Chapter 1

Turning Point

Learning Outcomes

Careful study of this chapter will help a student do the following:

- Explain the significance of the 1995 Tokyo subway attacks.
- Describe the legal definition of terrorism.
- Compare the different classes of weapons of mass destruction.
- Discuss how the 1995 Tokyo subway attacks precipitated U.S. homeland security policy.

"The 1995 Sarin nerve gas attack on the Tokyo subway marked a turning point in the history of terrorism."

- 1999 Gilmore Commission Report

Introduction

Providing for the common defense is a purpose of U.S. government enumerated in the Preamble to the Constitution. For over two hundred years the nation's military defended the country from other nations who sought to do us harm. But as weapons of war developed into weapons of mass destruction (WMD), a new threat began to emerge towards the end of the 20th century that the nation's military could not counter. That threat was nuclear terrorism, or more generally speaking, the employment of WMD by non-state actors. This chapter examines the turning point when the nation first realized its vulnerability, and events surrounding the evolution from national security to homeland security.

From the Frying Pan into the Fire

With the dissolution of the Soviet Union in August 1991, the United States emerged from the Cold War as the world's sole remaining superpower. After forty-four years of facing down the Soviet Union in global brinkmanship, it seemed the United States could finally step back from the nuclear abyss that threatened at a moment's notice to turn the Cold War into World War III. As events would turn out though, it seemed that the United States had jumped from the frying pan into the fire.

Loose Nukes

By 1991, the Soviet Union had amassed a stockpile of 35,000 nuclear warheads[1] [1] strategically located in the Soviet Republics of Russia, Ukraine, Belarus, and Kazakhstan. The failed coup in Moscow in August 1991 and subsequent disintegration of the Soviet Union raised concerns about the safety and security of nuclear weapons in the former Soviet Republics. [2, pp. 3-4] In 1968, the United States and Soviet Union signed the nuclear Nonproliferation Treaty (NPT) agreeing to keep nuclear weapons from countries that did not have them. [3] Fearing that those weapons and their secrets might now fall into the hands of rogue nations, in November 1991, senators Sam Nunn (D-GA), and Richard Lugar (R-IN) sponsored the Soviet Nuclear Threat Reduction Act authorizing $400 million to assist former members of the Soviet Union with 1) destroying nuclear, chemical, and other weapons of mass destruction, 2) providing secure transport for weapons on their way to destruction, and 3) establishing verifiable safeguards against proliferation of these weapons. [2, pp. 3-4]

[1] By 1991, the United States had amassed over 20,000 nuclear warheads. [1]

Initially, many in Congress saw U.S. assistance under Nunn-Lugar as an emergency response to impending chaos in the former Soviet Union. Even after the sense of immediate crisis passed in 1992 and 1993, many analysts and members of Congress remained concerned about the potential for diversion or a loss of control of nuclear and other weapons. Russia's economy was extremely weak and press accounts reported that nuclear materials from Russia were appearing on the black market in Western Europe. Consequently, many began to view the Cooperative Threat Reduction Program as part of a long-term threat reduction and nonproliferation effort in keeping with the 1968 Nonproliferation Treaty. This view changed, though, after 1995 Tokyo Subway Attack. [2, p. 5]

1995 Tokyo Subway Attack

Sarin is an odorless, colorless liquid that attacks the nervous system.

At 6:00 am on the morning of March 20, 1995, Ken'ichi Hirose was driven to the Yotsuya subway station in Tokyo. Upon arrival, Hirose boarded a westbound train to Shinjuku Station where he caught a northbound train to Ikebukuro Station. While waiting to board his next train, Hirose bought a sports tabloid then sought to isolate himself among the crowd. After surveying the other passengers to confirm nobody was looking, Hirose removed two plastic bags filled with clear liquid and wrapped them in the newspaper. The bags were filled with the deadly nerve agent Sarin. Ken'ichi Hirose was part of a five-man team dispatched by Shoko Asahara to attack the Japanese government. [4]

