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<b>14. ABSTRACT</b> The CIA's attack on a group of terrorists in Yemen epitomized the agency's short-notice capability to detect, track, and destroy a highly mobile and fleeting target of opportunity. The U.S. military and other federal agencies will not respond to terrorist threats solely overseas where the destruction of the adversary is allowed under the rules of armed combat. These highly mobile threats may also be found in the U.S. where the rules of law apply and the target must be apprehended and prosecuted. DOD perceives a time sensitive target (TST) as an Iraqi mobile SCUD missile launcher, for example, while other agencies take a different view of TSTs as targets of interest, which are typically not surface-to-air missiles but humans engaged in a range of quickly moving hostile activities, such as terrorists fleeing in a vehicle. Human targets of interest may be terrorists, drug smugglers, and illegal aliens; they are highly mobile and exploit weaknesses in defense systems. When engaged in hostile or illegal activities, they may be subject to military, diplomatic, economic, intelligence or law enforcement actions, abroad or in the United States. The present process and capability to detect and identify SCUD-like TSTs lies within the capabilities of DOD and the intelligence community, and national and operational intelligence assets may provide the combatant commander with sufficient data with which to engage TSTs. However, when the source of targets are in, around, or threaten directly the U.S., and where the lead agency is not the military but one of the law enforcement agencies, strategic and operational intelligence assets are rarely available or used; and if available, are rarely effective. This paper reveals gaps created by a lack of intelligence coordination and interagency cooperation when dealing with TSTs in an interagency environment within the U.S. These gaps are similar to other highly compartmented, intelligence-critical, and time-sensitive operations, such as when military-agency teams engaged in early counterdrug and counterterrorism efforts. These early interagency teams worked to overcome agency intelligence and coordination shortfalls, and over time developed the ways and means to achieve unity of effort and accomplish the mission.					
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TIME SENSITIVE TARGETING: OVERCOMING THE INTELIGENCE GAP  
IN INTERAGENCY OPERATIONS

by

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

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16 May 2003

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## Abstract of

### TIME SENSITIVE TARGETING: OVERCOMING THE INTELLIGENCE GAP IN INTERAGENCY OPERATIONS

The Central Intelligence Agency's attack on a group of terrorists in Yemen epitomized the agency's short-notice capability to detect, track, and destroy a highly mobile and fleeting target of opportunity. The U.S. military and other federal agencies will not respond to terrorist threats solely overseas where the destruction of the adversary is allowed under the rules of armed combat. These highly mobile threats may also be found in the U.S. where the rules of law apply and the target must be apprehended and prosecuted.

The Department of Defense (DOD) perceives a time sensitive target (TST) as an Iraqi mobile SCUD missile launcher, for example, while other agencies take a different view of TSTs as targets of interest, which are typically not surface-to-air missiles (SAMs) but humans engaged in a range of quickly moving hostile activities, such as terrorists fleeing in a vehicle. Human targets of interest may be terrorists, drug smugglers, and illegal aliens; they are highly mobile and exploit weaknesses in defense systems. When engaged in hostile or illegal activities, they may be subject to military, diplomatic, economic, intelligence or law enforcement actions, abroad or in the United States. The present process and capability to detect and identify SCUD-like TSTs lies within the capabilities of DOD and the intelligence community, and national and operational intelligence assets may provide the combatant commander with sufficient data with which to engage TSTs. However, when the source of targets are in, around, or threaten

directly the U.S., and where the lead agency is not the military but one of the law enforcement agencies, strategic and operational intelligence assets are rarely available or used; and if available, are rarely effective.

This paper reveals gaps created by a lack of intelligence coordination and interagency cooperation when dealing with TSTs in an interagency environment within the U.S. These gaps are similar to other highly compartmented, intelligence-critical, and time-sensitive operations, such as when military-agency teams engaged in early counterdrug and counterterrorism efforts. These early interagency teams worked to overcome agency intelligence and coordination shortfalls, and over time developed the ways and means to achieve unity of effort and accomplish the mission.

A recommendation is proposed—create a Time Sensitive Targeting Interagency Action Group, as a subcommittee of the Interagency Working Group, where the membership would regularly meet to define, develop, refine, and implement TST engagement criteria, intelligence sharing responses and goals, and coordination policies. This action group will better coordinate and integrate military-agency intelligence capabilities, improve interagency commitment and cooperation across other spectra, and will enable better synchronization and unity of effort for both the military and the agencies involved to detect, track, and engage time sensitive targets, at home and abroad.

