STRATEGY RESEARCH PROJECT

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COUNTERTERRORISM: A NATIONAL SECURITY PRIORITY FOR THE 21ST CENTURY

BY

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ABSTRACT

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As the 20th century draws to a close, the United States has emerged as the world's only superpower. International terrorism is increasing. No other country possesses the wherewithal to challenge the United States on the conventional battlefield. For many countries whose ambitions counter to the U.S.s' national interests, terrorism is an attractive option. More concerting is the increasing availability of weapons of mass destruction to rogue nations and radical terrorist organizations. They now pose a formidable threat. This paper discussed the evolution of international terrorism and the frightening proliferation of nuclear, biological, and chemical weapons. Furthermore it analyzes our national security and military strategy for combating terrorism. This paper concludes that terrorism has the potential to catastrophically impact on the American way of life. Therefore, counterterrorism must become a national security priority for the 21st century.

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Speaking on behalf of counterterrorist legislation, former Senator Sam Nunn cited America's lack of preparedness for dealing with terrorists' use of chemical and biological agents:

An attack of this kind is not a question of *'if'* but is a question of *'when.'*[1]

The Union of Socialist Soviet Republics collapsed. Then the Iraqi armed forces were summarily crushed by a coalition force led by the United States during Operation DESERT STORM. Since then military, political, and academic strategists have bombarded the airways with divergent views on reformulation of our national military strategy. Strategic insights are debated at ad nauseam. A few holdouts still advocate support for arming the nation for global war. Many arduously rally behind the current threat-based two near-simultaneous major regional contingencies (2MRC) that evolved from the vacuum created by the ending of the Cold War. Likewise, many die-hard strategists vehemently argue for a capabilities-based strategy that would inevitably be something less than a 2MRC strategy (1MRC, 1MRC + one lesser regional contingency [1LRC], . . . etc). These strategy debates will flourish in many forums around the Washington beltway during the course of the ongoing Joint Strategy Review (JSR) and the Quadrennial Defense Review (QDR). The QDR and a parallel study, the National Defense Panel (NDP), may well shape our military strategy for the next century. Paramount in this reform process are deliverables for the Department of Defense (DOD) budget. The budget has been on a downward spiral which assuredly will continue for the next few years.

Anyone with a slight understanding of political and military history can predict with relative certainty that future conflicts are inevitable. Conflicts could range the

spectrum of conflict. An MRC is conceivable, and certainly we should anticipate involvement in peace enforcement operations that have prevailed in the last half of this decade. Our need to deter a nuclear attack is undoubtedly a national priority--one we cannot overlook. But we are debating about the conventional force structure required to operate across the spectrum of conflict to fulfill national objectives.

Whatever national military strategy emerges from these ongoing studies, a strategy to counter terrorism must percolate to the top as a national military priority. Terrorism poses a perplexing strategic problem and a threat to our national security. Terrorists present genuine strategic problems; therefore they must be appropriately addressed as such. [2] **International terrorists armed with weapons of mass destruction pose an increasingly serious threat to our national security and our way of life. We are witnessing more and more terrorist attacks; they are becoming exponentially more lethal. Terrorists will continue to threaten regional stability in areas of the world where the United States has a national interest. More importantly, terrorism in mainland America poses an increasingly formidable threat.**

This paper discusses the importance of the National Security Strategy and the National Military Strategy in force structure development and in determining budget priorities. It points out the incongruencies between the National Security Strategy and the National Military Strategy in counterterrorism policy. It argues that if these two capstone documents are not meshed, we could lack counterterrorist capabilities when they are most critically needed. It shows that rogue nations and radical terrorist factions and cults for demented causes will increasingly rely on terrorist incidents to undermine U.S. policy and

initiatives. It further argues that terrorist activities have the potential to inflict an unimaginable loss of human life. The paper concludes with recommendations about what efforts the nation should undertake to thwart this threat in the 21st Century.

