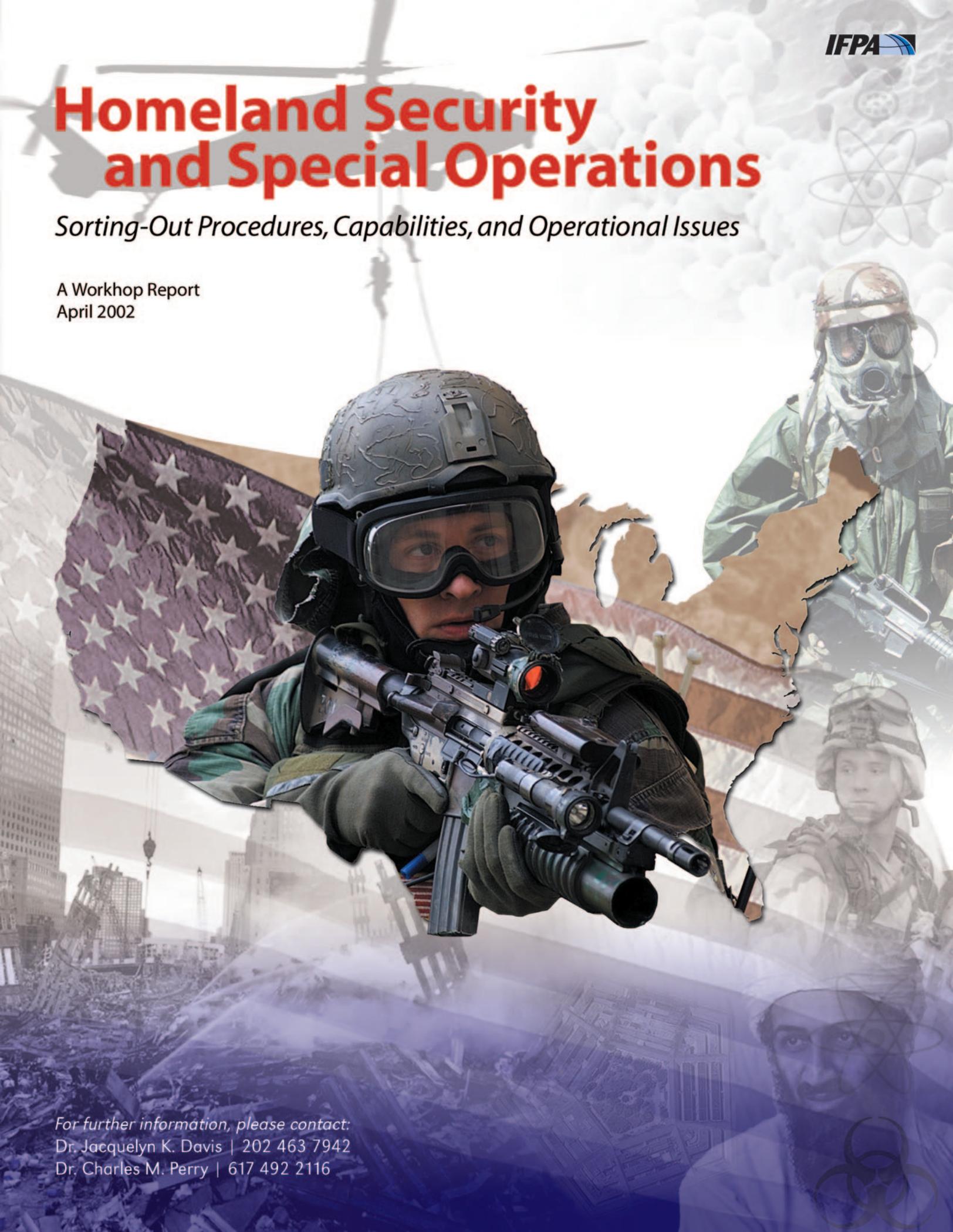


Homeland Security and Special Operations

Sorting-Out Procedures, Capabilities, and Operational Issues

A Workshop Report
April 2002



For further information, please contact:
Dr. Jacquelyn K. Davis | 202 463 7942
Dr. Charles M. Perry | 617 492 2116

Introduction

On January 17, 2002, the Institute for Foreign Policy Analysis (IFPA), in support of the Defense Threat Reduction Agency (DTRA), organized and convened a high-level, interagency, classified Workshop entitled "Homeland Security and Special Operations: Sorting Out Procedures, Capabilities, and Operational Issues." This meeting was designed as an Interagency brainstorming session to help Generals Charles R. Holland, USAF, Commander-in-Chief, U.S. Special Operations Command (CINC U.S. SOCOM) and William F. Kernan, USA, Commander-in-Chief, U.S. Joint Forces Command (CINC U.S. JFCOM) and their respective Command leaderships refine their thinking about Homeland Security.

