



MARCH 24, 2000

DEPARTMENT OF DEFENSE POLICIES AND PROGRAMS TO COMBAT TERRORISM

U.S. SENATE, COMMITTEE ON ARMED SERVICES

ONE HUNDRED SIXTH CONGRESS, SECOND SESSION

HEARING CONTENTS:

Witnesses Testimony

Brian E. Sheridan [\[View PDF\]](#)

Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict

Admiral Harold W. Gehman Jr., USN [\[View PDF\]](#)

Commander in Chief, U.S. Joint Forces Command

Charles L. Cragin [\[View PDF\]](#)

Acting Assistant Secretary of Defense for Reserve Affairs

Pamela B. Berkowsky [\[View PDF\]](#)

Assistant to the Secretary of Defense for Civil Support

COMPILED FROM:

- <http://armed-services.senate.gov/hearings/2000/e000324.htm>
-

*This hearing compilation was prepared by the Homeland Security Digital Library,
Naval Postgraduate School, Center for Homeland Defense and Security.*

STATEMENT BY
BRIAN SHERIDAN
ASSISTANT SECRETARY OF DEFENSE FOR
SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT

BEFORE THE SUBCOMMITTEE ON
EMERGING THREATS AND CAPABILITIES
OF THE COMMITTEE ON ARMED SERVICES

UNITED STATES SENATE
106TH CONGRESS

DEPARTMENT OF DEFENSE AND COMBATING TERRORISM
MARCH 24, 2000

INTRODUCTION

Good morning, Mr. Chairman and members of the Committee. I am pleased to have the opportunity to update you, from a policy and operational perspective, on the way that the Department of Defense has organized itself to support the US Government's combating terrorism mission. Since I spoke with you a year ago the Department has continued to assess and improve the way that we organize and structure ourselves to combat the threat of terrorism both at home and abroad. The Department of Defense has made substantial progress, but terrorism will remain a continuing challenge in a volatile and violent world. The battle against terrorism requires effective coordination within our own government and between our government and law-abiding nations around the globe. At home it requires a close coordination between Federal, State and local authorities and even more importantly a strong partnership between the Executive and Legislative branches. I would like to commend the Senate Armed Services Committee for recognizing the increasing importance that non-traditional forms of warfare like terrorism increasingly play in our national security. I look forward to the opportunity today to build on our partnership.

As you are aware, DoD's combating terrorism program is part of a coordinated United States Government (USG) interagency team response. No single agency possesses the authorities, response mechanisms and capabilities to effectively deter or resolve terrorist incidents. The President has designated the Department of State as the lead agency for coordination of our counterterrorism policy and operations abroad, while the Department of Justice (DoJ), through the FBI, is the lead agency for countering terrorism in the United States. The Department of Defense, as authorized by law, plays a supporting role in assisting these lead federal agencies in their response to terrorist incidents. Certainly, as a major supporting agency, DoD brings a wealth of resources to the effort, unique and highly sophisticated in many instances. Domestically, DoD supports the law enforcement efforts of the DoJ, including the FBI, and the Federal Emergency Management Agency (FEMA) for consequence management. For consequence management, specific technical expertise exists within the Public Health Service (PHS), Department of Energy (DoE), Environmental Protection Agency (EPA), the FBI and others, all of which FEMA must bring together in a team effort to respond to a domestic terrorist incident. Simply put, all federal agencies are working together as an interagency team to combat the terrorism threat.

THE THREAT

Our country faces a dynamic and uncertain security environment. We are in a period of strategic opportunity as the changing global economy and the proliferation of technology and international information systems transform culture, commerce, and global interaction. We also find ourselves in a period of uncertainty, surrounded by increasingly complex, dangerous, and unpredictable threats.

Our potential adversaries have learned to attack us with indirect and insidious means rather than open confrontation. Our adversaries will conduct their activities in the seam between war and crime, crossing agency lines of responsibility, where opportunities for confusion are more likely to arise. Accordingly, our adversaries will likely avoid traditional battlefield situations because, there, American dominance is well established. However, the increasing sophistication of terrorist organizations also makes them far more dangerous. Oklahoma City and Khobar Towers show the devastating effects of "conventional" explosives in the hands of terrorists. Experts have predicted that over time terrorists will gain access to information and technology that will enable them to create effective chemical and biological devices. It is not a question of "if" such devices will be used anymore. Rather, it is a question of "when," as exhibited by the Aum Shimrikyo subway attack in Tokyo in 1995. Therefore, we must prepare for the eventuality that weapons of mass

destruction may fall into the hands of terrorists. We must be vigilant in protecting against the terrorist threat posed, first, by the handful of countries that actively sponsor terrorism; second, by the long-active terrorist organizations; third, by loosely affiliated extremists such as Osama bin Laden, who has urged his followers to kill Americans when and wherever they can, and, fourth, by terrorist threats triggered by U.S. actions and presence overseas.

Thus, the line between nation state and non-state actors can be a blurred one, as some rogue states make terrorism through surrogates a key instrument of national policy and as criminal groups seek power over nations. Terrorists seek to exploit our weaknesses – challenging our political, economic, technological, cultural, and other interests, both overseas and at home. At the same time we must not panic. We need a deliberate strategy; faithful to our 200-year tradition of close cooperation between the American people and their armed forces. Our strategy must be long term. It must address both the vulnerabilities of our nation while remaining consistent with our long-standing tradition of respect for civil liberties.

NATIONAL COMBATING TERRORISM POLICY

The US Government has developed robust *interagency* programs, policies, strategies and capabilities which integrate US Government resources to effectively counter this increasingly ambiguous and complex operational environment. As you are aware, the US has developed nine fundamental principles of US government combating terrorism policy: first: address terrorism as both a crime and a national security threat; second: protect US personnel, facilities, and interests; third: preempt threats and respond to attacks; fourth: bring terrorists to justice for their crimes; fifth: support nations that cooperate in combating terrorism; sixth: isolate and apply pressure on states that sponsor and support terrorism to force them to change their behavior; seventh: make no concessions to terrorists and strike no deals; eighth: prepare now to manage and mitigate the effects of a terrorist incident and finally: focus on both state sponsors and also non-state actors in our analyses and information gathering.