DEFINITIONS

First, let's define selected terms related to the subject of terrorism. The Department of Defense defines terrorism as "The calculated use of violence or threat of violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological."[3] In Joint Publication 1-02, DOD then goes on to define antiterrorism and counterterrorism. This distinction is necessary since many publications tend to use these two terms interchangeably. This paper focuses on counterterrorism policy, a more pro-active approach to the threat:

Antiterrorism: ***Defensive measures used to reduce the vulnerability of individuals and property to terrorist acts to include limited response and containment by local military forces.***

Counterterrorism: ***Offensive measures taken to prevent, deter, and respond to terrorism.[4]***

Non-State-Supported Terrorist: ***A terrorist group that operates autonomously, receiving no significant support from any government; for example, Italy's Red Brigade.***

State-Supported Terrorism: ***A terrorist group that generally operates independently but receives support from one or more governments; for example, the Popular Front for the Liberation of Palestine.***

<u>State Directed Terrorism:</u> A terrorist group that operates as an agent of a government and receives substantial intelligence, logistics, and operations support from the sponsoring government; for example, the Abu Nidal organization.[5]

NATIONAL STRATEGY

Two key documents that set national security objectives and strategy for the nation are the President's *A National Security Strategy of Engagement and Enlargement (NSS)* and the Chairman, Joint Chiefs of Staff's, *National Military Strategy (NMS).* Further, Presidential Decision Directive (PDD), *US Policy on Counterterrorism,* focuses narrowly on counterterrorism policy.

The NSS devotes two pages to a lengthy discussion of terrorist threat to the United States. It asserts that

> **As long as terrorist groups continue to target American citizens and interests, the United States will need to have specialized units available to defeat such groups. From time to time, we might also find it necessary to strike terrorists at their bases abroad or to attack assets valued by the governments that support them. Our policy in countering international terrorists is to make no concessions to terrorists.**

Although not specifically addressing counterterrorism, the NSS declares we must pursue policy with the "right tools." Further we must be prepared "to act unilaterally when our direct national interests are most at stake .[6]

Accordingly, the PDD articulates the President's intent and clearly establishes counterterrorism as a national security priority.

> **It is the policy of the United States to deter, defeat and respond vigorously to all terrorist attacks on our territory and against all citizens, or facilities, whether they occur domestically, in international waters or airspace or on foreign territory. The United States regards all such terrorism as a potential threat to national security as well as a criminal act and will apply all appropriate means to combat it. Furthermore the United States shall seek to identify groups or states that sponsor or support such terrorists, isolate them and extract a heavy price for their action. The United States shall seek to deter terrorism through a clear public position that our**

policies will not be affected by terrorist acts and that we will act vigorously to deal with terrorists and their sponsors. Our actions will reduce the capabilities and support available to terrorists.

The United States shall give the highest priority to developing effective capabilities to detect, prevent, defeat and manage the consequences of nuclear, biological or chemical materials or weapons used by terrorist." The acquisition of weapons of mass destruction by a terrorist group, through theft or manufacture, is unacceptable. There is no higher priority than preventing the acquisition of this capability or removing this capability from terrorist groups potentially opposed to the United States.[7]

In contrast the NMS merges both counterdrug and counterterrorism policies in the same paragraph. While these activities are complementary, they are also distinctively different. Their impact on national security varies dramatically. In a seeming afterthought, the NMS states that "We will also act both unilaterally and in concert with security partners to fight international terrorism." The NMS's casual attention to counterterrorism might lead decision-makers and policy planners to view counterterrorism as relatively unimportant.

Does it matter how counterterrorism is addressed in the NMS? Many observe that the primary command responsible for counterterrorism, United States Special Operation Command (USSOCOM), retained its budget of $3.2 billion, while the Service budgets and manpower steadily decline. Nonetheless, several dynamics could influence counterterrorism capability in the future: We have noted that DOD is currently in the beginning stages of the Quadrennial Defense Review (QDR), which most likely will guide a new national military strategy; recent legislation seeks to balance the budget by 2002; and on-going efforts seek to reduce the DOD's budget to pay for domestic programs. These trends and reviews surely impact on defense programs, force structure, and capabilities.