Shibuya Asahara proclaimed himself "Christ" and sought to take on the sins of the world in advance of a nuclear Armageddon from which he would emerge as "emperor" of Japan. On March 20, 1995, Asahara sought to hasten his prophesied apocalypse by murdering thousands of commuters transiting Tokyo's Kasumigaseki and Nagatacho districts, home to the Japanese government. Asahara also hoped it would put an end to a police investigation into murder charges against the cult. To attain his designs, Asahara would release the chemical agent Sarin within the crowded and confined Tokyo subway. [4]

Sarin is an odorless, colorless liquid that attacks the nervous system. Developed as a pesticide in 1938 Germany, it is outlawed by the 1993 Chemical Weapons Convention. Sarin quickly vaporizes when exposed to the atmosphere, posing a threat to victims either through inhalation or direct contact. Sarin is fatal even at very low concentrations; a single drop the size of a pinhead can kill an adult. Death follows quickly in one to ten minutes. [5]

On the morning of March 20, 1995, five members of Aum Shinrikyo, Ken'ichi Hirose, Ikuo Hayashi, Toru Toyoda, Masato Yokoyama, and Yasuo Hayashi, picked up their bags of Sarin and set out for the rush hour commute aboard the Tokyo subway. Hirose was a thirty-year-old doctor of Physics. Hayashi was a medical doctor held in esteem at the Ministry of Science and Technology before quitting his job and joining Aum. Toyoda was a Physics student who graduated with honors from the University of Tokyo and was about to begin doctoral studies when he joined Aum. Yokoyama was a thirty-one-year-old Applied Physics major who worked at an electronics firm before joining Aum. Thirty-seven year old Hayashi, the oldest member of the group, studied Artificial Intelligence at university and traveled to India to study yoga before joining Aum. Five men, all highly educated and psychologically sound, set out that Monday morning to launch a chemical attack on the world's busiest commuter transport system at the peak of morning rush hour. [4]

Each perpetrator carried two bags of Sarin, except Yasuo Hayashi who carried three. Carrying their bags of sarin and umbrellas with sharpened tips, the perpetrators boarded their appointed trains. At prearranged stations, the sarin bags wrapped in newspaper were dropped and punctured several times with the sharpened tip of an umbrella. Each perpetrator then got off the train and exited the station to rendezvous with pre-arranged getaway cars. They left behind them packets of Sarin leaking out onto train cars packed with passengers. [4]

Ken'ichi Hirose was aboard the second car of the A777 heading inward to the government district. As he was about to release the Sarin, Hirose caught the unwanted attention of a schoolgirl. He paused. To ward off her attention, Hirose decided to move up to the third car, taking his packet with him. As the train approached Ochanomizu Station, Hirose dropped the packet to the floor, whispered an Aum mantra, then punctured it with the tip of his umbrella. Hirose poked the packet with such force that he bent the tip of his sharpened umbrella. Still, both bags were successfully broken, and the Sarin began to leak across the train floor. Hirose immediately departed and fled for his waiting getaway car. [4]

Ikuo Hayashi arrived at Sendagi Station and purchased a copy of the Japan Communist Party newspaper to wrap his bags of Sarin. At 7:48 am he boarded the first car of the A725K inbound to Tokyo's central business district. Hayashi wore a surgical mask commonly worn by Japanese during cold and flu season. At Shin-Ochanomizu Station he dropped his packet to the floor and poked it with his umbrella. In his haste to flee, though, Hayashi succeeded in puncturing only one of the two bags. Sarin leaked out across the train as Hayashi moved quickly to join his getaway driver. [4]

Masato Yokoyama stopped on his way to Shinjuku Station to buy a paper to wrap his bags of Sarin. Yokoyama put on a wig and fake glasses before boarding the fifth car of the B801 inbound to the government district on the Marunouchi Line. As his train approached Yotsuya Station, Yokoyama dropped his packet to the floor and began poking it. He succeeded in making only a single puncture in one of the bags. As Yokoyama fled the scene, the single bag leaked Sarin slowly across the floor. [4]

Toru Toyoda picked up a newspaper and wrapped his Sarin bags on the way to Naka-Meguro Station. At 7:59 am he boarded the first car of the B711T inbound to Tokyo's central district. Sitting close to the door, Toyoda set the Sarin packet on the floor. When the train arrived at the next station, Ebisu, Toyoda punctured the bags as he disembarked. He was on the train a total of two minutes, the quickest drop of the day. [4]