DOD SUPPORT & ACTIVITY IN COMBATING TERRORISM

The United States has an excellent response capability, the finest in the world; but we cannot say with absolute certainty that we can prevent all terrorist attacks. Many federal agencies have a role to play in the federal response to a terrorist incident. The Department does play an important role in accordance with legal constraints in providing unique resources and capabilities not found in other federal agencies, while remaining sensitive to societal concerns regarding a perceived increase in a military role in domestic law enforcement issues.

Combating terrorism activities within the Department are divided into four components: antiterrorism, counterterrorism, terrorism consequence management, and intelligence support to combating terrorism. Antiterrorism involves all defensive measures employed to protect personnel and facilities against a terrorist incident. Conversely, counterterrorism refers to offensive response measures to deter, preempt and resolve a terrorist act. Terrorism consequence management includes a range of activities required to provide emergency assistance to mitigate the effects of an act in order to alleviate damage, loss, hardship, or suffering caused by terrorist attacks and to protect the public health and safety and restore essential government services. The accumulation and dissemination of intelligence is critical to our success across all these components.

FUNDING FOR COMBATING TERRORISM

As you are aware, Section 932 of the FY 2000 National Defense Authorization Act and the Statement of Managers accompanying the FY 2000 Defense Appropriations Act required the

Department of Defense to submit to Congress a consolidated budget justification display that includes all DoD combating terrorism activities. You will find the Combating Terrorism Justification material extensive and thorough. We have provided full description of the activities and efforts of each of the Military Departments and Defense Agencies to combat terrorism.

INITIATIVES AND PROJECTS

The Department employs a wide variety of resources within each of the four combating terrorism components – antiterrorism, counterterrorism, terrorism consequence management, and intelligence support. During the past few years, the Department has developed numerous initiatives, and refined various existing programs, to accomplish the combating terrorism mission. Projects have included organizing doctrine, tactics, and procedures; manning; training; education; assessments; intelligence and engagement; construction and other standards; technology; and chemical/biological technical support.

ANTITERRORISM

It is DoD policy to protect its personnel, their families, facilities and equipment from terrorism. Toward that end, DoD specifically funds and executes programs for security at military installations and other DoD facilities around the world for a widespread training and awareness program and for upgraded antiterrorism measures for military commands abroad and at home. We are protecting our troops by providing them with state-of-the art protective gear against chemical and biological agents; by researching new vaccines against biological agents; and by developing longer range, improved detection equipment to give them more advanced warning of any danger. Moreover, DoD specifically budgets for security at military installations a widespread training and awareness program and upgraded anti-terrorism measures for military commands. Despite the threat arrayed against us worldwide, we as a country have refused to yield. We will not simply pack our bags and go home. Sacrificing our strategic interests in response to terrorist acts is an unacceptable alternative.

DoD has come a long way in its ability to protect U.S. forces from terrorist attacks while still ensuring mission accomplishment. Force protection has high-level attention and the highest priority in the organization at all levels. There are new standards, new policies, new doctrine, new assessments, improved training, a new technology push and greater resources devoted to force protection. Nevertheless, it is only a matter of time before terrorists again attempt an attack on our forces and perhaps even succeed. As long as terrorism remains a threat to our forces, we must ensure that protecting the force enjoys the same priority as projecting it.

COUNTERTERRORISM

When looking at counterterrorism efforts, DoD has a number of rapid response elements and expert capabilities which have been refined over a number of years, intensely exercised with our interagency partners, and used on several occasions to assist our FBI counterparts – primarily in a technical role to date. These capabilities include a 24-hour command center watch every day of the year to respond to any terrorist incident; a number of specialized military units on alert, ready to respond within a few hours; a command and control element well versed in all terrorist scenarios; support to FBI-led renditions; deployment of Foreign Emergency Support Teams (FEST); support to National Special Security Events (NSSE); and technical support such as linguists, logistics, blast analysis, medical, chem/bio detection, diagnostics, personnel protection, decontamination, treatment and threat evaluation. These forces have been augmented with integral technical expertise, and can rapidly access our national laboratory expertise to assist them in rendering safe a WMD.

For counterterrorism, we have a well-functioning interagency mechanism for responding to a terrorist incident. For terrorist attacks which occur overseas, the Department of State is the lead agency. Responses to domestic incidents are led by the Department of Justice, through the Federal Bureau of Investigation (FBI). DoD is always a supporting agency for terrorist incidents. As part of this mechanism, there is a standing core working group headed by the National Security Council that works on combating terrorism issues. In the event of a terrorist incident, this group provides critical recommendations to our principals. Based on this advice the principals in turn make recommendations to the President on actions to take in a crisis. The interagency working group has been in existence for many years, is well organized, exercised, and is on-call every day to address terrorist incidents.

TERRORISM CONSEQUENCE MANAGEMENT

Unlike crisis management of terrorist incidents, the federal government does not have primary responsibility for consequence management, but rather it supports state and local governments in domestic incidents and host governments in international incidents. As you know, the Secretary of Defense recently appointed an Assistant to the Secretary of Defense (Civil Support) to coordinate the Department's consequence management initiatives. She will be prepared to address the Department's approach in greater detail today. The Department of Defense responds to requests from DoJ, FEMA, and the State Department to ensure that appropriate DoD support is provided as needed. It is important to remember however, that first responder, State, and local medical worker awareness and preparedness is the best line of defense. Bottom line, in consequence management, response time equals lives.

TECHNOLOGY AND RESEARCH/DEVELOPMENT

Now I would like to take a few moments to tell you about the Department's research and development (R&D) activities in combating terrorism with particular emphasis on our efforts to support the interagency process. I believe the Department's research and development activities, including the work conducted in the science and technology base, respond to the full spectrum of the terrorist threat from the Defense perspective--a threat that includes terrorism by transnational groups acting independently, state-sponsored terrorists, unconventional operations by hostile military forces, and home grown ad hoc terrorists.

In order that the nation better understands the evolution of technology to military capabilities in this area, the Department has purposefully organized and reported on combating terrorism as a vital part of its overall Science and Technology Plans and Objectives. The Office of the Director, Defense Research and Engineering guides the development of the Defense Technology Area Plan on Combating Terrorism and uses specific Defense Technology Objectives to support both the interests of the scientific community and program decision makers. These plans and objectives are collaborative products of the Office of the Secretary of Defense, Joint Staff, the Military Departments, and the Defense Agencies. The plans and strategies are fully responsive to the Chairman of the Joint Chiefs of Staff's *Joint Vision 2010* and the National Science and Technology Councils (NSTC) *National Security Science and Technology Strategy*.