As the defense budget invariably shrinks, continued resourcing for counterterrorist forces and initiatives may prove woefully insufficient. Such a prospect should be more urgently presented in our NMS.

Budget wars in the Pentagon are often won or lost by the weight of the written word--expressed or unexpressed--in strategic documents. The NMS is an important capstone document. The CJCS uses it to advise the President, National Security Council (NSC), and the Secretary of Defense. The NMS likewise assists the Secretary of Defense in preparing the Defense Planning Guidance (DPG) and guides the development of the Joint Strategic Capabilities Plan (JSCP). The JSCP provides the wherewithal to mold strategy into capability through CINC planning and Service resourcing. Furthermore, the NMS provides the Chairman with a vehicle for transmitting matters of "strategic importance". Finally, the Services use the NMS to prepare the Program Objective Memorandum (POM), where the rubber of defense dollars meets the road of actual expenditure.[8] Year in and year out, regardless of whether the DOD is building the current budget or the POM for future years, few defense programs escape scrutiny. Realistically, all programs compete for funding in an ever-decreasing DOD budget.

Even during periods of "steady course" budgets, in order for programs or capabilities to maintain adequate funding, the supporting strategy, policy, and requirements must be traceable through the litany of strategic policy documents that articulate consistent themes. For example, in the Pentagon programs and capabilities that are cited in the Defense Planning Guidance (DPG) are given top budgetary priority; those that are not fortunate enough to warrant comment in strategic planning documents are

assigned secondary and tertiary priorities. The current DPG, a Secretary of Defense document, provides reasonable direction for force structure and resourcing counterterrorist forces:

> . . . as long as terrorist groups continue to target American cities and interests, the U.S. will need to have specialized units available to defeat such groups. From time to time, the nation might also find it necessary to strike terrorists at their bases abroad or to attack assets valued by governments that support them.[9]

This policy effectively paraphrases the NSS. However the NMS offers no such specific policy guidance. Therefore, CINC and Service planners during this time of budgetary constraints could argue that the counterterrorism strategy currently articulated in the NMS provides little justification to sustain development and maintenance of a formidable international counterterrorism capability.

TERRORISM

Many strategic thinkers believe that America will remain uncontested as the sole superpower until about 2010. In fact, *The Army Plan* (TAP) goes further by stating that America may not have a military peer within the next 30 years.[10] Without a doubt the American military presently has the force projection capability and the military might to decisively defeat any opponent. Thus, rogue nations such as Libya, North Korea, Iraq, Cuba, and Iran-- along with other radical terrorist groups--must revert to increased terrorism to undermine US policy and influence. Unfortunately, a negative fallout from the Collapse of the Soviet Union is the absence of mature leadership or control of these renegade nations. [11] To complicate matters, the potential for rogue nations and radical terrorist groups to use weapons of mass destruction is becoming greater. A single

successful terrorist nuclear, chemical, or biological incident on mainstream America could cripple the nation and inflict far more casualties than those suffered in any recent conventional confrontation. The destruction of an airport, crowded stadium, a major financial institution or the simple contamination of a large city's water supply would be devastating to the American people. It would certainly paralyze the nation--with disastrous impact on our economic well-being. This potential lethal and disorienting threat demands that the nation invest in the technology and capabilities to preempt terrorists who seek to make statements or further causes or generally wreak havoc by using weapons of mass destruction.

Terrorist attacks on the United States or its interests are increasing. The United States is no longer immune to terrorist activities. Former Senator Sam Nunn warns that "as we stand at the threshold of the 21st century, there is perhaps no greater threat to this nation, and indeed the world's national security than the illicit spread of mass destruction weapons." He adds that the increase to ethnic, religious, racial, and political conflict have led to a more formidable threat of terrorist activities. Moreover he expresses great concern that these conflicts may prompt zealots to do the unthinkable--use weapons of mass destruction. This capability is increasingly within the grasp of terrorist groups and individuals. [12]