In order to prove his loyalty, Yasuo Hayashi carried three bags of Sarin. These he wrapped in newspaper before boarding the train at 07:43. Hayashi took the third car of the A720S departing Ueno Station. Shortly after boarding, he dropped his packet to the floor. Two stops later, Hayashi punctured the bags as he departed the train at Akihabara Station. Hayashi made the most punctures of any of the perpetrators. [4]

As the Sarin started vaporizing, passengers within the packed cars began to fall sick. Victims would later report feeling nauseous and experiencing blurred vision. Neither knowing nor understanding what was happening, instinct took control and compelled them to flight. As the trains pulled into the next station, victims pushed their way out of the contaminated cars, unwittingly spreading the agent onto the crowded platforms. One passenger, noticing a liquid-soaked package on the floor, kicked it out the door onto the Kodenmacho Station platform. Soon, waiting commuters began feeling the effects and started pushing towards the exits. Some collapsed on the platform before they could make it. [4]

Unaware what was happening, the contaminated trains continued towards central Tokyo. Only after people started collapsing did agents realize something was seriously wrong and ordered all trains stopped. But not before thousands had been exposed. Hundreds collapsed outside the station entrances and lay on the ground waiting for assistance. Ambulances transported 688 to nearby hospitals. More than 4,000 made their own way, including the "worried well". Hospitals were overwhelmed. [4]

Of the 5,510 who sought treatment, 17 were deemed critical, 37 severe, and 984 moderate. By mid-afternoon, the mildly affected victims had recovered from vision problems and were released. Most of the remaining patients were well enough to go home the next day. Twelve people were not so fortunate and eventually died from their exposure. Most of them were station attendants who had sought to help stricken passengers. Experts suggest that if the attackers had been more successful in deploying the Sarin, thousands could have died. [4]

In 2008, victims were authorized payment of damages because the attack had been directed at the Japanese government. By 2009, 5,259 had applied for benefits under the law. Of those, 47 were certified disabled, and 1,077 certified having serious injuries or illnesses. Surveys of the victims showed that many still suffer from post-traumatic stress disorder. In one survey, 27% of 837 respondents complained they felt insecure whenever riding a train. [4]

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The Terrorism Threat

The Tokyo subway attack was a seminal event; it was the first time a non-state group had used a weapon of mass destruction against civilians. The incident appeared to underscore both the vulnerabilities and potentially catastrophic consequences of unprotected societies and ill-prepared governments in the face of indiscriminate attacks employing weapons of mass destruction. Two years earlier, the bombing of New York City's World Trade Center by Islamic fundamentalists had demonstrated that the United States itself was not immune to acts of terrorism intent on causing large numbers of casualties. Indeed, the six persons who perished in that attack and the approximately 1,000 others who were injured paled in comparison to the tens of thousands who might have been harmed had the terrorists' plans to topple one of the towers into the other actually had succeeded. If any further evidence were needed of this potential, it was provided less than a month after the Tokyo attack when Timothy McVeigh used a large truck bomb to demolish the Alfred P. Murrah Federal office building in Oklahoma City, killing 168 persons and injuring hundreds more. [6, p. 1]

Terrorism. "Acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, that appear to be intended to intimidate or coerce a civilian population; influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping."

- Title 18 United States Code, Section 2331

Until the 1993 attack on the World Trade Center, most Americans thought that terrorism was something that happened elsewhere. However frequently U.S. citizens and interests were the target of terrorists abroad, many nonetheless believed that the United States itself was somehow immune to such violence within its own borders. Terrorism, accordingly, was regarded as a sporadic—albeit attention-grabbing—problem that occasionally affected Americans traveling or living overseas and concerned only those U.S. government agencies with specific diplomatic and national security responsibilities. If the 1993 World Trade Center bombing shattered that complacency, then the explosion in Oklahoma City two years later dramatically underscored the breadth of grievances felt toward the U.S. government. The list of potential adversaries had seemed suddenly to grow from the foreign radicals and religious extremists located in other regions of the world about whom we had always worried, to include wholly domestic threats, such as those posed by the militantly antigovernment, white supremacist organizations that had come to light in the aftermath of the Oklahoma City tragedy. [6, p. 6]