Research and Development Programs: The Department is executing several research and development (R&D) programs that specifically address combating terrorism needs. The Department also is using other R&D efforts that are focused on war fighter needs to support combating terrorism needs. Department R&D programs targeted specifically at combating terrorism are the USSOCOM efforts that are focused on preventing, deterring, and responding to terrorism, the Joint-Service Physical Security Equipment Program that tests commercial off-the-shelf (COTS) equipment for physical security and force protection needs, and the DoD

Counterterror Technical Support (CTTS) Program that addresses both counterterrorism and antiterrorism needs of the interagency.

Technical Support Working Group: The CTTS Program is executed through a long-standing interagency forum known as the Technical Support Working Group (TSWG). The TSWG is the U.S. national forum that identifies, prioritizes, and coordinates interagency and international R&D requirements for combating terrorism. Through CTTS Program funds and funds supplied by State, Justice, and Energy, and DoD the TSWG rapidly develops equipment and technologies to meet the high-priority needs of the combating terrorism community, and addresses joint international operational requirements through cooperative research and development with Israel, Canada, and the United Kingdom.

The TSWG continues to develop important capabilities across the spectrum of combating terrorism. These include: specialized equipment to support counterterrorism assault teams and hostage rescue forces; equipment to support the law enforcement investigative, technical, and forensic capabilities for terrorist incidents, particularly those involving nuclear, biological, and chemical weapons; equipment to detect explosives and explosive devices and perform render safe operations; equipment to deal with chemical and biological threats in urban areas; equipment to protect high ranking officials, including the President; and equipment to prevent terrorist entry into facilities, detect attacks or threat materials, and mitigate injury to personnel and damage to facilities should an attack occur.

Weapons of Mass Destruction Preparedness Group: The Department also participates in the National Security Council led Weapons of Mass Destruction Preparedness Group (WMDP), which coordinates U.S. government activity towards preventing, detecting, responding, and managing the health, environmental, and law enforcement consequences of a terrorist attack utilizing weapons of mass destruction. DoD's technology development efforts that can contribute directly to the domestic preparedness are coordinated with efforts in other agencies through the WMDP's R&D subgroup, chaired by the White House Office of Science and Technology Policy.

CONCLUSION

The Department is fully committed, through the broad spectrum of our combating terrorism activities, to deter attacks against our personnel and facilities; and to respond rapidly and decisively, when directed by the National Command authorities, during incidents involving acts or threats of terrorism. As always, the Department has a supporting role to the applicable lead federal agency, when providing military assistance to civil authorities to mitigate the consequences of terrorist attacks. Although the Department has made substantial progress, effective response to terrorism will remain a challenge, as the array of individuals and organizations (independent and state sponsored) that can affect US security and international stability continue to grow in number and competence. Their attacks, when they come, may be directed not only against US citizens and facilities abroad, but also here in the US. Our long-term strategy must address the vulnerabilities of our nation, while ensuring the military preparedness of our armed forces and our long-standing tradition of respect for civil liberties. The Department is well aware of the complexity of our task, and has devoted significant resources to protect our forces, our military installations, and our national interests.

**Opening Statement of
Admiral Harold W. Gehman, Jr., U.S. Navy
Commander In Chief
United States Joint Forces Command**



**Before the Subcommittee on
Emerging Threats and Capabilities
of the Committee on Armed Services
of the
United States Senate
24 March 2000**

INTRODUCTION

Mr. Chairman, Senator Bingaman, distinguished members of the committee. Thank you for inviting me to address you today. U.S. Joint Forces Command's role as the Department of Defense (DoD) operational command for management of the consequences of a Weapon of Mass Destruction (WMD) incident in the continental United States is one we take very seriously. What at one time was an unthinkable event has now become a threat upon which we are increasingly focused. But since you are just as convinced of the increasing threat from these weapons as I am, we'll start from that common understanding.

BACKGROUND

A major part of DoD consequence management of a WMD incident involves coordinating with other agencies at the local, state, and federal level. Given the immensity and gravity of a WMD incident, many agencies are involved, and even the definition of WMD can cause differences and confusion. For our purposes, a WMD incident is defined as a deliberate or unintentional event involving a nuclear, biological, chemical, radiological weapon or device, or a large conventional explosive.

The increasing likelihood of the use of a WMD has caused the Department of Defense to examine the unique capabilities we could and should bring to the table at such a time. In fact, President Clinton directed the Department of Defense to conduct a review of such capabilities in the spring of 1999. But we have to be very careful about what we can do within the United States, because our forefathers rightfully imposed stringent restrictions on the use of the military for domestic tasks. The boundaries and responsibilities have to be very well thought out and defined.

UNIFIED COMMAND PLAN 99

The lead for managing the consequences of a WMD incident is shared by the Assistant to the Secretary of Defense for Civil Support and U.S. Joint Forces Command. The actual tasking for U.S. Joint Forces Command, which came in the 1999 Unified Command Plan (UCP), was very short and succinct: "[Provide], within CONUS, military assistance to civil authorities (including consequence management operations...), ...subject to Secretary of Defense approval." However, in his UCP Letter of Transmittal to President Clinton, Secretary Cohen expanded a bit on both the need and the methodology for standing up an organization to be

part of the solution - Joint Task Force - Civil Support.
Secretary Cohen said:

"Due to the catastrophic nature of a WMD terrorist event that will quickly overwhelm state and local authorities, we have become convinced that our current structure for providing DOD support needs to be expanded. Therefore, we see the need to create a new organizational structure - both an operational capability and an oversight mechanism - that can anticipate the support requirements for responding to a catastrophic terrorist incident, undertake detailed analyses, conduct exercises, and ultimately respond in support of civil authorities."

"Accordingly, I intend to establish a standing Joint Task Force - Civil Support (JTF-CS), which will report to me through the Commander in Chief of the U.S. [Joint Forces] Command and the Chairman of the Joint Chiefs of Staff... Its principal focus will be to plan for and integrate DOD's support to the lead federal agency, which will have the [U.S. Government] responsibility to manage the consequences of a domestic WMD event."