## **Introduction**

We know how to do joint operations with all the services. We know how to do combined operations with our allies. But, how do we do interagency operations?

General George Joulwan<sup>1</sup>

During the Gulf War, the inability of the Department of Defense (DOD) to detect and destroy Iraq's mobile SCUD missiles was one its most notable failures. Saddam's few missiles terrorized Kuwait, Israel, and Saudi Arabia with the specter of chemical or biological warheads raining down on U.S. troops as well as Kuwaiti, Israeli, or Saudi cities. Iraq's mobile missiles represented a clear and present danger which was not effectively countered with Patriot anti-missile systems or special operations forces. Immediately after Desert Storm, the Pentagon sought to improve its capability to deal with the tools of terrorism to include "time sensitive targets" (TSTs), those targets which required "an immediate response because they pose (or will soon pose) a clear and present danger to friendly forces, or are highly lucrative, fleeting targets of opportunity."<sup>2</sup>

The combined threats of rogue states with ballistic missiles, terrorists acquiring weapons of mass destruction (WMD), and the bombings of the World Trade Center and the Murrah Federal Building resulted in Presidential Decision Directive (PDD) 39, which enumerated responsibilities for federal agencies to work together to combat terrorism, including domestic incidents.<sup>3</sup> To achieve these goals, the capabilities of domestic law enforcement, the intelligence agencies, and the military would be needed to mount an effective barrier to such attacks, whether they involved an immediate response against aircraft or missiles, or a rapidly instigated search to find and foil a terrorist cell, or conduct day-to-day security measures to protect borders and critical infrastructure.<sup>4</sup> As a result of

PDD 39, agencies involved in counterterrorism and homeland security have sought to improve their capability to deal with time-critical events, some of which may pose a clear and present danger to the United States, and may require a coordinated range of immediate actions. At one end of the threat spectrum are terrorist groups armed with weapons of mass destruction; at the other end, unarmed illegal aliens crossing the border.<sup>5</sup> The challenges in between these poles lay in determining which one is a threat and which is not, and if a threat, how to most expeditiously detect, identify, and stop that threat.

The post September 11, 2001 environment focused on homeland security and has also generated intense interest in the number of possible threats facing America. Homeland security and military planners today recognize that civil defense and immediate response to these potential threats are only parts of a much larger mobility issue. Attempts to detect and monitor the movement of potential terrorists or illegal shipments of drugs are Herculean tasks for law enforcement and intelligence agencies. Some 200 million sea containers move annually among the worlds top seaports and of those processed through U.S. ports of entry—by ship, truck, or rail—only a very small fraction (<3%) are checked by government inspectors.<sup>6</sup> Although significant amounts of drugs and contraband are seized, even larger amounts certainly escape detection. Similarly, although some 1.235 million illegal aliens were apprehended by the Border Patrol in 2001, the numbers of illegal aliens that “got away” were also certainly large in number, each representing a potential terrorist, and each on the loose inside America.<sup>7</sup> The almost unlimited means smugglers, terrorists, and illegal aliens can employ to smuggle their products, weapons, or themselves into the U.S. makes their detection, monitoring, and interdiction very complicated and time-sensitive problems. If the first

World Trade Center (WTC) and Oklahoma City bombings were considered isolated terrorist events, the aftermath of September 11, 2001 served as a wake-up call to the federal government to improve and overhaul all aspects of homeland security. A successful homeland security program would need to address all aspects of the problem, and the Department of Homeland Security was created from sections of other agencies in the hopes that integrating their capabilities would better coordinate national security operations. The mobility, lethality, and threat to national security that terrorists, drug traffickers, and illegal aliens represent also highlight a need for an interagency response team to formulate a better process to detect, identify, and react to time sensitive events.

Different agencies not only define but engage highly mobile targets differently. Once detected, DOD may seek to destroy TSTs with decisive firepower, for example, use on-call aircraft, employ precision guided weapons, or attack troops from an unmanned aerial vehicle (UAV). Conversely, U.S. law enforcement or intelligence agencies are required by law to apprehend criminals (i.e., terrorists, smugglers, etc.) and prosecute them. Only under the most extraordinary of circumstances can the law be ignored.

