation from the regional CINC it attaches to seems to be a better plan. This is not a far departure from what Chairman of the Joint Chiefs of Staff Instruction 3214.01 currently directs to the regional CINCs in the area of consequence management. With the addition of the current counterterrorism task force to the overall JIATF this option provides the least burden on DOD, which provides the preponderance of the assets across the

spectrum of these operations. It provides the best integration between regional CINCs and the JIATF, and is less cumbersome on the tactical entities. This option could also be advantageous for the other governmental agencies. They could task, in coordination with the appropriate regional CINC, their assets that are already deployed into theater in support of the CINC's everyday requirements, to augment the JIATF when it stands up. This option then could provide an avenue for committing the least additional assets to this new JIATF organization.

There is a wealth of justification for having DOD lead the operational execution through a standing JIATF system. Mainly the inherent command and control capabilities of each interagency elements and the nature of the WMD counterterrorism environment point to DOD as the most capable agency to lead these operations. The operational and tactical command and control criteria involve the actual execution of a counterterrorism operation during the crisis and consequence management phases. The fact is that several experts including Smith and Stoffa, but also Assistant Secretary of Defense Holmes and Dr. Kaplan, assess the U.S. military as uniquely capable to control and conduct these operations (Hoffman 1987, Holmes 1997, Kaplan 1997, Stoffa 1995, and Smith 1999). This judgment receives validation in the fact that the former Presidential Decision Directive 62 assigned DOD the responsibility for training state and local emergency response forces to operate in WMD environments.

The composition of the JIATF staff itself must include elements from all agencies that potentially have a role in WMD counterterrorism. This does not necessarily dictate that some of the organizations with smaller roles, for instance the Department of Energy, would have to have a large staff commitment under any of the above manning options.

All organizations involved would require a well-developed habitual relationship with the standing JIATF staff. Like wise the JIATF will require the capability to conduct liaison and provide assistance to host nation police, fire, and emergency services. This capability to assist in coordinating the actions of emergency services is a function that the JIATF could perform similar to what the Department of Justice's DEST does domestically and the Department of State's FEST currently lacks. Another option is to use DOD and Department of Energy forces to train foreign emergency services abroad under a regional CINC's peacetime engagement type program. Forces from both of the U.S. governmental agencies are currently engaged in training emergency forces in NBC defense and consequence management operations domestically.

Another advantage to the standing JIATF concept is in the integration of intelligence support. The JIATF should retain the authority to manage and direct the overall intelligence effort. The deployment of intelligence architecture for the tactical elements to connect to is an invaluable asset to those units. While most of the executing agencies will maintain a reach back capability to their own organic assets, the JIATF could set and communicate priorities to the Director of Central Intelligence for adjudication.

Lastly, this JIATF for WMD counterterrorism could in fact be a component of an overall JIATF for counterterrorism in general, and or it could include the overall counterproliferation of WMD mission. Under this construct, the JIATF would provide command, control, communications, and intelligence support for counterterrorism with separate subordinate controlling elements for conventional and WMD terrorism. Crisis and consequence management would be subordinate elements under one of these. Also,

the JIATF could have a separate branch for WMD counterproliferation. To make the counterproliferation integration work however, this mission area would have to be added to the national coordinator's responsibilities so that unity of command is retained from national down to tactical level.

Areas for Further Research

During this during this project the researcher inevitably discovered several areas for further study. They involve both national and tactical level issues as follows:

1. Creating a national coordinator for WMD counterterrorism. The recent reorganization by President Bush seems to have brought all of the policy functions involved under a single office. What deserves further study though is the issue of moving this office outside the National Security Council, and making this office accountable to Congress. These measures were adopted under the counterdrug model to control spending within the various agencies involved. Whether this is necessary or will work for WMD counterterrorism is currently unknown.

2. The command and control turnover, logistics, and precipitating conditions involved in transitioning from crisis to consequence management operations. Also, the command and control of simultaneous crisis and consequence management operations deserves consideration. For example, if an agent is released during a terrorist incident but the terrorists remain a threat in the area or continue to interdict efforts to contain the contamination. When does one part begin and the other end? Who remains the supported agency if the terrorist threat is still present but the WMD has been released?

3. The number of deployable elements necessary to command and control these operations given a multiple strike scenario. Deployable elements include but are not limited to the Department of State FEST including those components from other agencies; liaison elements, WMD counterterrorism JIATF or other operational level command and control entities from regional CINCs considering single and multiple incidents throughout their area of responsibility; and executing units.

4. What can the U.S. do to add depth to its chemical and biological agent and or weapons handling and disposal capability. One possible solution is to train explosive ordinance disposal units throughout the joint services to execute their mission with WMD munitions or agents involved. Once military EOD units were proficient at this new task they could then train domestic civilian agencies in addition to fleshing out the U.S.'s capability to handle and dispose of WMD materials.

5. Given that the U.S. still holds foreign nations as responsible for handing terrorism within their own country; should the U.S. train foreign emergency support entities to counter WMD terrorism? If we are going to protect our forces and property abroad yet depend on host nation support, how far should we go to ensure that the support we receive is adequate?

Summary

The relevance of this research is evident in the words of Governor Gilmore in his testimony before the senate Terrorism Advisory Panel, that we have an “Ad hoc approach with no national strategy . . . we need an overarching vision and a command and control system in place with civilian but federal control over military operations” (Gilmore

2001). This country spends billions of dollars each year on WMD counterterrorism programs with little accountability, and no one office with authority to make the agencies involved accountable (Kaplan 1999, 1). While the Government Accounting Office refutes that the probability of a terrorist incident involving WMD exists, most other government and civilian analysts agree that it is within the realm of the probable. The combination of a debated credible threat and uncontrolled spending and U.S. government agency involvement yields a recipe for out of control programs.

The main issues involve achieving control at the national level of policy, budget, and direction of capabilities. They also encompass bridging the gap between national and theater strategic levels and operational level command and control. The combining of crisis management with consequence management under a single authority is the third issue. Finally, integration of interagency intelligence support with directive authority over intelligence consolidated in a single entity.

The solution is twofold. The first aspect has recently been partially accomplished in President Bush's reorganization of the National Security Council. The National Coordinator for Infrastructure Protection and Counterterrorism's office was eliminated and his responsibilities were consolidated under the single National Security Council office for Counter-Terrorism and National Preparedness. There remains, however, a need for granting budgetary authority to this newly created office. The second recommendation is the formation of a standing JIATF for WMD counterterrorism. This JIATF would provide the operational command, control, communications, and intelligence support to bridge the gap between the strategic level lead federal agency to the executing elements. The JIATF would consolidate authority for allocating

interagency assets that have been apportioned by the National Command Authorities through the respective departments for specific operations. The JIATF would also consolidate intelligence support and provide direct connectivity to the respective regional CINC. Overall, the changes to the national coordinator position coupled with the standing JIATF will provide the mechanism to achieve unity of command from the national down to the tactical level, integrate intelligence support, and attempt to defeat the barriers between crisis and consequence management assets.

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