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In the wake of the New York and Oklahoma City bombings and Tokyo subway attacks, there was a dramatic shift in the perceived threat of WMD terrorism. A number of developments account for this sudden shift in direction and appreciation for what had been previously dismissed as a far less realistic threat scenario. [6, p. 7]

First, terrorism had arguably shown a marked trend toward greater lethality. While some observers pointed optimistically to the decline in the number of international terrorist incidents during the 1990s as a noteworthy and salutary development in the struggle against terrorism, the percentage of terrorist incidents with fatalities had paradoxically increased. For example, at least one person was killed in 29% of terrorist incidents in 1995. That represented the highest ratio of fatalities to incidents recorded over the previous thirty years. [6, p. 7]

Second, the dangers posed specifically by chemical and biological weapons became increasingly apparent. In part, this was a function of the demise of the Cold War preoccupation with the nuclear dimension of international relations. Perhaps more significant, however, was the possibility that, given the ongoing travails of the Russian economy, poorly paid, disgruntled former Soviet scientists might attempt to sell their expertise in chemical, biological and nuclear weapons on the “open market” to terrorists or rogue states. [6, p. 8]

Finally, a precedent for mass destruction had been set in the guise of the 1995 Aum nerve gas attack. That incident represented the first widely known attempt by a non-state group to use WMD with the specific intent of causing mass civilian casualties. Moreover, Aum's use of such an exotic weapon as sarin may have raised the stakes for terrorists everywhere, who might feel driven to emulate or create their own version of the Tokyo attack to attract attention to themselves and their causes. [6, p. 9]

In the wake of these incidents, a new era of terrorism was perceived by experts and government officials alike who foresaw a potentially bloodier and more destructive age of violence emerging as we approached the twenty-first century. The changes in terrorism that they described raised concerns in the United States, especially within Congress and the Executive Branch, about the implications of evolving terrorist threats that were now seen to include use of WMD. [6, p. 1]

WMD is defined in 18USC S2332a. Current convention recognizes chemical, biological, radiological, and nuclear agents as general classes of WMD.

WMD Terrorism

According to 18USC S2332a, a weapon of mass destruction is "any weapon that is designed or intended to cause death or serious bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors; any weapon involving a biological agent, toxin, or vector; or any weapon that is designed to release radiation or radioactivity at a level dangerous to human life." For simplicity, current convention recognizes chemical, biological, radiological, and nuclear (CBRN) agents as general classes of WMD. 18USC S2332a makes it illegal to employ WMD against U.S. citizens, anywhere in the world.

Chemical weapons are defined in 18USC S229F as "chemicals, precursors, munitions, or devices specifically designed to cause death or other harm through the toxic properties of the chemicals." Under 18USC S229F, it is illegal to develop, produce, acquire, or transfer chemical weapons. Chemical agents are generally classified by their effects. Thus nerve agents attack the body's nervous system, blood agents block oxygen transfer in the blood, blister agents cause blisters, and choking agents attack the respiratory system. Experts also recognize that a host of toxic industrial chemicals (TICs) essential to manufacturing processes may also be employed as weapons. [7, pp. II-10 - II-11] In 2005, the National Planning Scenarios were released, examining possible attack scenarios and their potential consequences. Of the fifteen listed scenarios, four related to chemical attacks. Two pertained to the release of chemical agents. The other two involved the release of toxic industrial chemicals. The deliberate destruction of a chlorine storage tank produced the most casualties, estimated at 17,500 according to the scenario. The nerve agent attack resulted in the second most casualties, estimated at 6,000 according to that scenario. In both scenarios, rescue operations were hampered by the difficulty of operating in a contaminated environment. [8]