Particular focus was given to the ways in which the commands can most usefully support and implement Presidential and/or Defense Department taskings and Lead-Agency mission directives in counter-terrorist contingencies in the United States, especially those in which terrorist actors may have access to weapons of mass destruction (WMD). The broader purpose of this Workshop was to examine the lessons learned so far in the war on terrorism and to gain greater clarity as to how DoD and non-DoD assets can best complement each other in the Homeland Security arena. To facilitate both objectives, participation in this meeting included senior representation from the Departments of Defense, State, Treasury, and Justice, as well as from the Homeland Security Office, the National Security Council, the U.S. Coast Guard, the Joint Staff, and the National Guard Bureau. What follows is an unclassified thematic summary of the Workshop discussion. A list of participants and the Workshop agenda is appended to this report.

I. Homeland Security and Special Operations Forces

To open the Workshop and to engender discussion of the prospective mission-taskings for Special Operations Forces in a Homeland Security contingency, participants heard two briefs—one from JFCOM and one from SOCOM—outlining their perspectives of the challenges presented by non-state, transnational terrorist groups like Al Qaeda. Both briefs emphasized the comprehensive nature of the challenges facing the United States in the Homeland Security arena, and each outlined, from a Command perspective, a concept of operations for U.S. military forces in various contingencies, including those involving terrorist operations and the use of WMD components. From each brief, it was apparent that U.S. military forces, both their active duty components and reserve units, are likely to be called upon to perform essential mission taskings in support of the National Military Strategy and/or specific Lead-Agency -i.e., the Department of Justice (DoJ) for counter-terrorist (CT) activities and the Federal Emergency Management Agency (FEMA) for Consequence Management (CM). This will be particularly the case in the counter-WMD arena where domestic agencies and local first-responders have limited training, expertise, and capabilities to cope with attack prevention, mitigation, and/or post-attack recovery. Even as there was no consensus among Workshop participants on the extent to which U.S. military forces could or should be assigned missions in the United States, much less agreement on definitions of Homeland Security and Homeland Defense, there was Workshop consensus that in the areas of prevention, deterrence, and counter-terrorist operations overseas, U.S. military forces, and in particular, Special Operations Forces (SOF), had an unique and important contribution to make.

The operational continuity between operations overseas and “Homeland Defense” sparked considerable Workshop discussion, with one participant suggesting that the clarity of thought and rigor in lines of authority that is evident in traditional defense operational planning needs to be adopted by the Office of Homeland Security. Having said that, he went on to observe that when DoD components discuss Homeland Defense, they appear to be talking about two distinct missions: one relates to the defense of U.S. borders, which clearly is an Interagency responsibility; the other concerns airspace and critical infrastructure protection, each of which also has a DoD component but in reality requires a broader set of operational capabilities. With that in mind, several other participants were interested to learn about the way in which DoD plans to “operationalize” planning for Homeland Defense.

This exchange led to an interesting discussion among Workshop participants about the priority that the U.S. continues to assign law enforcement in conceptualizing its approach to Homeland Security, leading one participant to muse that while sealing the U.S. borders is not a DoD responsibility, U.S. military forces are certainly needed to support civil authorities in this mission-area. Beyond that, because the lines are blurring with respect to concepts for deterring and preventing future terrorist operations on U.S. soil, it is readily apparent that the roles for U.S. military forces, particularly for the Reserve Components (RC), would likely grow in this mission area. To this, another participant suggested the need to specify mission taskings in the Homeland Defense arena so as not to over-stretch and add to the already exhausting operational tempos of U.S. military forces, including very specifically those pertaining to National Guard deployments.

Moreover, the nexus between prevention and deterrence of potential terrorist actions against U.S.

interests and operational planning to foil impending contingencies heightened Workshop sensitivity to the operational continuities between overseas (i.e., OCONUS) and U.S.-based planning. One participant, in this context, contended that the use of SOF in domestic contingencies might be appropriate in certain limited circumstances, but in general, their greater value-added to Homeland Security lies in their capacity to perform operations abroad in regional theaters where state and non-state enemies of the United States were based.

Among other Workshop participants this occasioned debate over the best means by which to target terrorist organizations. Should, one participant queried, we target the organization and not the base, as we have more or less done in Afghanistan—differentiating between Al Qaeda, the Taliban leadership and the country itself—or, can one be accomplished without the other, particularly in the context of clan warfare and the “revolving” loyalties, in this case, of the Afghan tribes? The importance of this discussion was revealed in Workshop consideration—albeit briefly—of “Phase II” operations. As viewed from one perspective, if this is indeed a “war” against terrorism, then, he contended—and as the President (subsequently) suggested in his State of the Union address—the United States really does have to consider comprehensive military options directed against states accused of complicity in terrorist activities.

Another participant disagreed with this line of reasoning and suggested the need to refine our thinking about counter-terrorist operations. From his perspective, it is important to ensure that U.S. forces operate within the bounds of international legal norms and where possible, try to make distinctions between official “state sponsors” and non-combatants. This, he suggested is all the more important when considering preemptive actions.

The subject of preemption occasioned considerable Workshop discussion, with several participants making the case for such operations on the basis of international law, which provides for the right of “anticipatory self-defense”—a concept that, in any event, could cover a multitude of military operations. This participant also pointed out that the need to establish overseas bases and over-flight rights reinforces the importance of operating within the context of international norms.