In the past three years we have witnessed the bombing of the New York City's World Trade Center, which left six dead and hundreds wounded and the bombing of the Federal building in Oklahoma which destroyed the lives of over a hundred Americans. Just this year alone we have experienced two bombings of installations housing American

servicemen and women in Saudi Arabia, leaving 21 dead and several wounded. And most recently the downing of TWA flight 800, potentially a terrorist act, took place within sight of New York City and horrified the nation with its 230 victims. [13]

The consensus among analysts is that international terrorism is undoubtedly on the rise.[14] The resource pool for terrorist organizations is growing. For example, "Black Muslim members are associated with perpetrators of the World Trade Center bombing and may have provided support to the terrorist plot to sabotage the Hudson River tunnels in July 1993."[15] Kim Holmes, Vice President and Director of Foreign Policy at the Heritage Foundation, has declared that "Radical Islam, particularly, is more dangerous today than ever before, with Iranian-backed guerrilla training camps in Sudan, Lebanon and Afghanistan, radical Islamic fundamentalists in Algeria, new terrorist cells in Egypt and Lebanon, with additional looming threats in the form of terrorist attacks inside the United States."[16] Likewise, nuclear, biological, and chemical (NBC) weapons have proliferated among the so-called rogue nations: "Some of these nations are buying or developing their own NBC capability and will use terrorists, as surrogates, to brandish weapons of mass destruction not only to intimidate and blackmail foes, but to project their power beyond their borders."[17]

Historically, terrorism has remained constant and evolved slowly. Basically, the form of terrorism has changed little. Tactically, they have operated with four basic techniques: bombings, armed assaults, assassinations, and hostage taking. For several reasons, one of which is to guarantee tactical success, they tend to repeat the same methods of terrorist attacks over and over. Proven techniques seem "safer". However, we are

witnessing a dramatic surge in terrorist activities. Terrorists have greater motivation to act now than ever before. For many years ideology has fueled terrorist episodes. But today ethnic hatred and fanaticism are the catalysts for terrorist events that are calculated to kill massively. Organizationally, terrorist groups are changing. For the better part of 20 years terrorist groups have had known leaders and recognized methods of operations. But new terrorists are loosely linked. They appear to be ad hoc groups and, in some cases, lone operators. This absence of visible structure makes it difficult to gather intelligence and devise effective preemptive measures.[18]

"Most dangerous are the religious fanatics--Christian, Muslim, Hindu, or Jew--who are convinced they have the mandate of God. These terrorists are absolved of all moral considerations, uninterested in political mobilization, and concerned with no constituency in their life. As a result, the moral concerns and political calculations that constrain the actions of secular terrorists are not relevant to them".[19] Such religious terrorism has become more violent and bloody over the past 10 years. In the past, any terrorist act, regardless of casualties inflicted, made major news. With the world now somewhat accommodated to terrorist activities, only spectacular events that injure, kill, or maim a great number of people get the desired media attention. Religious terrorists now justify massive deaths as a reflection of their belief that violence is a sacramental act or a divine duty. Also, terrorists view themselves as "outsiders". This alienation makes them far more destructive and exposes larger segments of society as targets. Finally, religious terrorists are simply more adept at killing. Terrorists' weapons are becoming increasingly smaller;

technology is making them far more sophisticated; and their impacts are more devastating.[20]

ROGUE NATIONS PURSUIT OF WEAPONS OF MASS DESTRUCTION

All terrorist threats must be considered. All threats potentially can impose catastrophic damage. Most terrorism falls within three categories: State-sponsored, non-state-sponsored, and state-directed terrorism. Rogue nations may use terrorist organizations to blackmail adversaries and shift regional balances of power. These surrogates offer a degree of plausible denial. That is, rogue nations direct terrorist activities to undermine western influence and simultaneously vehemently deny any involvement to the international community. In other cases, radicals, cults, and factions may use terrorism for a multitude of reasons.

Rogue nations have or are actively developing NBC weapon capabilities. Iran, Iraq, and Libya have demonstrated that they have no qualms about using weapons of mass destruction. Both Iran and Iraq used chemical weapons against each other during the Iran-Iraq war, and Iraq subsequently used chemicals on the Iraqi Kurds in the 1980's. Likewise, Kadaffi used chemicals against Chadian troops in 1987.

