



# Counter WMD Strategy

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## Learning Outcomes

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

- Describe the various prohibitions against WMD agents.
- Explain how the 1995 Tokyo subway attack changed the WMD threat.
- Explain the different roles of agencies in national counter WMD strategy.

*“The potential proliferation of weapons of mass destruction, particularly nuclear weapons, poses a grave risk. Even as we have decimated al-Qa’ida’s core leadership, more diffuse networks of al-Qa’ida, ISIL, and affiliated groups threaten U.S. citizens, interests, allies, and partners.”*

- 2015 National Security Strategy

## Introduction

*WMD agents are prohibited under Title 18 USC, §2332a, and international conventions, including the 1968 (nuclear) Non-Proliferation Treaty, 1975 Biological Weapons Convention, and 1997 Chemical Weapons Convention.*

The history of human warfare may be characterized as an escalating development of tactics and weapons designed to kill more people more quickly. As the industrial revolution accelerated the production and refinement of weapons on an unprecedented scale, the Geneva Conventions were begun in 1864 to contain the carnage and bound the limits of warfare [1]. Similar attempts were made with the Hague Conventions to place limits on the types of weapons that could be employed. As early as 1899, the Hague Conventions sought to outlaw the use of chemical weapons by warring nations. [2] After Germany breached this agreement in 1915, the British retaliated in kind, and every major belligerent was guilty of employing chemical weapons by the end of World War I. [3] After the war, nations continued to maintain and expand their stocks of chemical weapons as a deterrent to their future use. It wasn't until the Chemical Weapons Convention of 1997 that nations agreed to destroy their stocks, but the task is only 85% complete as nations remain wary of relinquishing their deterrent capability against the possibility of hidden caches. [4] The prohibition against chemical weapons came after a similar agreement prohibiting the development, production, and stockpiling of biological weapons in the 1975 Biological Weapons Convention. [5] This was preceded by the 1968 Non-Proliferation Treaty in which nations agreed to prevent the spread of nuclear weapons and weapons technology. [6] The most difficult problem with all these treaties is enforcement. Despite monitoring and surveillance provisions written into them, the ultimate guarantor of compliance is the threat of retaliation by similar means. While this threat may work on nations, it does not work as well on individuals. The 1995 Tokyo subway attacks demonstrated the ability of non-state actors to employ weapons of mass destruction. And while Title 18 U.S. Code Section 2332a makes it illegal to use, threaten, attempt, or conspire to use a weapon of mass destruction in the United States, arresting the perpetrator after the fact is too little too late. Thus the nation's security today relies on an unprecedented cooperation between military, intelligence, and law enforcement agencies, between Federal, State, and Local governments to combat weapons of mass destruction (CWMD).

Combating WMD

The Department of Homeland Security is member of the Counterproliferation Program Review Committee (CPRC) together with the Department of Defense (DoD), Department of Energy (DoE), Department of State (DoS), Office of the Director of National Intelligence (ODNI), and Office of the Chairman of the Joint Chiefs of Staff (CJCS). Together, they represent the primary Federal agencies responsible for safeguarding the U.S. from WMD attack. In 1994, Congress commissioned the CPRC to report on their combined efforts to combat WMD and its means of delivery. [7, p. 1]

The missions and objectives of CPRC members are guided by the 2002 National Strategy to Combat Weapons of Mass Destruction. The 2002 Strategy prescribes three primary mission areas: 1) Nonproliferation (NP), 2) Counterproliferation (CP), and 3) Consequence Management (CM). [7, p. 3] Nonproliferation seeks to dissuade or impede both state and non-state actors from acquiring chemical, biological, radiological, and nuclear (CBRN) weapons. Counterproliferation seeks to develop both active and passive measures to deter and defend against the employment of CBRN weapons. Consequence management seeks to develop measures to quickly respond and recover against a domestic CBRN attack. [8, p. 2] This basic strategy is further refined by supplemental guidance listed in Table 1. These assist departments and agencies with developing goals and objectives, identifying capability requirements, and ultimately providing material and nonmaterial solutions for combating weapons of mass destruction. [9, p. 2]

*The Department of Defense, Department of Energy, Department of State, and Office of the Director of National Intelligence together represent the primary Federal agencies responsible for safeguarding the U.S from WMD attack.*

Table 15-1: CWMD Guidance Documents [9, p. 2]