Agencies working in host nations may be required by agreement with the host nation to derive more time-sensitive intelligence by monitoring the actions of non-state actors which could lead to other outcomes, such as the capture and interrogation of terrorists or the detection and rescue of hostages. As real-time intelligence flowed into an air operations center, under the rules of war, a combatant commander could redirect a flight of F-18s and bomb newly discovered terrorists in their caves in the mountains of Afghanistan. Under the rules of armed conflict and with the tacit approval of the host nation (and possibly the knowledge of the regional commander), for example, the Central

Intelligence Agency (CIA) could legally use a Predator UAV to kill “six suspected al-Qaeda terrorists in a vehicle.”<sup>8</sup> But, under the rules of law, a U.S. Border Patrol helicopter could not fire upon suspected terrorists or smugglers in the United States as law enforcement agencies, by federal statute, are subject to greater restrictions involving the use of deadly force, and suspects are guaranteed due process under the law. However, after four airliners were hijacked on September 11, 2001, President Bush authorized the shoot-down of any other hijacked aircraft after the crash at the Pentagon.<sup>9</sup> In the case of Presidential fiat, in a national emergency, the President overrode legal precedent process.

Border defense had not been a priority of homeland defense prior to the events of September 11, 2001. As the cornerstone of the National Security Strategy, the President’s declaration of war on terrorism mandated closer coordination of all government agencies in order to build “a seamless web of defense across the spectrum of engagement to protect our citizens and interests both at home and abroad.”<sup>10</sup> The wake-up call that resulted in the WTC becoming a pile of rubble demonstrated the U.S. was now “involved in a new kind of war where the military may not be the decisive force...instead bankers, diplomats, intelligence operatives, law enforcement and customs officials have important roles to play.”<sup>11</sup> A new national vision and a new National Strategy for Homeland Security emerged, whereby, the U.S. “will redefine our law enforcement mission to focus on the prevention of all terrorist acts within the United States, whether international or domestic. We will use all legal means—both traditional and non-traditional—to identify, halt, and where appropriate, prosecute terrorists in the United States.”<sup>12</sup> In an unprecedented decision, President Bush gave some very non-traditional permission to the military to shoot down an airliner believed to have been hijacked and turned into a suicide bomb.

The President and the Congress have long acknowledged the power and efficiency of the military's manpower, hardware, and infrastructure as a means to combat terrorism or enhance national drug interdiction efforts, at home and abroad. Operations within the U.S. are different from other types of military operations and the military's role in aiding civilian law enforcement first broadened under mounting pressure with the "war on drugs" and later counterterrorism missions. However, the extent of military involvement is limited by law. The *Posse Comitatus Act* specifically prohibits federal military forces from participating in the arrest, search and seizure, stop and frisk, or domestic interdiction of vessels, aircraft, or vehicles; conducting domestic surveillance or pursuit, or operating as informants, undercover agents, or investigators in civil legal cases or in any other civilian law enforcement activity.<sup>13</sup> Military support to civilian law enforcement agencies is restricted to assistance and equipment in the *detection and monitoring efforts*, and as long as military readiness is unaffected.<sup>14</sup> This situation presents potential dilemmas for the Pentagon because military commanders assigned to interagency operations could find themselves "leading" the effort with the preponderance of assets without having any real authority over other federal agencies, as well as providing rather undefined and open-ended "support" to achieve interagency goals.<sup>15</sup>

### **Time-Sensitive Targets**

The Pentagon has experienced other difficulties in addition to detecting and attacking mobile land targets—specifically establishing criteria and terms which define time dependent targets, such as:

- Joint Pub 3-60 defines Time-Sensitive Targets (TST) as "a lucrative, fleeting, air-, land-, or sea-based target of such high priority to friendly

forces that the joint forces commander designates it as requiring immediate response.<sup>16</sup>

- Joint Pub 3-60 defines Time Sensitive Surface Targets (TSST) as “those targets, either mobile or stationary, physically located on the surface of the earth (land or sea), requiring immediate response because they pose (or will soon pose) a clear and present danger to friendly forces or are highly lucrative, fleeting targets of opportunity.”<sup>17</sup>
- AC2ISRC [USAF] 401-98 (Draft) defines Time-Critical Targets (TCT) as “time sensitive targets with an extremely limited window of vulnerability or opportunity, the attack of which is critical to ensure successful execution of the JFC’s operations.”<sup>18</sup>