Secretary Cohen continued in the transmittal letter to describe the part of this structure change that doesn't fall within the UCP: "Due to the unique circumstances of this reorganization, I also intend to establish a new

position in my office to enhance the existing civilian oversight of both the policy and operational elements associated with domestic preparedness for WMD consequence management. The Assistant to the Secretary of Defense for Civil Support (ATSD (CS)) will serve as a focal point and coordinator of the Department's many activities in support of other federal government agencies in this area."

The establishment of both JTF-CS and the Office of the Assistant to the Secretary of Defense for Civil Support were major steps in strengthening DoD's overall capabilities for responding to WMD consequence management. WMD consequence management requires a coordinated response at three levels - local, state and federal, and the DoD strategy includes support at every level.

At the local level, the Director of Military Support (DOMS) provides oversight for the Domestic Preparedness Program, which provides training in WMD consequence management to civilian first responders in 120 cities across the nation. The program seeks to improve the capabilities of our local first responders to manage the aftermath of a WMD incident. DoD will continue to support the program, but we anticipate that the President will reassign operational responsibility for the program to the Attorney General, effective 1 October 2000.

At the state level, DoD has improved the ability of state governments to respond by working with them to establish and support the WMD Civil Support Teams (CSTs), formerly known as Rapid Assessment and Initial Detection (RAID) teams. Because they are National Guard assets, WMD CSTs can function under state or federal authority. They are equipped with sophisticated communications systems that will enable local first responders to talk with neighboring jurisdictions or link up with federal centers of expertise. WMD CSTs are also being equipped with state of the art detection equipment that will enable them to help local first responders quickly identify potential WMD agents.

At the federal level, responsibility for responding to a WMD event is shared by many agencies. Effective 1 October 1999, UCP 99 tasked U.S. Joint Forces Command to become the operational-level Commander in Chief (CINC) over DoD support for CONUS WMD consequence management planning and response. This tasking forms another part of DoD's strategy for assisting first responders by providing them with more efficient delivery of military support in times of crises. A key element of this is to establish JTF-CS as a standing command and control headquarters for responding DoD military forces. However, the bulk of military support that U.S. Joint Forces Command can make available will come from

other units with military capabilities inherently useful in managing WMD consequences. These other capabilities, in both the active and reserve components of all of the services, include transportation, chemical/biological/radiological reconnaissance and decontamination, mortuary affairs, medical, logistics, and communications. But why is all of this important as you examine the DoD strategy for WMD consequence management?

First and foremost, we see this task as important enough that it has been given to one of the U.S. military's five regional Unified Commanders in Chief, who report directly to the National Command Authority for operational matters. As the responsible Unified Command, U.S. Joint Forces Command will be the liaison to the Secretary of Defense and Chairman of the Joint Chiefs of Staff at the strategic level, working the policy issues. This gives me a fine "bully pulpit" from which to be heard, to make a difference in the interagency arena where many of the issues must be resolved.

It also means that we will apply the same staffing processes and appropriate sets of tools that we would to any other operation. Like any operation across the spectrum, from disaster relief to peace support to major

regional conflict, it will be analyzed, dissected, planned, practiced and executed with the utmost rigor.

Besides analyzing and planning, we have significant assets to bring to bear. As the Joint Force Provider of nearly 1.2 million assigned CONUS based active, reserve and National Guard service members through my Service components, most of the units that would be used to provide support in this arena would come from U.S. Joint Forces Command. That allows us to use the same employment/deployment process we use daily in support of the other regional CINCs.

We also bring expertise and action in many other areas, like doctrine development, command and control organizations and equipment, and training. We bring specialty advisors from critical areas every JTF commander needs - legal, engineering, medical, public affairs, and others. Finally, everything we bring to this operation comes with a joint orientation. As DoD's chief advocate for jointness, we bring a mindset that is critical to the WMD consequence management operation - we have to work together, sharing and collaborating, to get the job done.

To summarize, the Secretary of Defense gave this task to U.S. Joint Forces Command because we have the organizational expertise to make JTF-CS successful, and we

will be using the same military chain of command that we use for all other operations. I am confident that JTF-CS is maturing into a capability that will serve the nation well.

JOINT TASK FORCE - CIVIL SUPPORT

Based on guidance received from the Secretary of Defense in January 1999, planning began last year to stand up JTF - Civil Support by 1 October 1999. From this starting point, JTF-CS has become the primary DoD operational command and control headquarters for domestic WMD consequence management.

There are several advantages that JTF-CS brings to this DoD effort, including:

1. Designation of a full-time General Officer and standing headquarters to focus exclusively on the multitude of WMD consequence management issues
2. Providing a single DoD point of contact at the operational level for Federal, State and local authorities
3. Providing a staff of highly trained experts to act as a focal point for operational information analysis and dissemination.

4. Ensuring unity of command of the DoD assets operating within the confusion of a WMD incident area.

The mission of JTF - Civil Support is to deploy to the vicinity of a WMD incident site as requested by the Lead Federal Agency, establish command and control of designated DoD forces and provide military assistance to civil authorities to save lives, mitigate injuries, and provide temporary critical life support.

A key point to make here is our relationship to the Lead Federal Agency (LFA). Under no circumstance will U.S. Joint Forces Command or JTF-CS be in charge of the consequence management site. We will always act in support of an LFA (which is in support of state and local authorities), and will participate as a follow-on consequence management force behind first responders and state assets that will normally arrive at the incident site first. The Commander of JTF-CS and his permanent staff, through constant exposure to the issues inherent in operations in the United States, will be able to apply the strengths that are resident in a military organization. They will do this in complete compliance with the

Constitution, the Posse Comitatus Act, and other applicable laws.

JTF-CS RELATIONSHIP WITH THE STATE (NATIONAL GUARD)

ORGANIZATIONS

The next issue to be addressed is the relationship between the federal command and control structure and the state's command and control structures. First, let me mention that I came and spoke to the state Adjutant Generals at their recent conference here in February. I told them many of these same things, about what we do and don't bring to the table, and how we expect to work with them. By all accounts, they really liked what I had to say, and I think we have established a good dialog. JTF-CS is already working with selected Adjutant Generals to reach consensus on certain issues. One of those is a military headquarters structure to support a WMD incident site that would accomplish the following objectives:

1. Foster unity of effort between state and federal military forces
2. Permit the National Guard to remain in a state active duty status, and

3. Promote the Secretary of Defense's core principle of grounding our military response to a WMD incident primarily in the National Guard and Reserve.