Biological weapons are defined in 18USC S178 as "any microorganism or infectious substance, or any naturally occurring, bioengineered or synthesized component of any such microorganism or infectious substance, capable of causing death, disease, or other biological malfunction in a human, animal, plant, or other living organism; deterioration of food, water, equipment, supplies, or materials of any kind; or deleterious alteration of the environment." As with chemical weapons, it is illegal to develop, produce, stockpile, transfer, acquire, retain, or possess a biological agent or delivery system for use as a weapon. Biological agents include three basic categories: pathogens, toxins, and bioregulators. Pathogens are disease producing microorganisms such as bacteria, rickettsia, or viruses. Pathogens can occur naturally or can be altered with biotechnology. Toxins are poisons formed by a vegetable or animal, but can be produced synthetically also. Bioregulators affect cell processes in the body. Used as a bioweapon, they can cause severe adverse effects or death. [7, pp. II-18] The fifteen National Planning Scenarios describe five different types of biological incidents, four of them stemming from some form of attack. According to the Planning Scenarios, an anthrax attack could result in 13,000 casualties. Alternatively, the deliberate introduction of foot and mouth disease could kill an untold number of livestock. Either attack would be hugely disruptive to the national economy. [8]

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Radiological Dispersal Devices (RDDs), or "dirty bombs" are covered by the definition for WMD found in 18USC S2332a. Specifically, they include "any weapon that is designed or intended to release radiation or radioactivity at a level dangerous to human life; or any device or object that is capable of and designed or intended to endanger human life through the release of radiation or radioactivity." 18USC S2332h makes it illegal to knowingly produce, construct, acquire, transfer, receive, possess, import, export, possess, or threaten to use an RDD. The Planning Scenarios have only one RDD scenario. An RDD is not considered particularly destructive, but it is considered highly disruptive. According to the scenario, an RDD released in a major urban area could contaminate up to thirty-six city blocks. Essentially, the area of contamination would have to be evacuated until such time as it could be decontaminated. Decontamination could take years and cost billions of dollars. [8, pp. 11-1 - 11-4]

Nuclear weapons are also covered by the definition for WMD found in 18USC S232a. The Planning Scenarios postulate a situation in which a terrorist group assemble a gun-type nuclear device from highly enriched uranium (HEU) stolen from a former Soviet facility. The materials are smuggled into the United States and assembled near a major metropolitan center. The improvised nuclear device (IND) is transported by van to the central business district and detonated. The estimated 10-kiloton blast would incinerate most everything within half mile of the detonation. Blast damage would gradually taper off out to four miles from the epicenter. Electromagnetic pulse (EMP) would render any surviving electronics inoperative within three miles of the detonation. Those outside the blast radius but within twelve miles of detonation could be affected by radiation exposure. Winds could carry radioactive fallout as far as 150 miles and contaminate as much as 3,000 square miles. [8, pp. 1-1 - 1-5] Dissimilar circumstances make it difficult to draw comparisons with the August 6, 1945 bombing of Hiroshima with a similar type device, but casualties from the blast, radiation, and fallout might be expected to exceed 100,000. Of course, recovery would take decades and cost hundreds of billions of dollars.

As serious and potentially catastrophic a CBRN attack might prove, it is highly unlikely it could ever completely undermine national security. However, because of the extreme consequences that could result from a successful CBRN attack, event the remotest likelihood of one cannot be dismissed as insignificant.

Still, most experts agree that even if terrorists want to employ WMD, they don't necessarily have the requisite scientific knowledge or technical capabilities to implement their violent ambitions. Accordingly, as easy as some may argue it is for terrorists to culture anthrax spores or brew up a concoction of deadly nerve gas, the effective dissemination or dispersal of these viruses and poisons still presents serious technological hurdles that greatly inhibit their effective use. Indeed, the ultimate failure of the Tokyo subway attacks seems to affirm this position. [6, p. 38]

It should also be noted that, as serious and potentially catastrophic as a domestic terrorist CBRN attack might prove, it is highly unlikely that it could ever completely undermine the national security, much less threaten the survival, of the United States as a nation. Indeed, following the 1995 nerve gas attack, the Japanese government did not fall, widespread disorder did not ensue, nor did society collapse. There is no reason to assume that the outcome would be any different in the United States. [6, pp. 37-38]

However, because of the extreme consequences that could result from a successful CBRN attack, even the remotest likelihood of one cannot be dismissed as insignificant. The challenge in responding to the threat of potential terrorist use of CBRN weapons is to craft defense capabilities to respond to an incident if it occurs that are not only both cost-effective and appropriate, but dynamic enough to respond as effectively as possible in a wide a range of circumstances or scenarios. [6, pp. 34-35] The problem was, the Federal government was not ready.