Differentiating the nuances between TSTs, TSSTs, or TCTs have become little more than exercises in semantics or hair-splitting discussion material in a war college seminar. Missing in the above definitions, however, are targets directed by the President and hostile human beings. On November 3, 2002, the CIA clearly defined what constituted a time-sensitive target in an interagency counterterrorism operation when agency personnel in Yemen used extremely perishable and immediate time-sensitive intelligence to send an armed UAV to kill terrorists.<sup>19</sup>

After DOD investigated the causal factors surrounding their time-sensitive targeting failures of the Gulf War, DOD acknowledged it had technology and intelligence shortfalls, and that it needed swift action “to meet the difficult challenge of rapidly targeting enemy forces and systems that move and hide frequently.”<sup>20</sup> DOD could have had another TST failure when the closest a military jet could get to intercepting a hijacked jet on September 11, 2001 (in New York) was eight minutes.<sup>21</sup> In the final analysis, the key to neutralizing or destroying any highly mobile forces/systems/targets would require sufficient time-sensitive intelligence in order to detect these threats in

advance of their hostile act, with enough specificity and warning for a commander/agency leader to make the decision to engage the target.

### **TST Technical Challenges**

At the heart of the difficulty between military-agency TST operations, such as counternarcotics and counterterrorism efforts, are the many technical challenges required to detect, identify, determine and intercept the target—the bad guy with a car bomb or terrorists in a jet. As DOD works through the challenges of detecting, identifying, prioritizing, and attacking TSTs through a future real-time sensor network, interagency leaders must also tackle the administrative challenges of interagency leadership and consensus in order to come to the decision to engage a mobile threat before it can no longer be tracked. The CIA’s mission was successful in Yemen because of an immediate and unilateral decision to attack a highly mobile target before it got away from the Predator. However, it took four obviously hijacked airliners to crash before surprised government officials concluded it would be necessary to shoot down the next wayward jet.

U.S. forces were also surprised as high technology repeatedly failed to detect Taliban and al-Qaeda personnel movements, between Afghanistan and Pakistan, although forward-looking infrared (FLIR)-equipped UAVs and AC-130s prowled uncontrolled borders. Special forces determined that when members of the Taliban and al-Qaeda heard overhead aircraft, “they were able to hide in plain sight” and avoid detection by covering themselves with a blanket, using the muzzle of an AK-47 as a tent pole.<sup>22</sup> When the aircraft were no longer audible, the terrorists would move again. In the U.S., surprisingly similar counters to technology achieved similar results. The U.S. Border Patrol’s reliance on helicopters to patrol border areas results in an inconsistent effort to

detect illegal aliens and drug smuggler movements. During day or night operations, even when cued to their precise location, at the sound of an approaching helicopter, “illegal aliens and smugglers quickly scatter or are able to hide effectively, defeating FLIR/NVG (night vision goggle) systems, and are able to avoid capture.”<sup>23</sup> The difficulty and complexity of detecting and engaging any TST, at home or abroad, strongly suggests to field commanders, military or civilian, that they must have significantly good information and intelligence, and even then, they often only have a single fleeting opportunity to detect, engage, and attack a TST before it moves out of the range of a sensor.

For DOD or law enforcement to detect and engage targets with continually moving coordinates requires immediate intelligence to accelerate what the military refers to as the “sensor-to-shooter connection.” For the combatant commander, “The targeting process involves detecting, selecting, prioritizing targets; matching an appropriate weapon to the target; and assessing the resulting effects based on the commander’s objective, guidance, and intent.”<sup>24</sup> For border control the process is consistent and similar. For example, the U.S. Border Patrol’s relies on a comprehensive network of seismic sensors which would signal “signs of illegal aliens or smuggling activity” and help cue interdicting agents to the number, location, and direction of movement of suspected targets.<sup>25</sup> Supervisory personnel must then prioritize and select an agent(s) to respond to the site of “the hit,” (e.g., upon sensor activation, an agent receives a radio call such as “There were 14 hits on the 1348 sensor.”) and match the appropriate vehicle (truck or aircraft) to close with the target(s). Irrespective of type of mobile target—SCUD, terrorist, smuggler, illegal alien—for DOD and law enforcement, highly mobile targets present significant challenges to detect and interdict, and are an increasing threat

over great distances, where the chances of successful interdiction diminishes exponentially as functions of time and space continue to displace the initial source of detection and as the quality of the intelligence degrades with every passing minute.