Operating within that context, moreover, need not circumscribe actions necessary to conduct counter-terrorist or other operations—a concern that was articulated by several Workshop participants. The important point, from his perspective, is to prepare the case for such action methodically and with an eye toward coalition politics, although, as other participants cautioned, this must not be taken as a prescription for inaction when U.S. and coalition-partner national interests clash. For future SOF operations, this implies the need for pre-planning both to speed the approval’s process once an operation is given the green light and to ensure that specific logistical issues are resolved beforehand so that operations can proceed unencumbered by subsequent alliance squabbles.

From this, Workshop participants raised the specific issue of Interagency collaboration, particularly with respect to intelligence collection, sharing, and operational planning. Accordingly, the lessons-learned from SOFs’ collaboration with other government agencies on the ground in Afghanistan served as an important focus of Workshop discussion.

From the standpoint of Department of Defense officials, innovative employments of unmanned aerial vehicles (UAVs), for one, opened up new operational possibilities for U.S. military planners, including new ways to support SOF activities on the

ground. Workshop consideration of the use of UAVs in Afghanistan led to a broader discussion of new and emerging technologies, such as sensor technologies developed under DTRA’s auspices for arms control compliance and verification, and just how they might further enhance Interagency intelligence collection activities, and in so doing, facilitate operational planning.

So, too, Workshop consideration of lessons-learned from the operations in Afghanistan placed a high premium on pre-planning for possible contingencies, including with respect to the need for streamlining the decision process and the need to facilitate peacetime planning for crisis operations, especially in contingencies in which WMD may be a factor. In this context, Workshop participants once again returned to discussion of preemption, this time, focusing on the nexus between operations overseas and potential terrorist threats at home. With respect to preemption, Workshop participants agreed that it is difficult to act without highly reliable operational intelligence. This, in turn, raised the question of actionable intelligence, and the need to address particular shortcomings in the Intelligence community, including the lack of HUMINT assets knowledgeable and hence able to operate in regions of the world where terrorists may take shelter.

Obviously, intelligence collection and surveillance/reconnaissance are areas in which SOF has the potential to play a central role. Workshop participants went on to consider just how SOCOM might optimize the role of SOF in future worldwide operations, without eroding other essential mission taskings and within the bounds of existing resource (i.e., personnel and financial) constraints. One suggestion in this regard focused on enhancing SOF’s roles in CINC Theater Security Cooperation Efforts, while another offered a way to enhance the interface between the national intelligence community

and federal, state, and local law enforcement through the fusion of stove-piped technologies, intelligence collection capabilities, and more common training, a task to which JFCOM representatives at the meeting were enthusiastically supportive. Several Workshop participants noted the need for more Interagency table-top and real-world exercises, such as Top Off and Dark Winter, in which all relevant Federal agencies and State and Local first-responders engaged to gauge the government's ability to respond to chemical, biological and radiological emergencies in various U.S. cities.

The requirement for enhanced Interagency collaboration in the areas of intelligence collection and reconnaissance/surveillance has become obvious to all involved in Homeland Security preparations. However, as pointed out by one Workshop participant, Interagency collaboration at the Federal level is only one aspect of what has emerged as a multi-layered Federal, State and Local government imperative. With the big three-i.e., the Super Bowl, the Davos Economic Forum Meeting in New York, and the Utah Winter Olympics-in mind, several Workshop participants underscored the need for ongoing collaboration between U.S. military forces and local government first-responders, especially with respect to large special events.

In the course of this discussion, one Workshop participant observed that U.S. Reserve Component forces, particularly National Guard troops, were the "bridge" between the first-responders and the employment of active duty military forces in a domestic emergency. Their use, in their Title 32 roles in support of the nation's governors, was generally regarded as the crux between U.S.C. Title 10 restraints on the employment of U.S. military forces in the United States and existing Executive Order guidance. Still, some Workshop participants were uncomfortable in suggesting a broader use of U.S.

military forces in domestic contingencies, especially in the event of simultaneous operations overseas where they might be fully engaged. That said, most Workshop participants agreed that in some particular areas, such as defeating the attempted employment of WMD, the expertise of active U.S. military forces may be required, and it was in this context that all of the military representatives present at this meeting agreed that exceptions were appropriate.

For its part, SOF is likely to be needed to help train law enforcement and other national agencies in WMD-specific mission-taskings. So, too, SOF Civil Affairs units-24 out of 25 battalions of which reside in the Reserve Components-may also be needed to support civil authorities in a domestic emergency. Again, however, as several Workshop participants warned, any expanded use of U.S. military assets in Homeland Security mission-taskings would have profound consequences for operations overseas in simultaneous contingencies.