2012 Sustaining U.S. Global Leadership: Priorities for 21 <sup>st</sup> Century Defense
2012 National Strategy for Biosurveillance
2011 National Strategy for Counterterrorism
2010 Nuclear Posture Review
2009 National Strategy for Countering Biological Threats
2006 National Strategy for Strategic Interdiction
2002 National Strategy to Combat Weapons of Mass Destruction

Department of Defense

DoDD 2060.2 establishes policy, assigns responsibilities, and formalizes relationships among DoD components to combat weapons of mass destruction. [9, p. 15] DODD 2060.2 refers to CWMD mission areas described in the 2006 National Military Strategy to Combat WMD. [10, p. 2] This was replaced in 2014 by the Defense Strategy to

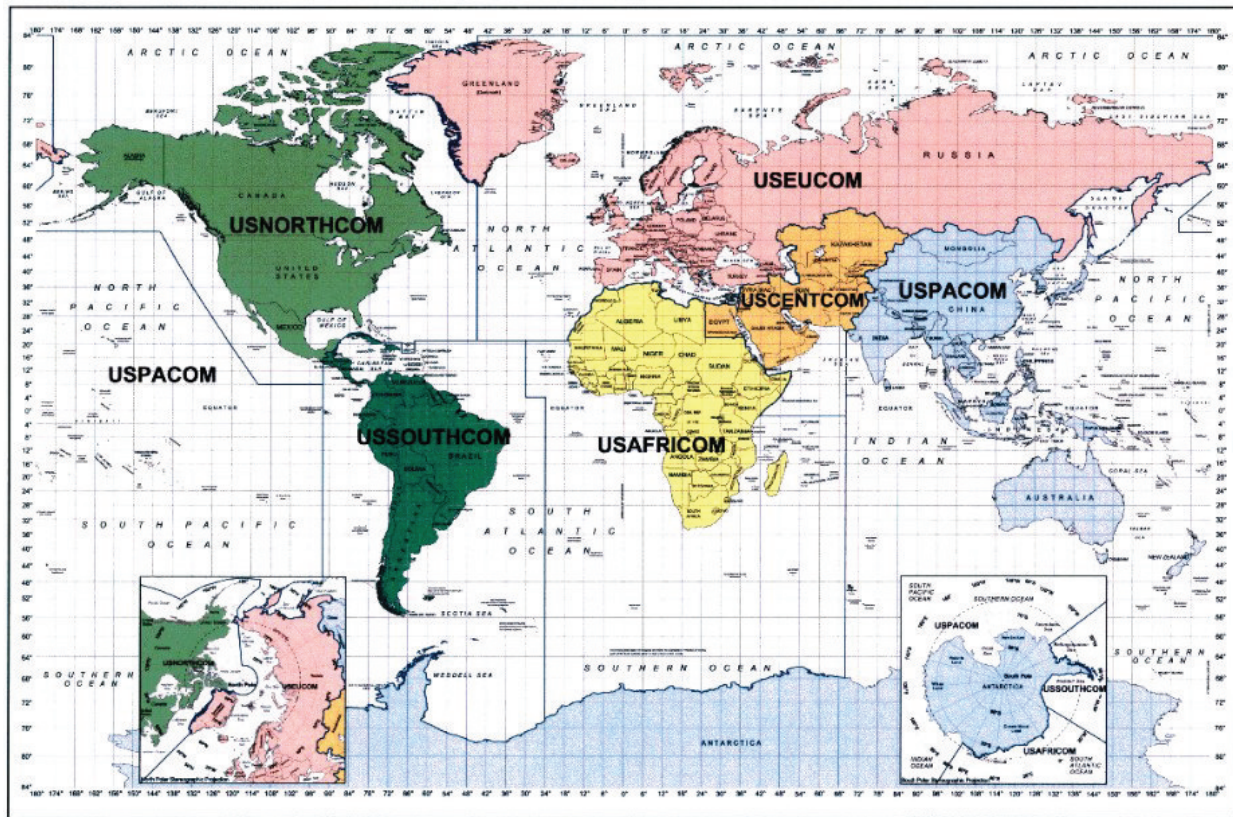


Figure 15-1: DoD Geographic Combatant Commands [12]

*According to the 2014 Defense Strategy, DoD works to 1) prevent acquisition of WMD (nonproliferation), 2) contain and reduce the threat of WMD employment (counterproliferation), and 3) respond to crises (consequence management).*