To achieve the capability to detect, select, prioritize the target, and match a weapon for the target, some military thinkers have suggested it would require “an energized systems of systems combining sensors and attack weapons in a dynamic joint command and control architecture which provides the JFC with an integrated and responsive capability to attack critical mobile targets.”<sup>26</sup> Preliminary data from a Joint Expeditionary Force Experiment proved that efficient processes and new technology can translate to target “kills,” where shared sensors receive information through a TST cell within an Air Operations Center, could match on-call weapons, and reduce the time to eliminate “pop-up” targets.<sup>27</sup> In short, the mechanical problem of finding and destroying “shoot and scoot” missiles, if funded, appears to be solved in narrowly defined battlespace areas. However, when the battlespace is 6,000 miles of southern and northern borders of the United States, the level of technology for the required coverage suggests that such a system may be too expensive or too hard to do, or both.

For the other category of TSTs, where their destruction is frowned upon or prohibited by law, others offer that the key to solving the interagency TST equation means solving the greater interagency cooperation and intelligence sharing dilemma. The processes to detect and engage human TSTs are similar to those of finding and responding to SAMs or SCUDs, for both require the integration of significant intelligence capabilities. The process of coordinating and integrating interagency intelligence, reconnaissance, and surveillance (ISR) assets suggests that such a process could better locate and identify

targets in an area of responsibility (AOR), allow leaders to determine the threat and decide which methods of interdiction are appropriate, where these assets are able to track the target until interdiction or a suitable alternative becomes available, and then attack or apprehend the target.<sup>28</sup> ISR assets are not always necessary predictors, as the September 11, 2001 targets were readily known to be hijacked and were tracked on radar scopes.

Others view the key to overcoming these technical challenges will require a combination of the two previous proposals. A Border Patrol pilot and a former CIA Chief of Air Branch teamed up to suggest that in order to solve the issue of detecting, monitoring, and coordinating the interdiction of illegal border crossers the Border Patrol should use special-purpose, CIA-developed, quiet aircraft armed with cutting edge airborne sensors.<sup>29</sup> These aircraft had proven their utility and effectiveness with the CIA in counterdrug, counterterrorism, and counterinsurgency roles, where the use of intelligence gathering surveillance aircraft could be quietly used. Their findings are consistent with a 1997 National Institute of Justice study which surveyed 138 American law enforcement agencies and found the most critical needs for fighting terrorism were, “communication, intelligence gathering and surveillance technologies, coupled with ‘stealth aircraft’ to apply these technologies.”<sup>30</sup>

Prior to the events of September 11, 2001, Congress had been squeamish about arming domestic law enforcement agencies with such a low-altitude intelligence gathering capability, and relied on the status quo: high-altitude joint task force (JTF) assets that were designed for detecting tanks on the battlefield, not individuals. Irrespective of concept, however, in order to detect, identify, and intercept TSTs requires

not only overcoming the intelligence gap between the military-agency team, but improved interagency coordination.

### **Interagency Coordination Challenges**

U.S. objectives are not accomplished unilaterally by any Government entity. They are accomplished by the cooperative effort of all departments and agencies. General Barry R. McCaffery<sup>31</sup>

Civilian agencies have a history of reluctantly working with the military because their leaders are usually unfamiliar with the military's capabilities, objectives, and limitations. Interject a national incident, such as the fatal shooting of an 18-year old Texan by a U.S. Marine assigned to a JTF in support of the U.S. Border Patrol, and civilian leadership may reject any current or future military help for fear of long-term reprisals and political fallout. The Hernandez incident sparked a national debate over the wisdom of using the military, even tangentially, in domestic law enforcement, and forced the Pentagon to suspend counterdrug patrols on the U.S.—Mexico border.<sup>32</sup> Likewise, the military often has problems working with civilian agencies because military personnel are used to acting and making decisions independently of other players.

Harnessing the power of disparate organizations with competing priorities and procedures is a daunting task. For an interagency operation, Joint Doctrine acknowledges the difficulties. It requires defining the problem in clear and unambiguous terms. It requires defining the objective and establishing a common frame of reference. It requires developing courses of action or options, and a need to capitalize on experience and establish responsibility. And, it requires a plan for the transition of key responsibilities, capabilities, functions; and then directs all means toward unity of effort.<sup>33</sup> Even when doctrinal requirements are pursued, the most common obstacle to greater interagency

cooperation seems to occur when there is a lack of military-agency consensus. This lack of consensus has in previous interagency operations hindered policy implementation and mission accomplishment. In overcoming these obstacles, Admiral Miller offers, “Interagency cooperation works best in an atmosphere that encourages and rewards consensus-building, endowing interagency groups with a level of decision-making authority sufficient to implement national policy.”<sup>34</sup>