In response to federal guidance, the National Guard has formed WMD CSTs. These 27 teams (10 now, with 17 more coming), strategically located within the 10 FEMA regions, are tasked to rapidly deploy to a site to initially assess an incident in support of a local incident commander (e.g. fire chief, police chief). The WMD CSTs also advise civilian first responders on appropriate response actions and facilitate requests for assistance from other local, state and federal jurisdictions.

Since these WMD CSTs are state assets, we must ensure that assistance from the federal government, when requested, does not interfere or duplicate the state efforts. On the one hand, this is an information issue, so we must ensure we have a proper process to exchange information. But the larger issue concerns who is in command of what forces.

The states exist as separate entities from the federal government. The National Guard, while serving in a state active duty status, represents the military force of the state and is controlled by its elected chief executive officer, the governor. It is important for state

authorities to be seen as partners with, and not subordinate to, federal authorities, as recognized in the Terrorism Annex of the Federal Response Plan. In fact, the plan stipulates that state governments, as opposed to the federal government, will have primary responsibility for WMD consequence management. Recognizing this, by analogy we might look to coalition operations between sovereign nations at the international level as possible models for federal/state military cooperation in the United States. A combined federal/state military headquarters structure incorporating both federal and National Guard forces would facilitate this cooperation.

In addition to the combined state/federal military headquarters structure, however, an additional state headquarters will need to be established. The units assigned to the state headquarters would perform functions not permitted for federal military forces (e.g. law enforcement). All orders and planning efforts would be coordinated through the combined military coordination center to be certain they did not conflict with other operations.

JTF-CS "INFLUENCE" OVER NATIONAL GUARD UNITS

A challenge we are currently addressing is our proper oversight function in relation to the WMD CSTs. 10 USC 3013 and 8013 vests the Secretaries of the Army and Air Force with responsibility to train, equip, organize, mobilize and demobilize Army and Air Force Guard units, respectively. As a Unified Command, U.S. Joint Forces Command has training and readiness oversight for all units assigned to it. We are in the process of sorting out those responsibilities in relation to the WMD CSTs. The best use for WMD CSTs may be in a state active duty status, due to the variety of tasks they may be asked to perform. Some might argue for more autonomy to meet individual state's requirements.

However, since it is a common assumption by all involved parties that a WMD incident may quickly overwhelm local and state assets, it is imperative that all consequence management assets, whether local, state or federal, be fully interoperable. As the operational lead for DoD WMD consequence management, we feel that U.S. Joint Forces Command and JTF-CS should have an active role in integrating the capabilities of all state and federal assets, to ensure their interoperability. We are in active discussion with U.S. Army Forces Command and with the National Guard Bureau regarding proper oversight. The areas

where we think U.S. Joint Forces Command should play an important role are:

1. Developing operational requirements (Mission Essential Task List, or METL)
2. Ensuring equipment interoperability
3. Developing doctrine, tactics, techniques and procedures
4. Overseeing joint training exercises
5. Developing a CST affiliation program with JTF-CS
6. Generally acting as an advocate within DoD for collective CST requirements

U.S. Joint Forces Command / National Guard consensus on CST METLs, equipment and training/exercise programs will help accomplish the JTF-CS mission while still respecting the autonomy of the state forces. We feel this consensus can be developed through memoranda of agreement between U.S. Joint Forces Command, U.S. Army Forces Command and respective state National Guards, and through combined federal/state exercises.

CONCLUSION

In the last 15 years there have been over twenty terrorist attacks involving Americans worldwide. Two of these attacks occurred within the United States. As

terrorist groups become more emboldened and sophisticated we can only expect these numbers to increase - especially attacks within the continental United States. In response to the terrible consequences of this increasing threat within our borders, DoD directed U.S. Joint Forces Command to establish Joint Task Force - Civil Support. JTF-CS provides us with faster, more efficient, and more organized support to civilian authorities. JTF-CS is the fulcrum to leverage DoD's contribution to local, state and federal agencies in their efforts to mitigate the effects of a Weapon of Mass Destruction.

Thank you again for the opportunity to testify, and I am happy to answer any questions you may have.

JOINT STATEMENT OF
MS. PAMELA B. BERKOWSKY
ASSISTANT TO THE SECRETARY OF DEFENSE FOR CIVIL SUPPORT
MR. CHARLES CRAGIN
PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS
BEFORE THE
UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES
March 24, 2000

Good morning, Mr. Chairman and other distinguished members of this subcommittee. Thank you for the invitation to testify before you today on the Department of Defense's continuing efforts to ensure a strong national defense against acts of terrorism directed at the United States, territories and possessions. We commend you for addressing the complex topic of Consequence Management, and in particular, how the Department of Defense (DoD) can provide assistance to the Lead Federal Agencies in response to state and local authorities' requests for assistance in mitigating the consequences of a domestic nuclear, chemical, biological, radiological or high yield explosive incident. We appreciate your continuing support for this important effort.

At DoD, we define Weapons of Mass Destruction (WMD) consequence management as emergency assistance to protect public health and safety, restore essential government services, and provide emergency relief to those affected by the consequences of an incident involving WMD agents, whether they are released deliberately, naturally, or accidentally. Consequence management is one element of the Department's approach to combating terrorism. However, consequence management is unique in that we do not distinguish whether or not an event has actually been caused by terrorists because we may not know the exact cause during the initial response period.

Our testimony today will first briefly describe federal response preparations, and DoD's role therein. We will then provide an overview of the new initiatives the Department has undertaken in the last year in this area, including the establishment of the position of Assistant to the Secretary of Defense for Civil Support, and the stand-up of the Joint Task Force for Civil Support at Joint Forces Command.