Iran is currently attempting to gain NBC weapons on the open market by simply purchasing weapons. China is a nuclear supplier to Iran; Russia may soon be. Additionally, "Iran has an adequate technological base to support production of chemical agents, missiles and a biotechnical structure capable of supporting production of biological agents."[21]

Regardless of the brutal Iraqi defeat during Operation DESERT STORM, Saddam Hussein (or any successor with similar aims) will attempt to restore Iraq with weapons of mass destruction. The United Nations continues to monitor Saddam's NBC efforts under the authority of the U.N. Security Council Resolution 715. Iraq apparently continues to attempt to deceive the world to keep its NBC programs alive. Furthermore, Iraq is preserving enough NBC weapons programs and thousands of capable scientists and technicians to rejuvenate the program once United Nations sanctions are lifted. Some observers estimate that Iraq could reach production capability with nuclear weapons in five to seven years after United Nations sanctions are terminated.[22]

Libya, like the other rogue nations, craves regional leadership--and would much like to have a weapon to intimidate the United States.[23] Libya does not have the wherewithal at this time to produce weapons of its own, so it must rely on foreign technical support. However, Libya can develop lethal chemical products. Kadaffi has produced 100 metric tons of blister and nerve agents in his Rabta plant in Tripoli. Following intense international pressure, the facility mysteriously burned. Libya is currently replacing the Rabta plant with another more survivable plant. Construction has already begun on an underground facility outside Tripoli.[24] This Tarhunah plant gravely concerns the U.S. Our former Secretary of Defense vowed that we would not allow it to become operational.[25] Nonetheless, the facility has become a difficult political and military target. The Europeans are lukewarm on preemptive strikes, and the nature of the target presents significant dilemmas for conventional and unconventional operators.[26]

The use of chemicals in the Iran-Iraq war did not go unnoticed by North Korean planners. They certainly have studied the results of Operation DESERT STORM. The North Korean government is fully aware of the military, physiological, and political impacts of weapons of mass destruction during a crisis. The North Koreans have thus placed great importance and priority on developing its NBC capability. In fact, North Korea has developed a robust organization for researching, testing, and storage of NBC weapons. Defectors have reported that North Korea produces 20 different chemical agents--particularly mustard, phosgene, sarin, and the V-agents. Defectors also report that many organizations are involved in chemical warfare research and that chemical and biological weapons are being tested on human beings. What is most disturbing is the North Koreans apparent willingness to use these weapons. Reports suggest that chemical mortar and artillery shells are "not readily identifiable" at the unit level so they could be used indiscriminately.[27]

NUCLEAR CONCERNS

The availability of weapons of mass destruction causes great concern. Some analysts argue that terrorists traditionally don't use weapons of mass destruction. The RAND Chronology of International Terrorism states that only 52 of the 8,000 recorded terrorist plots have involved the use of chemical, biological, or nuclear weapons.[28] But how many successful terrorist events using weapons of mass destruction can the US tolerate? One could be cataclysmic!

The break-up of the Soviet Union left its nuclear arsenal extremely vulnerable to pilferage. Reports frequently cite poor security at plants: Warehouses are secured with

simple padlocks; accounting procedures are rudimentary; no radiation sensors are present; and most records amount to no more than simple handwritten accounting.[29] For example, The US Energy Department visiting the Kurchatov Institute near Moscow found "160 lb. of weapon-grade uranium stored in lockers. It was secured only by a chain through the handles of the lockers: there was no other security. It is estimated that less than 20 percent of these research facilities have even the most elementary electronic monitoring systems as part of their security arrangements."[30]