U.S. Counterterrorism Posture

At the time of the Tokyo Subway Attacks, the U.S. response to a terrorist incident was seen as a highly coordinated interagency operation that included federal, state, and local participation. Primary federal agencies besides the Department of Justice (DoJ), Federal Bureau of Investigation (FBI), and Federal Emergency Management Agency (FEMA) included the Department of Defense (DoD), Department of Energy (DoE), the Environmental Protection Agency (EPA), and the Department of Health and Human Services (DHHS). [9, pp. CRS-6]

The National Security Council was the center of U.S. government efforts to coordinate the national response to threats or acts of domestic terrorism. The NSC Principals Committee, the Deputies Committee, and the Counterterrorism and National Preparedness Policy Coordination Committee (PCC) constituted the major policy and decision making bodies involved in the federal response to terrorism. [9, pp. CRS-7]

In the wake of the Tokyo subway attacks and Oklahoma City bombing, President Clinton in June 1995 signed PDD-39 updating U.S. policy on counterterrorism. PDD-39 designated the FBI as the Lead Federal Agency for responding to terrorist attacks on U.S. soil. FEMA was assigned responsibility for coordinating the Federal response to a WMD attack.

The PCC had four standing subordinate groups to coordinate policy in specific areas. The Counterterrorism and Security Group (CSG) coordinated policy for preventing and responding to foreign terrorism, either internationally or domestically. The Preparedness and Weapons of Mass Destruction Group provided policy coordination for preventing WMD attacks in the United States and developing response and consequence management capabilities to deal with domestic WMD incidents. The Information Infrastructure Protection and Assurance Group handled policy for preventing and responding to major threats to America's cyberspace, and the Continuity of Federal Operations Group was charged with policy coordination for assuring the continued operation of Constitutional offices and federal departments and agencies. [9, pp. CRS-7 - CRS-8]

When the NSC was advised of the threat of a terrorist incident or actual event, the appropriate subordinate group would convene to formulate recommendations for the Counterterrorism and Preparedness PCC who in turn would provide policy analysis for the Deputies Committee. The Deputies Committee would ensure that the issues being brought before the Principals Committee and NSC were properly analyzed and prepared for a decision by the President. [9, pp. CRS-8]

In the wake of the Tokyo subway attacks and Oklahoma City bombing, President Clinton in June 1995 signed Presidential Decision Directive #39 (PDD-39) updating U.S. policy on counterterrorism. Among its provisions, PDD-39 designated the FBI the Lead Federal Agency for responding to terrorist attacks on U.S. soil. PDD-39 also assigned FEMA primary responsibility for coordinating federal efforts in responding to the consequences of a WMD attack. [9, pp. CRS-5]

The FBI's first step when a terrorist threat was discovered was to initiate a threat credibility assessment. The FBI would take immediate steps to identify, acquire, and plan for the use of federal resources to augment the State and local authorities if the threat was deemed highly credible or an incident was verified. The FBI will designate a Federal On-Scene Commander (OSC) who would function as the incident manager for the U.S. Government. The FBI would operate from a Joint Operations Center (JOC) and report back to the Strategic Information Operations Center (SIOC) at FBI Headquarters in Washington DC. If necessary, the FBI could call upon a Domestic Emergency Support Team (DEST) comprised of representatives from other Federal agencies to help advise on the incident. In the event of a WMD incident, the FBI on-scene commander could request DoD support through the Attorney General. [9, pp. CRS-9 - CRS-13]

Concerned about the overall leadership and coordination of programs to combat terrorism, Congress established three separate commissions to investigate the prospects for WMD attack on U.S. soil.

Homeland Security

Concerned about the overall leadership and coordination of programs to combat terrorism, Congress established three separate commissions to include the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (also known as the Gilmore Panel because it was chaired by Governor James Gilmore III of Virginia); the United States Commission on National Security in the 21st Century (also known as the Hart-Rudman Commission because it was chaired by former Senators Gary Hart and Warren Rudman); and the National Commission on Terrorism (also known as the Bremer Commission because it Chairman was former Ambassador Paul Bremer). [10, p. 37]

The Bremer Commission raised the issue that the National Coordinator, the senior official responsible for coordinating all U.S. counterterrorism efforts, didn't have sufficient authority to ensure the President's priorities were reflected in agencies' budgets. The United States didn't have a single counterterrorism budget. Instead, counterterrorism programs existed in the individual budgets of 45 departments and agencies of the federal government. [11]