II. Homeland Security as a Full-Spectrum Mission

From the preceding discussion, Workshop participants went on to consider options for enhancing Interagency collaboration in Homeland Security contingencies. Prompted by concerns articulated by General Holland and General Kernan, participants moved on to consider what could be done to enhance the ability of the United States to respond to Homeland Security emergencies, and beyond this, to facilitate a more proactive posture in terms of Interagency decision-making, including with respect to the approval's process for preventive activities. All Workshop participants recognized the complexity of the challenges facing the United States in this respect, and several went on to note that since September 11th, an opportunity had emerged to institutionalize Interagency collaboration on Homeland Security that before the events of 9/11 just did not exist. Prior to September 11th, there was a tendency to rely almost exclusively on the Department of Justice for counter-terrorist activities impacting the United States, and to assume that U.S. military forces would have a minimal role in CT and Consequence Management operations in the United States. However, the events of September 11th raised fundamental questions about rear-area security, including with respect to bases and installation protection in the United States, and opened debate on terrorist uses of mass destruction weapons and asymmetrical warfare techniques. At the same time, though, the attacks on the Pentagon and World Trade Center also reaffirmed, from a DoD perspective, the operational continuity of overseas activities and domestic terrorist contingencies, while focusing new attention on the uses of U.S. military forces in regional theaters to impact counter-terrorist planning in the United States.

From this discussion, Workshop participants went on to examine the divisions, or "seams," that exist between and among organizational competencies in the USG and Federal-State and Local jurisdictions in an effort to hone Interagency collaboration (at the Federal level) and to make more efficient the decision process, particularly when considering the employment of DoD assets in CT or WMD-related contingencies inside the United States. Several Workshop participants admitted that prior to the events of September 11, 2001, their perceptions of how Homeland Security would be handled differed markedly from the reality that ensued after the attacks. While acknowledging the leading roles of the Department of Justice in CT contingencies and the Federal Emergency Management Agency (FEMA) in Consequence Management activities, these participants also registered their surprise at the considerable employment of American military forces to shore-up other Federal, State, and Local capabilities. From the mission-assignments of Noble Eagle to preparations for, and security at, the Winter Olympics, U.S. military forces have been deployed in very large numbers within the United States. In some Military Occupation Specialties (MOS) this is proving to be a drain on operational planning for overseas employments. For this reason, several Workshop participants cited the need for more detailed planning for Homeland Security contingencies in which military resources would not be the first assigned the burden of tasks that could (or more usefully should) be performed by other elements of the Federal, State, or Local governments.

Toward that end, Workshop participants considered the need to create a Joint Interagency Task Force (JIATF) to coordinate more effectively regional State and Local assets with those of the Federal government in the Counter-Terrorism arena. Based on the U.S. experience in counter-drug operations, estab-

lishing a JIATF is considered an important step in making the Interagency process more efficient. Reinforcing, regionally-oriented JIATFs would be useful in identifying resource shortfalls and developing burden-sharing routines, especially in the CT and Counter-WMD areas where expertise and capabilities are limited and found largely in the military community.

In this respect, participants noted that SOCOM has long maintained counterproliferation capabilities. However, the primary focus of SOCOM's operational planning is on overseas contingencies. While SOCOM has worked closely with other government agencies on domestic counter-WMD planning, the Command today is more heavily involved in Homeland Defense taskings than originally had been expected, with no let-up in sight. Even as the Federal Bureau of Investigation (FBI) is devoting more and more resources to the CT and counter-WMD areas, it still relies upon SOF for added expertise. Simply put, DoD assets and capabilities remain indispensable to crucial CT and counter-WMD mission-taskings.

While the Department of Justice is in the process of redressing such operational shortcomings, it is uncertain when such capabilities will be in place, due to the need for specialized training and competing budget priorities. Moreover, as one participant observed, even assuming that the FBI does meet its internal deadline for having in place sufficient capabilities to undertake specific WMD-related mission-taskings, it still needs Interagency, and particularly DoD, assistance for other functions associated with Counter-WMD/CT in the United States. The strain that this may place on DoD assets, including very specifically SOF and U.S. Transportation Command (TRANSCOM), may be considerable, and, at some point, could raise difficult choices for the Secretary of Defense in terms of

deciding between and among competing operational priorities. The expansion of the war on terrorism to other theaters and regions of the world will likely exacerbate this dilemma, and it may raise the question of the size of SOCOM's force structure, a consideration that would have broad implications for the DoD, especially as it seeks to "transform" the nation's military force structure.

In this context, several Workshop participants noted that we are charting new waters, and a "business as usual" approach to defense spending and force structure modernization was ill-advised for the times in which we live. Other participants suggested that while Homeland Security does not lend itself to clear and unambiguous lines of authority, the creation in the Executive Branch of a Homeland Security Agency to identify and coordinate the Federal government's capabilities for Counter-Terrorism and Homeland Defense missions was a good start. That said, however, it remains apparent that in certain specific areas, including WMD contingencies and intelligence gathering, U.S. military assets will remain central to the CT mission. Certainly, this is true for JFCOM, whose support to Civil Authorities remains a definitive task—although one that is likely to be transferred to a new unified command, the creation of which was announced subsequent to this meeting.

At the time of this Workshop, JFCOM was tasked with contributing to Homeland Defense in a number of ways. While the most high profile of these is obviously support to Civil Authorities, it also has responsibility for providing military forces to the war-fighting CINCs and for establishing training and exercise regimes to hone the military's expertise and interoperability for these (and other military) mission-taskings. The creation of a new North American Command is unlikely to change the tempo of DoD involvement in Homeland Defense

taskings, at least for the time being. The question for White House and Department of Defense leaders is what level of contribution is essential and appropriate given competing demands on the uses of U.S. military forces. In this respect, several Workshop participants raised the question of creating dedicated Joint Task Forces for Civil Support (JTF-CS), one each to correspond to FEMA's regional Headquarters.