Black marketing has flourished since the breakup of the Soviet Union. The black market appears to be a amateurish and chaotic affair. The Russians have discounted the impact of the black marketing by stating that in the 278 radioactive thefts from January 1992 to December 1995, only three percent of the stolen radioactive material resulted in actual sales.[31] Perhaps access to radioactive material and the production of nuclear weapons are two different things. But in the hands of terrorists, radioactive material scattered by a conventional bomb over a populated area could produce catastrophic effects.[32] The former CIA Director John Deutch expressed such concerns to the Senate Permanent Subcommittee in the Spring of 1996. He went on to say that radioactive waste could be used with comparable results.[33]

Even Russian scientists who were once the Soviet elite have found themselves strapped for cash as a result of the end of the Cold War. The typical Russian scientist wage is $67/ month, while Iran will pay $5,000/month for former Soviet scientists. Such economic conditions make it practically inevitable that weapons of mass destruction will

find their way into the hands of rogue nations. More disturbingly, non-state sponsored terrorist groups may also have access to these weapons!

CHEMICAL CONCERNS

Certainly the prospect of a loose nuke is terrifying. However, terrorists use of chemical weapons can be just as devastating and perhaps more likely. Former CIA Director John Deutch affirmed such a prospect before a Senate inquiry. A week later, Gordon Oehler, Director of the CIA Nonproliferation Center, testified that "extremist groups worldwide are increasingly learning how to manufacture chemical and biological agents, and the potential for additional chemical and biological attacks by such groups continues to grow".[34] We should recall the terrorist-delivered pandemonium in Japan's subway. Shoko Asahara, leader of the AUM Shinri Kyo, predicted that the world would end in 1997 in an Armageddon-type finale which the cult planned to hasten by bringing down the Japanese establishment. The cult even contemplated nuclear weapons. But instead they pursued another option. The AUM Shinri Kyo chose sarin gas for the subway attack, which killed 12 and injured 5,500.[35] Fortunately, this sarin gas was prepared in haste. So these terrorists used a diluted gas with a low potency, and it was deployed by a crude dispersal system.[36] What if VX nerve agent had been used instead? "One gallon contains enough doses to theoretically cause 382,000 fatalities."[37] Dr. Val Mirzayanov, who worked for 26 years in the Russian chemical weapons program, testified before the Senate that "In my opinion, we were lucky that the notorious gas attack in the Tokoyo subway was prepared and carried out by dilettantes. Had true professionals from Russia executed it, using military strength sarin, there would have been a real catastrophe."[38]

Organizations like the AUM cannot be taken lightly. The AUM is part cult and part criminal. The group has a large following: 30,000 in Russia, 90,000 in Japan, and numerous others reported in Australia, Germany, and the USA. Additionally, some observers believe that the organization has branch offices in many large cities around the world. Many of the sect's members are highly intelligent and are successful professionals: For example, eleven of the top lieutenants in the organization are graduates of prestigious science and engineering schools, including a cardiac surgeon, members of the elite Japanese Self-Defense Forces, and an aerospace physicist.[39] The cult has reasonable expertise and sufficient financial resources to acquire chemical and biological weapons. The net worth of the organization is reported to be in the neighborhood of $1 billion. The group has actively recruited university-trained Russians to work on their chemical and biological programs.[40]

Senator Sam Nunn, former Ranking Minority Member of the Armed Services Committee, recently reported that the AUM had plants capable of producing sarin and VX gas, along with such biological agents as botulina toxin and anthrax. He further observed that "despite the fact that the group's doomsday philosophy was primarily anti-US, the AUM was virtually unknown to US intelligence or law enforcement prior to the March 20 subway attack".[41]

BIOLOGICAL CONCERNS

Biological agents are especially worrisome. Some contend that they are the weapon of choice for terrorists. Biological weapons are easier to obtain, transport, and use than

nuclear or chemical weapons. In "Biological Weapons: A Post-Cold War Threat to America's Strategic Mobility Forces," Laren and Kaklec report that:

> It would take a ton of the chemical nerve agent sarin to kill the same number of people as would die from an attack using just 10 grams of anthrax spores. That estimate, from the US Congress Office of Technology Assessment, means that if a single, efficient aerosol generator were used to spray 100Kg of anthrax spores over a densely populated city the size of Washington, DC, between a million and three million deaths would likely result.[42]