Combat WMD. According to the 2014 Defense Strategy, DoD works towards three CWMD end states: 1) no new WMD possession (NP), 2) no WMD use (CP), and 3) minimization of WMD effects (CM). The end states are pursued through three main lines of effort: 1) Prevent Acquisition, 2) Contain and Reduce Threats, and 3) Respond to Crises. According to this strategy, DoD will seek to dissuade those who do not possess WMD from acquiring them by promoting transparency, security, and disarmament; convincing aspirants that their activities will be detected, attributed, and mitigated; taking action to delay, disrupt, or complicate WMD acquisition; and when necessary, undertake direct actions to prevent WMD acquisition. DoD will contain and reduce threats by supporting arms control initiatives; working with partners to guard against accidental or unintentional WMD employment; maintaining an effective defense and retaliatory deterrent; and when necessary, undertaking operations to secure, exploit, and destroy WMD. DoD will also remain prepared to locate, disrupt, disable neutralize, or destroy an adversary's WMD assets before they can be used; however, if employed, DoD is prepared to support civil authorities with CBRN response capabilities to mitigate consequences. [11, pp. 9-12] DoD capabilities supporting CWMD policy reside with DoD agencies, commands, and components. The Defense Threat Reduction Agency (DTRA) leads the Department's nonproliferation efforts by implementing provisions of the Nunn-Lugar Global Cooperation Program and promoting arms control. United States Strategic Command directs the nation's air, land, and sea based nuclear forces. [9, pp. 15-17] United States Northern Command maintains defense of the nation's air, land, sea, and space approaches. United States Special Operations Command is prepared to undertake precise missions around the

world. The remaining geographic combatant commands, Southern Command, Central Command, European Command, Pacific Command, and Africa Command, maintain stabilizing relations within their areas of responsibility, but are prepared to conduct military operations with assigned Army, Navy, Marine, and Air Force units when directed by the President. [12] In the event WMD is employed within the U.S., the National Guard maintains 10 regional Homeland Response Forces (HRFs) that may be tasked to a State governor to assist with CBRN mitigation. [13]

## **Department of Energy**

DOE contributes to national CWMD efforts by ensuring energy security, producing and maintaining the nation's nuclear stockpile, promoting nuclear nonproliferation, providing specialized nuclear and radiological emergency response, assisting nuclear and radiological counterterrorism and counterproliferation efforts, and fostering fundamental science, advanced computing, and technological innovation. [14, pp. III-10] DOE supports CWMD missions through its nuclear proliferation prevention and counter-terrorism activities as well as through access to the many sites engaged by its scientific cadre. DOE plays a critical role, through its core nuclear work, in addressing inspection and monitoring activities of arms control agreements and regimes; protection of WMD and WMD-related materials and components; detection and tracking of these materials and components; removal of materials from compliant nation states; export control activities; and responding to nuclear and radiological emergencies in the United States and abroad. DOE works closely with DoD, DHS, DOS, and the Intelligence Community to detect, characterize, and defeat WMD and WMD-related facilities. [7, p. 18] Within DOE, the National Nuclear Security Administration (NNSA) is responsible for performing these missions. The NNSA works together with the Group of Eight (G8) Global Partnership and the International Atomic Energy Agency to perform its missions abroad. Within the NNSA, responsibility for countering nuclear terrorism resides principally with the Office of Counterterrorism and Counterproliferation, designated NA-80. NA-80's purpose is to advance government's technical understanding of the terrorist nuclear threat and advocate for technically informed policies across Federal agencies. [9, p. 18] The NNSA also maintains Nuclear Emergency Response Teams (NERTs) capable of 1) searching for radiological devices, 2) rendering them safe, and 3) mapping radiological contamination that might be spread. [15]

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## **Department of State**

Central to DOS's responsibility for diplomatic engagement on international security, DOS aims to build international consensus on arms control and nonproliferation based on common concern and shared responsibility. The Under Secretary for Arms Control and International Security leads interagency policy development on nonproliferation and manages global US security policy, principally in the areas of nonproliferation, arms control, regional security and defense relations, and arms transfers and security

assistance. This entails overseeing the negotiation, implementation, and verification of international agreements in arms control and international security. Other specific responsibilities include directing and coordinating export control policies and policies to prevent missile, nuclear, chemical, biological, and conventional weapons proliferation. All of these contribute to the DOS's strategic goal of countering threats to the US and the international order. DOS CWMD responsibilities are primarily planned and executed via: the Bureau of Arms Control, Verification, and Compliance (AVC); the Bureau of International Security and Nonproliferation (ISN); and the Bureau of Political-Military Affairs (PM); all of which report to the Under Secretary for Arms Control and International Security. [14, pp. III-7]

ODNI directs the activities of the Intelligence Community to provide high-value intelligence supporting U.S. policies and actions to discourage, prevent, rollback, deter, and mitigate the consequences of WMD.