Others, however, were skeptical that this could be done, although they allowed that the establishment of additional dedicated JTFs for Civil Support functions would be desirable, even if they were tasked to support the geographic CINCs as well, as is now the case with JFCOM's JTF Augmentation Cell. Operationally, participants agreed that the concept of a dedicated JTF-CS was and is attractive, but in the final analysis, most Workshop participants felt that resource constraints would limit the establishment of more than a couple of such dedicated Task Forces. To this, another Workshop participant proposed the creation of one or two functionally based JTFs, one for CT and another addressed specifically to counter-WMD mission-taskings. As conceived, however, any functionally established entity would have to be available for CINC assignments overseas as well.

Closing off this discussion, another participant observed that from the horrendous events of September 11th, it is apparent that a recalibration of the Department of Defense's roles and potential contributions to the defense of the American homeland needs further thought. In this regard, another Workshop participant suggested bringing all Federal capabilities having relevance to Homeland Defense under one organizational umbrella structure. Notably, this would include the Coast Guard, selected U.S. military forces, and elements of the FBI, FEMA, Treasury, Health and Human Services and

so on. Other participants dismissed this as an unworkable suggestion and argued that in many instances the capabilities in question had "dual-use" roles, which in any event, could not be disregarded or re-assigned to other Agencies because, quite simply, the capabilities do not reside anywhere else in the USG.

III. Sealing the Seams: Clarifying and Delineating DoD's Roles in Homeland Security

From the preceding discussion and with an eye on the lessons-learned thus far from events post-September 11th and the wartime operations in Afghanistan, Workshop participants went on to consider more precisely just how DoD, and, SOF in particular, can best support Presidential and/or SECDEF taskings in a domestic emergency involving terrorist activity in the United States, the use of WMD, and/or as part of a Consequence Management operation, without eroding their potential to fight the nation's wars overseas. To be sure, as all Workshop participants agreed, other USG agencies have relevant capabilities to fulfill many aspects of likely mission-taskings in a domestic CT or WMD emergency. But, as was also suggested by several Workshop participants, DoD may have assets and/or capabilities that other Federal, State or Local agencies lack, necessitating the use of military forces to support, back-fill, or complete a specific tasking.

For example, one participant noted that DoD assets have assumed a broader role in port security since September 11th, despite the fact that this remains an area where the Department of Transportation (in the form of the Coast Guard) holds the lead agency responsibility. It is not that DoD has taken over this task, rather it is that DoD assets have been required to supplement Coast Guard resources given the increased requirement for the Coast Guard to stop and search vessels and containers entering U.S. ports under high threat of terrorist attack. Clearly the need to guard against prospective terrorist threats using shipping assets is at the top of Homeland Security planning considerations. Yet, the extent to which DoD capabilities are needed for this mission-area poses a tricky dilemma for U.S. deci-

sion-makers, raising the fundamental question: To what extent are DoD assets required to "seal the seams" in Homeland Defense mission-areas?

Unfortunately, from the perspective of some Workshop participants, there is a growing tendency, especially since September 11, 2001, to regard the employment of U.S. military forces as the first-line response to many contingencies related to Homeland Defense. On the whole, however, Workshop participants cautioned against over-reliance on the use of U.S. military forces, apart from specialized assets, such as the U.S. Marine Corps' Chemical/Biological Incident Response Force (CBIRF), in domestic emergencies, and urged U.S. decision-making officials to formulate more comprehensive options for dealing with existing and prospective threats to Homeland Security. For Workshop participants, three major considerations must be factored into national decision-making about responding to Homeland Security challenges. As discussed, these were said to include:

- *Know the Enemy.* Workshop participants expressed unanimous agreement on the seriousness of the security challenges facing the United States in the twenty-first century. As characterized by one participant, we are facing a new and chilling reality; from his perspective what we have seen thus far from Al Qaeda and from what we are uncovering on the ground in Afghanistan as well as from the interrogation of Al Qaeda combatants, the West is facing a sophisticated and lethal enemy. This is an enemy who fights without constraints and who rejects Western legal norms. This is an enemy who vilifies the West, and especially the United States, for the freedoms it holds dear. As a result, the United States can ill-afford to think about operations in Afghanistan from the twentieth-century prism of warfare. Until nations of the Western industrial-

ized world come to grips with this reality, the chances for success in the “war against terrorism” were considerably diminished.

His comments engendered a wide-ranging debate among Workshop participants over the context in which our current operations should most appropriately be placed. Is this a war in the traditional sense of identifying an enemy and developing military options for eviscerating him, or should U.S. CT activities be more properly treated as a law enforcement problem, in which issues such as prisoners’ rights and the sanctity of the evidence chain loom large. Whereas Workshop participants were unanimous in agreeing that fighting terrorism is not entirely a military problem, they did not view it principally as a law-enforcement issue either, which created for the discussants difficulties in delineating the limits on the use of military forces in terrorist contingencies. At the same time, as suggested by one participant, because the Al Qaeda members themselves consider their activities as part of a larger jihad in which suicide missions and irregular forms of warfare are characteristic aspects of their asymmetric warfare campaign, the United States would be remiss if it failed to prepare for, and respond to this threat using the panoply of American assets, including U.S. military forces. The issue that must be sorted out is the division of labor between defensive Homeland Security preparations and those necessary to undertake proactive measures overseas, going to the heart of the terrorists’ sanctuaries. How one balances these two, perhaps competing priorities, in terms of resource allocations, is something that must occupy U.S. decision-makers, if neither mission-area is to be short-changed.