In December 2000, the second report of the Gilmore Commission issued a finding that the organization of the federal government's programs for combating terrorism was fragmented, uncoordinated, and politically unaccountable. It linked the lack of a national strategy to the fact that no entity had the authority to direct all of the agencies that may be engaged. At the federal level, no entity had the authority even to direct the coordination of relevant federal efforts. As a consequence, the Gilmore Commission recommended that the next President should establish a National Office for Combating Terrorism in the Executive Office of the President, and should seek a statutory basis for this office. [12]

The Gilmore Commission recommended that the National Office for Combating Terrorism should have a broad and comprehensive scope, with responsibility for the full range of deterring, preventing, preparing for, and responding to international as well as domestic terrorism. The director of the office should be the principal spokesman of the Executive Branch on all matters related to federal programs for combating terrorism and should be appointed by the President and confirmed by the Senate. The office should have a substantial and professional staff, drawn from existing National Security Council offices and other relevant agencies. The Gilmore Commission argued that the office should have at least five major sections, each headed by an Assistant Director:

1. Domestic Preparedness Programs
2. Intelligence
3. Health and Medical Programs
4. Research, Development, Test, and Evaluation (RDT&E), and National Standards
5. Management and Budget [12]

In February 2001, the Hart-Rudman Commission recommended the creation of a National Homeland Security Agency .

The Hart-Rudman Commission decried the fact that responsibility for homeland security resided at all levels of the U.S. government—local, state, and federal. That within the federal government, almost every agency and department was involved in some aspect of homeland security, but none was organized to focus on the scale of the contemporary threat to the homeland. The Hart-Rudman Commission recommended an organizational realignment that:

- Designated a single person, accountable to the President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security;
- Consolidated certain homeland security activities to improve their effectiveness and coherence;
- Established planning mechanisms to define clearly specific responses to specific types of threats; and
- Ensured that the appropriate resources and capabilities were available. [13]

In February 2001, the Hart-Rudman Commission recommended the creation of a National Homeland Security Agency (NHSA) with responsibility for planning, coordinating, and integrating various U.S. government activities involved in homeland security. [13] Sadly, the recommendation came too little too late. Less than seven months later the nation would suffer a terrorist attack of catastrophic proportions on its own soil. What few had foreseen was how it would be accomplished not by WMD, but by subverting the nation's infrastructure.

Conclusion

The United States stepped back from the brink of nuclear annihilation at the end of the Cold War only to face the threat of nuclear terrorism at the outset of the 21st century. The incident that brought this terrible prospect to the forefront of national security concern was the Tokyo subway bombing in 1995. It was the first employment of WMD by a non-state agent. Taken together with the increasing frequency and ferocity of terrorist attacks against the United States itself, the Tokyo subway bombing suddenly made the unthinkable not only thinkable, but credible. So as the United States prepared for a new century, it also started preparing for the prospect of a domestic terrorist attack employing a CBRN agent. As various advisory committees investigated the matter and advised Congress, they developed the concept of homeland security and the recommendation for a homeland security agency. What made it happen was what nobody expected would happen.

Challenge Your Understanding

The following questions are designed to challenge your understanding of the material presented in this chapter. Some questions may require additional research outside this book in order to provide a complete answer.

1. What was the historic significance of the Tokyo subway attacks?
2. Why are the Tokyo subway attacks considered an act of terrorism?
3. Do you have to be a terrorist to employ a WMD agent? Explain your answer.
4. What type of WMD agent do you think would be easiest to acquire? Explain your answer.
5. What type of WMD agent do you think would be most physically destructive? Explain your answer.
6. What type of WMD agent do you think could possibly cause the most deaths? Explain your answer.
7. Would you rather have one enemy with many WMD, or many enemies with one WMD? Explain.
8. Identify five differences between a soldier fighting for a country and a terrorist fighting for a cause.
9. Identify five differences between the 1995 Tokyo subway attacks and the 1995 Oklahoma City bombing.
10. Identify five differences between the 1995 Tokyo subway attacks and the 2007 Virginia Tech shooting.