The principle means of ensuring effective cooperation in the interagency process has been through regularly scheduled conferences, sponsored by the lead agency and with the support of the other departments. By way of example, the national counterdrug program is one of the largest multi-agency efforts ever undertaken by the U.S. government. The intensity of the effort is justified by both the scale of the problem, and the extensive interagency resources and core competencies required to combat it.<sup>35</sup> Since a successful counterdrug program would need to address all aspects of the problem, the Office of National Drug Control Policy (ONDCP) was created to integrate the counterdrug activities of all government agencies. ONDCP does not oversee the day-to-day counterdrug operation and does not have jurisdiction over the various agencies. What ONDCP does do is to sponsor regularly scheduled conferences as the lead agency, where the participants develop a national strategy and coordinate direction for policy implementation. As the lead agency, the outcome of ONDCP’s conference work results in a maturation process which coordinates and integrates the assets of the Departments of Justice, State, Transportation, Defense, and the intelligence community to curtail the flow of illegal drugs into the U.S.

Over time ONDCP has become the hallmark of interagency cooperation, coordination, and leadership, and serves as a model for how lead agencies manage oftentimes fragile interagency arrangements and overcoming gaps in capabilities, while developing trust, confidence, and consensus among the specific agency heads and task force commanders.<sup>36</sup> Achieving interagency coordination in the interagency environment culture enables a commander to work with agency leads to overcome gaps in capabilities, better craft operational plans, help synchronize the efforts of different agencies, and to help develop guidance to focus and integrate the agencies' core competencies toward a desired end state.

### **Intelligence and Communication Challenges**

Joint intelligence planners for JTF operations normally prepare a detailed intelligence architecture that will support all components during the course of each unique operation.<sup>37</sup> For interagency operations, however, the different agencies do not have intelligence architectures that are interoperable with the other agencies or supporting intelligence agencies. Commanders in an AOR rely on mature communication capabilities, such as the Joint Worldwide Integrated Communications System (JWICS), to provide a joint task force commander secure data and voice communications.<sup>38</sup> Most agencies of the federal government, however, do not have "joint" communication or intelligence systems with which to immediately share and provide data. For example, a Border Patrol agent in the field may receive an encrypted radio transmission from his supervisor directing him to a sensor with the hope that he can get to its location before the potential terrorist that activated that sensor is able to get far enough away to escape detection and apprehension. However, under current

communication architectures, a JTF military aircraft in the area may have the target in view but could not directly communicate with the Border Patrol agent.

Each interagency committee use their own service-compatible, service-unique communications and intelligence systems to support their specific requirements. Bridging the intelligence gap to detect, identify, and engage TSTs in an interagency environment will require a rethinking or retooling of service-unique communications and intelligence systems which inhibit interconnectivity and the integration of classified military capabilities. As demonstrated in joint and combined operations, poor interoperability increases the complexity of linear communication and increases the decision-time cycle. In a TST situation, untimely decisions may be fatal.

Timely intelligence is not only indispensable in the global war on terrorism. Timely intelligence is also indispensable in counterdrug and TST operations. Given the nature of the enemy, there is no assurance that the quality of intelligence on organizations like al-Qaeda will notably improve without institutional changes in interagency communication systems, as well as a sustained effort to improve intelligence sharing by the intelligence community.<sup>39</sup>

### **Conclusions**

Time sensitive targets are not a DOD-only dilemma, although DOD's methods to detect them are similar for domestic law enforcement. Methods and decisions to interdict them are governed by international rules and domestic laws. Commanders can launch Hellfire missiles at potential terrorists in Afghanistan but not at potential terrorists crossing the Rio Grande. The President can delegate the authority to shoot down an airliner if it was deemed a threat.

Interagency counterterrorism and counterdrug operations have demonstrated in the past that individual agencies are drawn closer to military capabilities by necessity, mainly because their missions can be expected to fail without military support or protection.<sup>40</sup> Successful interagency time-sensitive operations, such as counterdrug or counterterrorism or detecting TSTs, will require not only integrated communication and intelligence capabilities but a prepared interagency team can make the immediate decision to respond, such as to shoot down a hijacked jet. Herein lies the critical gap.