In this context, one participant suggested reviewing how Israel or the United Kingdom deals with such threats, given that both nations have struggled with similar issues for years. Another participant disagreed, suggesting that, perhaps, it would be more appropriate to draw from our own past, and review how the U.S. dealt with such domestic threats as the Weathermen during the 1960s. From this perspective, the differences between Israeli and British experiences with the Palestinians and the Irish, respectively, had little to offer the United States, which faced a different kind of threat. Other participants, however, disagreed, and thought that the Israeli model, in particular, had much to offer the U.S. as it considers Homeland Security issues and organizational mandates and structures.

- *Homeland Security Must Be An Interagency and A Federal, State, and Local Priority.* All Workshop participants agreed that Homeland Security is a multi-faced challenge that requires a national strategy. They also reiterated the importance of Interagency collaboration, as well as the importance of new partnerships among Federal, State, and Local governments, assets, and capabilities. One way in which these complex and variegated relationships can be facilitated is through the development of pre-planned Memoranda of Understandings (MOUs) on key issues or functional problems. Participants thought that more needed to be done in this regard, if only to improve understanding between and among civil and military agencies. Closely related is the need to undertake more pre-planning in order to maximize our ability to act proactively later in a crisis or to prevent further terrorist actions on U.S. soil or against American interests overseas. In this context, one

participant suggested the use of sensor technologies at the entrance of major waterways, such as the Chesapeake Bay, to detect the presence of radioactive materials onboard ships. Another participant picked up on this theme and discussed innovative ways in which Customs and the Immigration and Naturalization Agency (INS) could work with the military to identify and monitor the influx of foreign populations along our northern border areas.

- *SOF Cannot Do Everything.* Finally, U.S. decision-makers must take care not to over-burden U.S. military forces with new missions. With their spectacular successes on the ground in Afghanistan, there is a tendency to suggest new roles and missions for the American military, and in particular SOF, in the Homeland Defense realm. On this issue, most Workshop participants had a clear view that the role of the U.S. military is to fight the nation's wars overseas. SOF, in particular, have specific competencies, and their primary value to the United States is in their overseas engagements. While SOCOM welcomes the opportunity to support Lead-Agencies in specific mission-taskings for Homeland Defense, care must be taken to avoid diluting SOF's capabilities by diverting forces to domestic missions, which other agencies should be performing.

In this context, participants were reminded that SOCOM is a relatively small command, and its assets are already over-stretched by operations in Afghanistan and elsewhere in the war against terrorism. And, while it is true that the Command has some unique counterproliferation capabilities, those capabilities are not unlimited. Most Workshop participants agreed that SOCOM might benefit from additional

resources and end-strength, but as one operator reminded the group, SOF are more experienced than your average soldier and it takes years to hone their language skills, cultural awareness, and capabilities for acting in an unconventional or covert manner. From his perspective, the optimum use of SOF warriors was not at home in CONUS, where the American public might have severe reservations about their employment in-country, but overseas to go after the terrorists where they live.

IV. Recommendations for the Way Ahead

The workshop discussion yielded many suggestions for the way ahead. Key among these were the following:

- At the highest Interagency levels we need to come to agreement on what Homeland Security constitutes. President Bush's Executive Order establishing the Homeland Security Office within the Executive Branch specifies Homeland Security as "detecting, preparing for, preventing, protecting against, responding to, and recovering from, terrorist threats or attacks within the United States." Operationally, as pointed out by one Workshop participant, this definition differs from that embraced by DoD, which calls for, "the preparation for, prevention, preemption, deterrence of, and defense against, aggression targeted at U.S. territory, sovereignty, domestic populace, and infrastructure; as well as the management of the consequences of such aggression; and other domestic civil support." In other words, while the DoD omits from its formulation the White House's inclusion of "detection of terrorist threats," it adds two operational areas for inclusion: namely, "deterrence" and "preemption." In the DoD formulation, moreover, the threats are specified as arising from foreign sources, giving further operational coherence to the Homeland Defense mission-set. Consensus on the inclusion of deterrence and preemption has far-reaching implications for DoD's role in Homeland Security.
- There is a need to streamline lines of authority for Homeland Security taskings and to develop a regional command and control (C2) structure to ensure timely and efficient action. Several participants suggested in this regard the need for leveraging existing information structures, such as, for example, DoD's SIPRNET, and to take advantage of current and emerging information technologies, including Virtual Public Networks (VPN), developed in the commercial sector as a model for Homeland Security activities. Improved "coms" must also be developed for small team operations, raising the issues of pre-positioned materiel sets and Interagency logistics. Indeed, one of the lessons-learned from U.S. operations in Afghanistan is the need to improve U.S. logistics flexibility.
- Seamless and secure communications links are especially important for non-traditional mission-areas in which coordination needs to be enhanced with other countries, including Canada and Mexico on border security issues, and more broadly with foreign governments on intelligence collection and sharing. Specifically, in that context, Workshop participants urged the new Homeland Security Agency to consider creation of a National Interagency Database for Intelligence, similar to the JIATF model developed for counter-drug operations. This might help sew the seam between Embassy reporting on suspicious persons seeking entry into the U.S. and Customs and INS information bases when processing arriving airline passengers or visitors (etc.) arriving at border crossings into the United States. The State Department's Bureau of Intelligence and Research (INR), for example, has much to offer in this regard, and participants suggested that the Homeland Security Office should take pains to incorporate INR reporting/information in a national data base.
- Following from this, Workshop participants enthusiastically endorsed the establishment of a fusion center for intelligence collection and