Commercial manufacturing and biotechnology further complicate the threat of biological terrorism. Many of the processes for developing pesticides, medicines, and vaccines are similar to those used for manufacturing biological agents. "The fact that bubonic plague bacteria, deadly viruses and toxins can be ordered directly from mail order catalogues, or stolen from laboratories and hospitals, presents a whole new dimension to the challenge of limiting the threat of dual technologies".[43]

TERRORIST RESPONSE CAPABILITY

The United States military has not always had a robust capability to counter terrorist activities. The military has dealt with the problem at the time of crisis. For example, in 1979 during President Carter's administration, the fundamentalist Muslims overthrew the Iranian Shah and subsequently took American embassy personnel as hostages. Then the overwhelming American military conventional capability proved to be woefully inept in dealing with this kind of crisis. Congress thus chartered the Holloway commission to investigate why the military was ineffective in coping with such a crisis. The report found that the DOD did not have a comprehensive counterterrorism capability. The Commission thus recommended the formation of dedicated units organized, equipped,

and commanded by a standing command and control headquarters capable of combating terrorism. Furthermore, the Goldwaters-Nichols Reorganization Act of 1986 established the United States Special Operations Command (USSOCOM) to command all the Services' special operations forces. USSOCOM is unique, since it is the only unified command provided a budget, MPF 11, by Congress, similar to each of the Services' budgets. Subordinate to USSOCOM is the Joint Special Operations Command (JSOC), which is specifically designed to counter international terrorism. JSOC's control of selected counter-terrorist units warrants the highest priority for equipment, personnel, and other required resources. JSOC is DOD's military lead organization for attacking terrorists' nuclear, chemical, and biological facilities and for resolving hostage situations.[44] Thus the United States has a one-of-a-kind world class organization dedicated to combating international terrorism. The United States has the only force projection counterterrorism capability.

In 1982 the President assigned the FBI as the lead agency responsible for counterterrorism within the United States. Additionally, Congress strengthened this initiative by expanding the FBI's authority to investigate terrorism against Americans abroad.[45] Nevertheless, the State Department (DOS) has overall responsibility for international terrorism.[46] Further, the DOD has the responsibility to apply military solutions to counter terrorism when required. Clearly counterterrorism crosswalks a multitude of our governmental departments and agencies. Effective interagency coordination is crucial to successful ongoing counterterrorist activities of the United States.

Is the DOS the right department to counter international terrorism? We are entering an era when diplomatic measures to resolve terrorism are proving inadequate. In the past, terrorist incidents allowed time for diplomacy. While these terrorist incidents were grave, they were generally limited to hostage-taking and threats involving small conventional explosives. The casualties, while unforgivable, might pale in comparison to those that might be inflicted in the future if terrorists revert to weapons of mass destruction. The United States cannot passively wait to defuse terrorist activities. Instead we must stand behind a firm and credible policy of preemption.

Many like Paul Stoffa argue that the responsibility for international terrorism should shift from the Department of State (DOS) to the Department of Defense (DOD).[47] Supporters of this position cite two distinct advantages to DOD oversight of international terrorism: First, DOD has a clear command and control structure for formulating and implementing policy. Second, DOD is not solely committed to a diplomatic approach or firmly entrenched in a law enforcement approach to terrorism.

DOD is organized to counter this tremendous threat to the nation. By authority of the Goldwater-Nichols Act, DOD has an Assistant Secretary of Defense for Special Operations and Low Intensity Conflict who is responsible for counterterrorism policy. Second, USSOCOM assists the Assistant Secretary in policy development and in implementation of counterterrorism forces. Lastly, Joint Special Operations Command (JSOC) has the forces and wherewithal to implement counterterrorism policy.

The United States must closely monitor terrorist activities. In appropriate cases, it must preempt incidents, especially those that might involve weapons of mass destruction.