U.S. Government WMD Consequence Management Response

Presidential Decision Directive (PDD-62): (*Protection Against Unconventional Threats to the Homeland and Americans Overseas*) reaffirmed the United States Counterterrorism Policy in PDD-39 (*U.S. Policy on Counterterrorism*) and expanded on the need to respond to the growing possibility of asymmetrical assaults on U.S. vulnerabilities at home and abroad through the terrorist use of WMD and cyber warfare. Discussion of consequence management in response to a significant terrorist incident was included in PDD-62. Guidance embedded in PDD-62 provided the basis for all current federal response mechanisms to include the Department of Defense.

When viewed together, these two directives delineate responsibility throughout the U.S. government and they underscore the fact that no one single agency or Department holds all the cards. Rather, there are policy, technical, operational, law enforcement, R&D, and intelligence elements, among others, that must be coordinated and integrated.

PDD 62 also established, at the National Security Council, a National Coordinator for Security, Infrastructure Protection and Counterterrorism at the National Security Council who, among other things, focuses on ensuring our preparedness to respond to WMD incidents. In 1999, Secretary Cohen appointed a corresponding Assistant to the Secretary of Defense for Civil Support (ATSD(CS)) within DoD to focus specifically on WMD consequence management. The ATSD(CS) represents DoD on the interagency WMD Preparedness Group, the forum for bringing together the more than 20 agencies and departments that have capabilities and expertise in this area.

In the event of an incident, we recognize that those closest to the problem are going to be the first to respond, but the presumption is that in the event of a catastrophic incident, those state and local capabilities may be quickly overwhelmed. If a civilian authority requests federal support, the lead federal agency, FBI or FEMA, is likely to request support from other federal agencies, including DoD.

DoD's Role in WMD Consequence Management

In recognition of that likelihood, and in the wake of PDD-62, we have undertaken a number of steps within the Department to address this critical area. First, we have sought to define more clearly what the Department's role should — and should not — be. We do not call consequence management “Homeland Defense,” but refer to it rather as “civil support.” This reflects the fundamental principle that DoD is not in the lead, but is there to support the lead federal agency in the event of a domestic contingency. Likewise, we are sensitive to the concerns of civil libertarians and others regarding DoD's possible domestic role. Our belief is that the greater threat to civil liberties would be to do nothing at all — to fail to plan and prepare and leave the President with limited options.

Four principles will guide DoD's response in the event of a domestic WMD contingency. These have been clearly articulated by the Secretary and Deputy Secretary of Defense. First, there will be an unequivocal chain of accountability and authority for all military support to civil authorities. Second, DoD's role is to provide support to the lead federal agency. Third, though our capabilities are primarily warfighting capabilities, the expertise that we have gained as a result of the threats we have faced overseas can be leveraged in the domestic arena as well. DoD also brings communications, logistics, transportation and medical assets, among others that can be used for civil support. Fourth, our response will necessarily be grounded in the National Guard and Reserves as our “forward deployed” forces for domestic operations.

DoD Organization for WMD Consequence Management

A number of organizational initiatives have been undertaken at DoD recently to enhance our ability to support the lead federal agency for domestic consequence management. First, the Secretary of Defense established the position of Assistant to the Secretary of Defense for Civil Support in October 1999. Through a coordinating body comprised of the Assistant Secretaries for Health Affairs; Reserve Affairs; Special Operations/Low Intensity Conflict; Command, Control, Communications, and Intelligence; and Legislative Affairs; the General Counsel; the Deputy Under Secretaries for Comptroller and for Acquisition, Technology, and Logistics; and senior representatives from the Joint Staff, the Department of the Army, and the Defense Threat

Reduction Agency, the ATSD(CS) is able to leverage the existing organization while providing unity of focus and a single internal and external focal point for the Department's consequence management efforts.

On an operational level, as part of the 1999 revision to the Unified Command Plan, DoD also established the Joint Task Force-Civil Support at U.S. Joint Forces Command in Norfolk, Virginia. It is currently commanded by an Army National Guard Brigadier General. JTF-Civil Support (JTF-CS) is a small standing headquarters element with the mandate to establish the doctrine, plan, coordinate and prepare DoD Active and Reserve forces required for a response to a domestic WMD incident. Admiral Gehman is here today to provide more information about the JTF-CS and DoD's overall operational response. Consistent with our principle of ensuring an unequivocal chain of accountability and authority, the ATSD(CS) provides civilian oversight for JTF-CS.

A key programmatic undertaking for DoD is the Domestic Preparedness Program (DPP), created by the *Defense Against Weapons of Mass Destruction Act of 1996*, also known as the Nunn-Lugar-Domenici Act. The Act directed the Department of Defense, among other things, to develop and conduct training for those on the front lines who would respond to domestic incidents involving WMD. To date, over 20,000 first responder trainers in more than 74 major cities have received domestic preparedness training as part of this program.

We anticipate that the President will soon direct the transfer of responsibility for portions of the Nunn-Lugar-Domenici DPP from the Department of Defense to the Department of Justice, effective October 1, 2000. With the President's re-designation of the Attorney General as the Lead Federal Official, the Department of Justice will be responsible for national domestic preparedness programs for combating terrorism.

In FY 2000, \$31.4 million was appropriated to the Department of Defense to execute the DPP in FY 2000. In FY 2001, DoD will require \$11.6 million to continue its support for those portions of the program that also support the Department's force protection and domestic preparedness objectives. This includes continued responsibility for updating and supporting a chemical-biological database and an equipment testing program which is used in the development of the interagency's Standard Equipment List. DoD will also support those portions of the DPP's Improved Response Program that are expected to enhance the readiness of our DoD response units and installation responders. DoD will also continue to conduct a Federal, State, and Local exercise, as well as sustain a dedicated domestic WMD incident response capability.

The DoD is also an active interagency partner in the medical and non-medical R&D arenas for domestic WMD consequence management; with the Departments of Health and Human Services, Agriculture and Veterans Affairs on certain issues relating to vaccine and pharmaceutical production and stockpiling, and with many players on modeling and simulation, decontamination, detection, and identification systems, among others.

Leveraging Guard and Reserve Component Resources for Domestic WMD Incident Release

As stated earlier, the National Guard and Reserves will play a prominent support role for state and local authorities in consequence management. At its core is the establishment of 27 WMD Civil Support Teams (formerly known as Rapid Assessment and Initial Detection teams)

comprised of 22 highly skilled, full-time, well-trained and equipped Army and Air National Guard personnel. The WMD Civil Support Teams will deploy to assist local first responders in determining the precise nature of an attack, provide medical and technical advice, and help pave the way for the identification and arrival of follow-on state and federal military response assets.