assessment. From a DoD perspective, this is vital to preventive planning options, and essential to consideration of proactive and/or preventive action. In this respect, several Workshop participants opined that much more needs to be done, raising the issue of pre-planning and rapid, decisive decision-making to ensure timely action in a crisis or before. One suggestion in this regard was the use of national assets in CONUS to support CT planning and DoJ operations. Another participant, in this same vein, suggested establishment of pre-approved rules for using force (RUF)-consistent with U.S. law and current policy-for complex operations involving counter-WMD mission-taskings.

- Military technologies and R&D for other defense-related mission-areas should be examined to assess their suitability to Homeland Defense mission-taskings. Both DTRA and the Defense Advanced Research Projects Agency (DARPA) have developed technologies that have applicability to Homeland Security. DTRA, in particular, has established expertise on WMD weapons effects and detection. Capabilities developed by DTRA could enable border security and augment other assets designed to provide early warning of a WMD attack. The use of UAVs to patrol U.S. land borders was raised in this context, as was the deployment of sensors to detect radioactive or chemical emissions. Workshop participants also observed that SOCOM's creation of the Joint Interagency Collaboration Center (SOJICC) to exploit new technologies and information management techniques for operational purposes offers a natural framework for furthering the Command's already extensive collaboration with DTRA.
- Several participants suggested expanding SOCOM, but this should be done for the purposes of meeting new and growing OCONUS CINC requirements and not for the purpose of increasing SOF's roles in domestic Homeland Security contingencies. All Workshop participants agreed that SOF's most effective use was, and would continue to be, overseas in key regional theaters. And, in the context of DoD "transformation" it is appropriate to suggest additional end-strength for U.S. Special Operations Forces as they are viewed as pivotal to meeting the security challenges of the new era. To be truly effective, however, SOCOM and senior decision-makers must give new consideration to SOF's traditional strengths, including their uses in peacetime as part of the CINCs' Theater Security Cooperation Efforts, and in crisis or wartime to prevent and deter direct action against the United States. This suggests new emphasis on "unconventional" warfare programs, as well as boosting the Command's Counter-WMD, Counter-Terrorism, Information Operations (IO), and Psychological Warfare expertise/capabilities.
- The prospect of additional terrorist acts in the United States brought to the fore debate over the differences between the role and use of force in the United States and OCONUS. As explained by one participant, considerable progress has been made in refining rules of engagement (ROEs) in theaters outside the United States, including with respect to permissive and non-permissive environments. The same is not true, however, with respect to RUFs in the United States, and several Workshop participants contended that this is one area that needs further thought by Executive Branch decision-makers. Obviously, by precedent and by law, the use of deadly force

is conditioned by the perception of eminent danger. There is not a lot of case precedence to guide U.S. officials in this area, and until such RUFs can be developed or clarified, the potential for law enforcement and military officials to find themselves in dangerous “gray areas” continue to exist.

- Repeatedly throughout Workshop discussion, several participants noted the comprehensive nature of the challenge ahead of us in Homeland Security. As such, an integrated approach is required in which counter-terrorist operations form but one aspect of a much broader problem. For example, the leadership of the U.S. Coast Guard has been adamant that Homeland Security embrace counter-drug operations as well. This suggests the need for a broad-based strategy and concept for Homeland Security, of which the Homeland Defense aspect is but one area of concern. And, with this in mind, another participant observed that making artificial distinctions between CONUS and OCONUS operations, for one, might lead us down the wrong path. In this context, he observed that FBI legal attachés (LEGATs) working overseas contribute to Homeland Security, just as SOF assets operating OCONUS support civil actions in the United States. In other words, he continued, we must think much more creatively about Homeland Security, and in so doing employ all instruments of national power, from intelligence to financial tools to the military, as appropriate to the challenges ahead.

Homeland Security and Special Operations: *Sorting-Out Procedures, Capabilities, and Operational Issues*

An Interagency Workshop

January 17, 2002

The Pentagon

Room 2E687

Introduction

Dr. Jacquelyn K. Davis, Executive Vice President, IFPA

Opening Remarks

General Charles R. Holland, USAF, CINC SOCOM

General William F. Kernan, USA, CINC JFCOM

Dr. Stephen Younger, Director, DTRA

I. Homeland Security as a Full-Spectrum Mission

- Lessons-Learned So Far from the War at Home and Overseas
- Does DOD Adequately Support Lead Agencies Under Existing Plans?
- NBCR Contingencies and the Management of Complex Operations:
Do the CINCs Need Greater ROE Latitude?
- What Are, or Should Be, SOF's roles?
- Title Ten Issues and the Use of SOF at Home?
- Use of SOF as a Force Multiplier in U.S. Contingencies
(e.g., Perception Management, Civil Affairs, etc.?)