In an interagency effort, especially TSTs where mission accomplishment is extremely time sensitive and measures of success hinge on the speed of military intelligence and communication capabilities, commanders need to expect these deficiencies; that current interagency guidelines and processes for intelligence sharing regarding targeting time sensitive events will most probably not exist, and if they do, the lead agency's communication will most likely be incompatible with DOD's.

Overcoming the military-agency gap in interagency TST missions will require commanders and senior civilian leaders to define the TST problem in clear and unambiguous terms. Interagency consensus must prevail when defining domestic TSTs as individuals or groups that are highly mobile, have a high potential to inflict serious damage to people or property, or are difficult to detect once they have been alerted. The attack on the WTC and Pentagon, and the Oklahoma City bombing demonstrates detecting and interdicting TSTs are very difficult and are not just a border control issue.

An interagency task force must establish a common frame of reference and develop courses of action—that these highly mobile targets are people with hostile intentions and that they give little warning or opportunity to stop them. Interagency

planners must anticipate what expeditious measures, resources, communication and intelligence, and courses of action will be necessary to detect, identify, and stop the target before they reach their intended destination.

Deficiencies or gaps in interagency coordination become obvious between long-term development efforts, such as border control, and in crisis responses, such as the events of September 11, 2001 or Oklahoma City.<sup>41</sup> They become evident in the nonexpeditionary nature of many of the key U.S. departments and agencies, where the corresponding employment of military forces in many of the traditionally civilian supporting tasks have exposed gaps in coordination. Most of these gaps or seams were related to the agencies' stovepipe structures rather than to breakdowns in the process itself, and most of these gaps show up at the operational level.<sup>42</sup> Admiral Miller found that to reduce the chance of turf wars in an interagency setting, one must place a premium on team work and argues that an Interagency Working Group (IAG) should have sufficient decision making authority to implement national policy.<sup>43</sup>

As past interagency operations have demonstrated, to include missions or operations involving time sensitive targets, such as hunting SCUDs or al-Qaeda or illegal aliens or smugglers or stopping a hijacked jet, a successful interagency unity of effort requires the lead agency and the commander to use all available assets and agency capabilities, to help identify and overcome gaps in coordination, communication, and intelligence, and be prepared to make a quick decision to engage the target.

## **Recommendation**

The creation of a Time Sensitive Targeting Interagency Action Group is proposed. This IAG, based on the ONDCP model, would address all problems associated with defining, detecting, monitoring, intercepting, and/or apprehending TSTs. To determine the extent of intelligence-communications gaps, this IAG must routinely bring military, intelligence, law enforcement agencies together to conduct exercises and threat assessments to better anticipate what types of attacks terrorists might contemplate and how to respond. This Interagency Action Group must be given responsibility for translating an overall policy direction into discrete plans and actions. Working with a steering committee composed of representatives drawn from other agencies whose core competencies make them needed members of the team, the IAG would define policy objectives in the TST arena and would help educate all players involved in rapid response to threats of terrorism, counterdrug, and other interagency operations.

The proposed concept of a regularly meeting Time Sensitive Targeting Interagency Action Group, as a subset of the IWG, will overcome the gap in military-agency coordination, help facilitate overcoming the technical gaps of intelligence and communication interoperability, as well as cultural differences as the membership defines the roles and missions, differentiating military targets and civilian targets, and under what circumstances agencies assume leadership roles, and identify the ultimate decision maker. The mobility, lethality, and threat to national security that terrorists, drug traffickers, and illegal aliens represent, clearly highlights a need for an interagency response team to formulate better processes to define, detect, identify, plan for, exercise, and react to these time sensitive targets.