The Law of Armed Conflict, an international body of law, authorizes use of military force to preempt a pending armed attack, although there is a dispute about whether the law applies to "intent" or an "actual" armed attack. Article 15 of the UN Charter states that nothing in the Charter "shall impair the inherent right of individual or collective self-defense if an armed attack occurs."[48] Under internationally accepted standards, intent is interpreted as "the inherent right of self-defense [which] includes the right to use force in 'anticipation' of armed attack."[49]

Nevertheless, DOS should retain its current lead for counterterrorism. DOS is more suited to the application of diplomatic and economic counterterrorism measures that DOD. Use of military power in counterterrorism operations should be exercised in this larger framework. What finally matters is not which agency leads the counterterrorism programs but how effectively all departments and agencies work together to execute the program. The Presidential Decision Direction, *US Policy on Counterterrorism,* is a major step in making the interagency process effectively work.

RECOMMENDATION

The NMS must clearly reflect counterterrorism as a national military security priority. The Joint Staff and USSOCOM must jointly amend the NMS to establish counterterrorism as a high national priority. Indeed, counterterrorism policy and strategy should stand alone in the NMS; it should not be interwoven or linked with counterdrug strategy. The following language would be appropriate in our NMS:

As long as terrorist groups continue to target American citizens and interests, the United States will need to have specialized units available to defeat such groups. From time to time,

the U.S. may find it necessary to strike terrorists at their bases abroad or to attack assets valued by the governments that support them. Furthermore the U.S. must be prepared to act unilaterally when direct national interests are most at stake. The highest priority will be given to developing effective capabilities to detect, prevent, defeat and manage the threat of nuclear, biological, or chemical materials or weapons used by terrorists. There is no higher priority than preventing terrorists' acquisition of this capability or removing this capability from terrorists groups potentially opposed to the United States.

This addendum to the NMS provides for the following:

1. It aligns the NMS with other national strategy documents such as the NSS, PDD, and the DPG. It provides a thread of continuity from the President's guidance through the Secretary of Defense to the Uniformed Services.

2. It clearly articulates that counterterrorism is a national priority and thus serves to justify resourcing this priority.

3. It provides the Chairman's force structure guidance to all Services and CINCs. It documents the need for specialized force structure to carry out the President's intent.

4. It provides USSOCOM budgeting leverage for both the budget years and the POM. USSOCOM has done well in avoiding force structure and budgetary reductions over the last several years, while each of the Services' budgets have steadily declined. Nonetheless, as resources decline, the in-fighting among the Services will intensify. Services will aggressively fight for their share of the pie, so no pot of money will remain sacrosanct.

5. Last but not least, it clearly articulates the United States resolve and intent to a large audience. The NMS is not classified and is therefore designed for national and

international audiences. The statement itself offers a powerful deterrence. Some potential terrorists may rethink their intentions in response to such pro-active policy.

CONCLUSION

The President's NSS and counterterrorism PDD clearly indicate that counterterrorism is a high priority for his administration.[50] The June 1996 bombing in Saudi Arabia (that killed or injured 405 people) immediately impacted on the agenda of the Group of Seven (United States, Britain, Canada, France, Germany, Japan & Italy) that was meeting in Lyons, France. Instead of discussing such issues as job creation, increasing globilization, and an agreement on a new debt-relief package for poor countries, the group put aside these issues and quickly developed a 40 point plan to combat terrorism.[51] Furthermore, the President recently signed the Anti-terrorist and Effective Death Penalty Act that stiffened penalties for convicted terrorists and streamlined appellate procedures. More importantly, it "authorized about $1 billion over four years to help law enforcement officials fight terrorism"--[52] a significant increase to all law enforcement agencies.

It is time that our nation recognizes that terrorists may have catastrophic influence on the American way of life. Deterring a nuclear attack is clearly important, and maintaining flexible forces to influence national policy objectives across the globe is also important. Nonetheless, the nation can ill-afford an asymmetrical attack--terrorism--on mainland America. In the event that terrorists successfully use NBC weapons in America, the nation will--justly or unjustly--perceive that our armed forces have failed. Thus our armed forces must be granted the authority and the wherewithal to avoid such a failure.

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