Each of the initial ten WMD Civil Support Teams is stationed within one of the ten Federal Emergency Management Agency Regions, and all ten of them are expected to be fully operational by spring of this year. Congress authorized an additional 17 WMD Civil Support Teams to be fielded in FY 2000. After an extensive stationing analysis, the Secretary of the Army recommended, and the Secretary Defense approved, the stationing locations of these new teams on January 13, 2000. We expect the additional 17 to be fully operational in FY 2001.

The WMD Civil Support Teams are unique because of their federal-state relationship. They are federally resourced, federally trained, and expected to operate under federal doctrine. But, they will perform their mission primarily under the command and control of the governors of the states in which they are located. Operationally, they fall under the command and control of the Adjutants General of those states. As a result, they will be available to respond to an incident as part of a state response, well before federal response assets would be called upon to provide assistance. The FY 2000 funding for these teams is \$74.7 million, while the FY 2001 budget request is \$47.9.

During FY 2000, DoD will also complete the training and equipping of 127 chemical decontamination and 43 reconnaissance elements units in the Army Reserve and Army National Guard. Medical Patient Decontamination Teams in the Air National Guard and Air Force Reserve will receive additional training in domestic response casualty decontamination. They will be provided with both military and commercial off-the-shelf equipment, and will receive enhanced training in civilian HAZMAT procedures.

This enhanced training and equipment will improve the readiness of these units to perform their warfighting mission, while allowing them to respond effectively to a domestic emergency, if needed. The Reserve component WMD consequence management funding for FY 2000 is \$116.4 million, while the FY 2001 budget request is \$74.8 million. The WMD Civil Support Teams' budget discussed earlier is included in these figures.

Thank you again for the opportunity to testify before this subcommittee and provide you with an overview of our approach to civil support and WMD consequence management. The Department of Defense is committed to working with its interagency partners, Congress and particularly the members of this subcommittee to establish and maintain effective programs and policies that will enhance the preparedness, at all levels of government, to respond to and mitigate the awful consequences of a domestic WMD incident. We look forward to answering any questions you may have.

JOINT STATEMENT OF
MS. PAMELA B. BERKOWSKY
ASSISTANT TO THE SECRETARY OF DEFENSE FOR CIVIL SUPPORT
MR. CHARLES CRAGIN
PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS
BEFORE THE
UNITED STATES SENATE
COMMITTEE ON ARMED SERVICES
March 24, 2000

Good morning, Mr. Chairman and other distinguished members of this subcommittee. Thank you for the invitation to testify before you today on the Department of Defense's continuing efforts to ensure a strong national defense against acts of terrorism directed at the United States, territories and possessions. We commend you for addressing the complex topic of Consequence Management, and in particular, how the Department of Defense (DoD) can provide assistance to the Lead Federal Agencies in response to state and local authorities' requests for assistance in mitigating the consequences of a domestic nuclear, chemical, biological, radiological or high yield explosive incident. We appreciate your continuing support for this important effort.

At DoD, we define Weapons of Mass Destruction (WMD) consequence management as emergency assistance to protect public health and safety, restore essential government services, and provide emergency relief to those affected by the consequences of an incident involving WMD agents, whether they are released deliberately, naturally, or accidentally. Consequence management is one element of the Department's approach to combating terrorism. However, consequence management is unique in that we do not distinguish whether or not an event has actually been caused by terrorists because we may not know the exact cause during the initial response period.

Our testimony today will first briefly describe federal response preparations, and DoD's role therein. We will then provide an overview of the new initiatives the Department has undertaken in the last year in this area, including the establishment of the position of Assistant to the Secretary of Defense for Civil Support, and the stand-up of the Joint Task Force for Civil Support at Joint Forces Command.

U.S. Government WMD Consequence Management Response

Presidential Decision Directive (PDD-62): (*Protection Against Unconventional Threats to the Homeland and Americans Overseas*) reaffirmed the United States Counterterrorism Policy in PDD-39 (*U.S. Policy on Counterterrorism*) and expanded on the need to respond to the growing possibility of asymmetrical assaults on U.S. vulnerabilities at home and abroad through the terrorist use of WMD and cyber warfare. Discussion of consequence management in response to a significant terrorist incident was included in PDD-62. Guidance embedded in PDD-62 provided the basis for all current federal response mechanisms to include the Department of Defense.

When viewed together, these two directives delineate responsibility throughout the U.S. government and they underscore the fact that no one single agency or Department holds all the cards. Rather, there are policy, technical, operational, law enforcement, R&D, and intelligence elements, among others, that must be coordinated and integrated.

PDD 62 also established, at the National Security Council, a National Coordinator for Security, Infrastructure Protection and Counterterrorism at the National Security Council who, among other things, focuses on ensuring our preparedness to respond to WMD incidents. In 1999, Secretary Cohen appointed a corresponding Assistant to the Secretary of Defense for Civil Support (ATSD(CS)) within DoD to focus specifically on WMD consequence management. The ATSD(CS) represents DoD on the interagency WMD Preparedness Group, the forum for bringing together the more than 20 agencies and departments that have capabilities and expertise in this area.

In the event of an incident, we recognize that those closest to the problem are going to be the first to respond, but the presumption is that in the event of a catastrophic incident, those state and local capabilities may be quickly overwhelmed. If a civilian authority requests federal support, the lead federal agency, FBI or FEMA, is likely to request support from other federal agencies, including DoD.

DoD's Role in WMD Consequence Management

In recognition of that likelihood, and in the wake of PDD-62, we have undertaken a number of steps within the Department to address this critical area. First, we have sought to define more clearly what the Department's role should — and should not — be. We do not call consequence management “Homeland Defense,” but refer to it rather as “civil support.” This reflects the fundamental principle that DoD is not in the lead, but is there to support the lead federal agency in the event of a domestic contingency. Likewise, we are sensitive to the concerns of civil libertarians and others regarding DoD's possible domestic role. Our belief is that the greater threat to civil liberties would be to do nothing at all — to fail to plan and prepare and leave the President with limited options.