II. DOD and Interagency Issues: How Do We Seal the Seams?

- Lines of Authority and Interface: How can We Make the Interagency Process More Efficient in the Face of New Security Challenges?
- What More Needs to be Done to Improve Civil-Military Interfaces?
- What More Needs to be Done to Facilitate Peacetime Deliberate Planning and Rapid Interagency Decision-Making in Crises?
- Strategic Perception Management as an Interagency Issue

III. Providing Capabilities for Homeland Security

- Establishing Priorities for Simultaneous Contingencies at Home and Overseas
- Critical Infrastructure and Force Protection: How Much is Enough? Too Little?
- Identifying Procurement/R&D Gaps and Needed Capabilities
- Enhancing Exercises and Training for CT, CM, and WMD Contingencies
- Standing JTFs and JFCOM's roles in Civil Emergencies and as a CINC Force Provider

SOCOM

GEN Charles R. Holland, USAF
Commander-in-Chief

Ambassador David Litt
POLAD

BG John R. Scales, USA
Deputy Commanding General, Plans, Policy, and Validation, JSOC

JFCOM

GEN William F. Kernan, USA
Commander-in-Chief

BG Jerry Grizzle, USA
Commander, JTF-CS

Mr. Thomas Lynch
POLAD

DTRA

Dr. Stephen Younger
Director

BG Richard J. Casey, USAF
Director, Combat Support Directorate

Mr. Michael K. Evenson
Deputy Director for Nuclear Support

OSD

Mr. Robert Andrews
PDAS/SOLIC

Dr. Stephen A. Cambone
Principal Deputy Under Secretary for Policy and The Special Assistant to the Secretary of Defense

Ms. Kathryn Condon
Special Assistant to the Secretary of the Army for Military Support

Mr. Maximillian A. Grant
DASD SOLIC/Policy and Resources

Ms. Jill Heininge
*Military Support Program Coordinator
Office of Military Support*

Dr. William Schneider, Jr.
Chairman, The Defense Science Board

Mr. Richard L. Shiffrin
Deputy General Counsel for Intelligence

Ms. Michelle Van Cleave
Consultant

Mr. Peter F. Verga
Special Assistant for Homeland Security

Mr. Austin Yamada
DASD SOLIC/Combating Terrorism

Services & Joint Staff

BG Kevin T. Campbell, USA
Director of Plans, USSPACECOM

LTG Russell C. Davis, USAF
Chief, National Guard Bureau

BG Charles Jacoby, USA
Deputy Director, Global/Multilateral Issues, J-5

LTG Gregory S. Newbold, USMC
Director, J-3

MG Gerald Rudisil, USA
*Assistant to the Chairman,
National Guard Matters*

MG William Ward, USA
Vice-Director, J-3

United States Coast Guard

RADM Terry M. Cross, USCG
Assistant Commandant for Operations

The White House

Dr. Richard Falkenrath
Senior Director for Policy and Plans
Office of Homeland Security

MG Bruce Lawlor, USA
Senior Director for Protection and Prevention
Office of Homeland Security

Mr. Vayl Oxford
Director for Proliferation Strategy
National Security Council

State Department

Dr. Drew Erdmann
Member, Policy Planning Staff

The Honorable Carl Ford
Assistant Secretary for Intelligence & Research

Ambassador Steve Steiner
U.S. Representative to the Joint Compliance and
Inspection Commission

COL Charles Wilson
Director, Office of International Security Operations

CIA

Ms. Joan Dempsey
Deputy Director of Intelligence for Community
Management

MG John R. Landry, USA (Ret)
NIO/Conventional Military Issues
National Intelligence Council

Mr. Ross Newland
Deputy DCI for Military Support

FBI

Mr. M.E. Bowman
Deputy General Counsel
National Security Affairs

Mr. James Caruso
Acting Assistant Director
Counter-Terrorism Division

Mr. James Jarboe
Section Chief
Counter-Terrorism Division
Mr. Ronald C. Williams
Intelligence Operations Specialist
WMD Countermeasures Unit

FEMA

Mr. Bruce P. Baughman
Director, Office of National Security

Mr. Mike Lowder
Branch Chief, Policy and Planning

Department of Treasury

Mr. William Parrish
Director, Office of Anti-Terrorism
U. S. Customs Services

Other

Dr. Stephen Flanagan
Vice President of Research/
Director, International Security Studies
National Defense University

Dr. Richard Shultz
Director, International Security Studies Program and
Professor of International Politics
The Fletcher School of Law & Diplomacy
Tufts University

IFPA

Dr. Jacquelyn K. Davis
Executive Vice-President

Dr. Charles M. Perry
Vice-President and Director of Studies

Mr. Michael J. Sweeney
Senior Researcher