## Endnotes

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- <sup>3</sup> General Accounting Office, Combating Terrorism: Issues to be Resolved to Improve Counterterrorism Operations, Report to Congressional Requesters (Washington, DC: 1999), 3.
- <sup>4</sup> Michele A. Flournoy, "Strengthening Security at Home," Joint Forces Quarterly, 31 (Summer 2002): 17.
- <sup>5</sup> "Combating Terrorism," 3.
- <sup>6</sup> Department of Homeland Security, Customs & Border Protection, Container Security Initiative, <[http://www.customs.ustres.gov/xp/cgov/import/cargo\\_control/csi](http://www.customs.ustres.gov/xp/cgov/import/cargo_control/csi)> [3 May 2003].
- <sup>7</sup> Immigration and Naturalization Service, U.S. Border Patrol, Southwest Border Apprehensions, FY 2001. <<http://immigration.gov/grapgics/shared/aboutus/statistics/msrsep02/SWBORD.HTM>> [3 May 2003].
- <sup>8</sup> Walter Pincus, "U.S. Strike Kills Six in Al-Qaeda," Washington Post, 5 November 2002, p. 1.
- <sup>9</sup> "Fighters Were 8 Minutes Away From WTC," Lkd. The Associated Press at "AttackOnAmerica.net Page." <http://www.attackonamerica.net/8minutesaway.htm> > [14 May 2003].
- <sup>10</sup> National Strategy for Combating Terrorism, (Washington, DC: February 2003), 25.
- <sup>11</sup> Jim Garamore, "Myers Speaks of Importance of Focused National Power," American Forces Press Service, 15 November 2001, p. 1.
- <sup>12</sup> Office of Homeland Security, National Strategy for Homeland Security, (Washington, DC: July 2002), 26.
- <sup>13</sup> *Ibid.*, II-11.
- <sup>14</sup> General Accounting Office, Drug Control: Impact of DOD's Detection and Monitoring on Cocaine Flow, (Washington, DC: 1997), 21.
- <sup>15</sup> Joint Chiefs of Staff, Interagency Coordination During Joint Operations, Joint Pub 3-08 (Washington, DC: 9 October 1996), vii.
- <sup>16</sup> Joint Chiefs of Staff, Doctrine for Joint Targeting, Preliminary Coordination Joint Pub 3-60 (Washington, DC: 6 June 2000), p. I-4.
- <sup>17</sup> *Ibid.*, I-5.
- <sup>18</sup> Gerald F. Perryman, "Defeating Theater Time Critical Targets," Final Draft FSRD AC2ISRC (USAF) 401-98, (Langley AFB, VA: 11 January 2000), 5; quoted in Alfred R. Turner, "Time-Critical-Targeting for the CINC," (Unpublished Research Paper, U.S. Naval War College, Newport, RI: 2001), 1.
- <sup>19</sup> Pincus, 1.
- <sup>20</sup> Department of Defense, Report to Congress: Kosovo/Operation Allied Force After Action Report (Washington, DC: 2000), 56.

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- <sup>21</sup> “Fighters Were 8 Minutes Away.”
- <sup>22</sup> Robert H. McElroy, “Fire Support for Operation Anaconda,” Field Artillery, (Sept-Oct 2002): 8.
- <sup>23</sup> Gary D. Baer, “An Analysis of Law Enforcement Aircraft Member Attitudes on the Effectiveness of Using Schweizer Quiet Reconnaissance Aircraft for Nighttime Border Patrol Missions,” (Unpublished Research Paper, Embry-Riddle Aeronautical University, Daytona Beach, FL: 2003), 4.
- <sup>24</sup> Joint Chiefs of Staff, Joint Doctrine for Targeting, Joint Pub 3-60 (Washington, DC: 6 June 2000), I-2.
- <sup>25</sup> Baer, 2.
- <sup>26</sup> Brian D. Koehr, “Countering the Mobile Threat: Lessons for the Operational Commander,” (Unpublished Research Paper, U.S. Naval War College, Newport, RI: 2001), 2.
- <sup>27</sup> William B. Scott, “Experimental Center Nails Time-Critical Targets,” Aviation Week & Space Technology, 153, (October 2, 2000), 70.
- <sup>28</sup> John P. McDonnell, “Apportion or Divert? The JFC’s Dilemma: Asset Availability for Time Sensitive Targeting,” (Unpublished Research Paper, U.S. Naval War College, Newport, RI: 2002), 6.
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- <sup>30</sup> National Institute of Justice, Inventory of State and Local Law Enforcement Technology Needs to Combat Terrorism (Washington, DC: 1999), 23.
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- <sup>33</sup> Joint Chiefs of Staff, Interagency Coordination During Joint Operations, Joint Pub 3-08 (Washington, DC: 9 October 1996), I-11-13.
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- <sup>35</sup> *Ibid.*, 20.
- <sup>36</sup> *Ibid.*, 25.
- <sup>37</sup> Joint Pub 3-08, III-21.
- <sup>38</sup> *Ibid.*
- <sup>39</sup> Flournoy, 20.
- <sup>40</sup> Joint Pub 3-08, II-11.
- <sup>41</sup> Taw, 6.
- <sup>42</sup> *Ibid.*, 10.
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