Four principles will guide DoD's response in the event of a domestic WMD contingency. These have been clearly articulated by the Secretary and Deputy Secretary of Defense. First, there will be an unequivocal chain of accountability and authority for all military support to civil authorities. Second, DoD's role is to provide support to the lead federal agency. Third, though our capabilities are primarily warfighting capabilities, the expertise that we have gained as a result of the threats we have faced overseas can be leveraged in the domestic arena as well. DoD also brings communications, logistics, transportation and medical assets, among others that can be used for civil support. Fourth, our response will necessarily be grounded in the National Guard and Reserves as our “forward deployed” forces for domestic operations.

DoD Organization for WMD Consequence Management

A number of organizational initiatives have been undertaken at DoD recently to enhance our ability to support the lead federal agency for domestic consequence management. First, the Secretary of Defense established the position of Assistant to the Secretary of Defense for Civil Support in October 1999. Through a coordinating body comprised of the Assistant Secretaries for Health Affairs; Reserve Affairs; Special Operations/Low Intensity Conflict; Command, Control, Communications, and Intelligence; and Legislative Affairs; the General Counsel; the Deputy Under Secretaries for Comptroller and for Acquisition, Technology, and Logistics; and senior representatives from the Joint Staff, the Department of the Army, and the Defense Threat

Reduction Agency, the ATSD(CS) is able to leverage the existing organization while providing unity of focus and a single internal and external focal point for the Department's consequence management efforts.

On an operational level, as part of the 1999 revision to the Unified Command Plan, DoD also established the Joint Task Force-Civil Support at U.S. Joint Forces Command in Norfolk, Virginia. It is currently commanded by an Army National Guard Brigadier General. JTF-Civil Support (JTF-CS) is a small standing headquarters element with the mandate to establish the doctrine, plan, coordinate and prepare DoD Active and Reserve forces required for a response to a domestic WMD incident. Admiral Gehman is here today to provide more information about the JTF-CS and DoD's overall operational response. Consistent with our principle of ensuring an unequivocal chain of accountability and authority, the ATSD(CS) provides civilian oversight for JTF-CS.

A key programmatic undertaking for DoD is the Domestic Preparedness Program (DPP), created by the *Defense Against Weapons of Mass Destruction Act of 1996*, also known as the Nunn-Lugar-Domenici Act. The Act directed the Department of Defense, among other things, to develop and conduct training for those on the front lines who would respond to domestic incidents involving WMD. To date, over 20,000 first responder trainers in more than 74 major cities have received domestic preparedness training as part of this program.

We anticipate that the President will soon direct the transfer of responsibility for portions of the Nunn-Lugar-Domenici DPP from the Department of Defense to the Department of Justice, effective October 1, 2000. With the President's re-designation of the Attorney General as the Lead Federal Official, the Department of Justice will be responsible for national domestic preparedness programs for combating terrorism.

In FY 2000, \$31.4 million was appropriated to the Department of Defense to execute the DPP in FY 2000. In FY 2001, DoD will require \$11.6 million to continue its support for those portions of the program that also support the Department's force protection and domestic preparedness objectives. This includes continued responsibility for updating and supporting a chemical-biological database and an equipment testing program which is used in the development of the interagency's Standard Equipment List. DoD will also support those portions of the DPP's Improved Response Program that are expected to enhance the readiness of our DoD response units and installation responders. DoD will also continue to conduct a Federal, State, and Local exercise, as well as sustain a dedicated domestic WMD incident response capability.

The DoD is also an active interagency partner in the medical and non-medical R&D arenas for domestic WMD consequence management; with the Departments of Health and Human Services, Agriculture and Veterans Affairs on certain issues relating to vaccine and pharmaceutical production and stockpiling, and with many players on modeling and simulation, decontamination, detection, and identification systems, among others.

Leveraging Guard and Reserve Component Resources for Domestic WMD Incident Release

As stated earlier, the National Guard and Reserves will play a prominent support role for state and local authorities in consequence management. At its core is the establishment of 27 WMD Civil Support Teams (formerly known as Rapid Assessment and Initial Detection teams)

comprised of 22 highly skilled, full-time, well-trained and equipped Army and Air National Guard personnel. The WMD Civil Support Teams will deploy to assist local first responders in determining the precise nature of an attack, provide medical and technical advice, and help pave the way for the identification and arrival of follow-on state and federal military response assets.

Each of the initial ten WMD Civil Support Teams is stationed within one of the ten Federal Emergency Management Agency Regions, and all ten of them are expected to be fully operational by spring of this year. Congress authorized an additional 17 WMD Civil Support Teams to be fielded in FY 2000. After an extensive stationing analysis, the Secretary of the Army recommended, and the Secretary Defense approved, the stationing locations of these new teams on January 13, 2000. We expect the additional 17 to be fully operational in FY 2001.

The WMD Civil Support Teams are unique because of their federal-state relationship. They are federally resourced, federally trained, and expected to operate under federal doctrine. But, they will perform their mission primarily under the command and control of the governors of the states in which they are located. Operationally, they fall under the command and control of the Adjutants General of those states. As a result, they will be available to respond to an incident as part of a state response, well before federal response assets would be called upon to provide assistance. The FY 2000 funding for these teams is \$74.7 million, while the FY 2001 budget request is \$47.9.

During FY 2000, DoD will also complete the training and equipping of 127 chemical decontamination and 43 reconnaissance elements units in the Army Reserve and Army National Guard. Medical Patient Decontamination Teams in the Air National Guard and Air Force Reserve will receive additional training in domestic response casualty decontamination. They will be provided with both military and commercial off-the-shelf equipment, and will receive enhanced training in civilian HAZMAT procedures.

This enhanced training and equipment will improve the readiness of these units to perform their warfighting mission, while allowing them to respond effectively to a domestic emergency, if needed. The Reserve component WMD consequence management funding for FY 2000 is \$116.4 million, while the FY 2001 budget request is \$74.8 million. The WMD Civil Support Teams' budget discussed earlier is included in these figures.

Thank you again for the opportunity to testify before this subcommittee and provide you with an overview of our approach to civil support and WMD consequence management. The Department of Defense is committed to working with its interagency partners, Congress and particularly the members of this subcommittee to establish and maintain effective programs and policies that will enhance the preparedness, at all levels of government, to respond to and mitigate the awful consequences of a domestic WMD incident. We look forward to answering any questions you may have.