### **Office of the Director of National Intelligence**

ODNI directs the activities of the Intelligence Community to provide high-value intelligence supporting U.S. policies and actions to discourage, prevent, rollback, deter, and mitigate the consequences of WMD. ODNI leads the nation's CWMD intelligence efforts through various interagency groups and centers: [9, p. 20]

CBRN Counterterrorism Group (CCTG). ODNI manages the CCTG formed by the merger of the Central Intelligence Agency's (CIA's) Counterterrorism Center and National Counterterrorism Center's CBRN analysis group. The CCTG pools analytical experts from CIA, NCTC, the Defense Intelligence Agency (DIA), FBI, and other U.S. Government organizations to support a wide range of intelligence activities focused on CWMD. [9, p. 20]

National Counterproliferation Center (NCPC). The NCPC helps the U.S. counter threats caused by the development and spread of WMD. NCPC works with the Intelligence Community to identify critical gaps in WMD knowledge resulting from shortfalls in collection, analysis, or exploitation and then develop solutions to reduce or close these gaps. The NCPC does this by analyzing, integrating, and disseminating comprehensive all-source WMD proliferation intelligence; providing all-source intelligence support needed for the execution of counterproliferation plans or activities; and performing independent WMD proliferation analyses. It may also play a role in the nuclear attribution process by fusing law enforcement and intelligence information with nuclear forensics conclusions provided by national technical nuclear forensics center. The NCPC also provides WMD briefs and analyses to the President, Congress, and the appropriate Federal departments and agencies, as required. The majority of the NCPC staff are detailees from the intelligence community, as well as DoD and the DOE national laboratories. [14, pp. III-6 - III-7]

National Counterterrorism Center (NCTC). The NCTC is the primary organization in the U.S. Government that integrates and analyzes intelligence pertaining to terrorism and counterterrorism, including all intelligence related to terrorist use of WMD. The CT community lead for identifying critical intelligence problems, key knowledge gaps, and major resource constraints is the NCTC. The NCTC combines intelligence, military, law enforcement, and homeland security networks to facilitate information sharing across government departments and agencies. In addition to its information sharing role, the NCTC provides a strategic-level operational planning function for CT activities and is responsible for integrating all elements of national power toward successful implementation of the national CT strategy. [14, pp. III-6]

### **Department of Homeland Security**

The 2010 Quadrennial Homeland Security Review identified three CWMD-related mission areas: 1) Preventing Terrorism and Enhancing Security; 2) Securing and Managing Borders; and 3) Ensuring Resilience to Disasters. [9, pp. 18-19] DHS also maintains the National Response Framework (NRF) for guiding how U.S. Government departments and agencies should work together to prepare for and respond to WMD events. DHS agencies, along with the Federal Bureau of Investigation (FBI), DOE, the Department of the Treasury (TREAS), the Department of Commerce (DOC), and the intelligence community, play a vital role in supporting national CWMD efforts. Agencies within the DHS that contribute to the CWMD mission include: [14, pp. III-8]

*The Department of Homeland Security also plays a role in national CWMD strategy by: 1) Preventing Terrorism and Enhancing Security; 2) Securing and Managing Borders; and 3) Ensuring Resilience to Disasters.*

United States Coast Guard (USCG). The USCG may play an integral role in WMD interdiction operations by protecting US economic and security interests in maritime regions, including international waters, U.S. coastal regions, ports, and waterways. USCG personnel can be used to enforce U.S. laws anywhere in the world, with certain restrictions, and can participate in regular DoD-led interdiction operations under their Title 14, USC authorities, even if assigned DoD forces. [14, pp. III-8]

Customs and Border Protection (CBP). To prevent WMD smuggling, the CBP works through existing partnerships with customs and law enforcement agencies in partner nations to protect U.S. borders, ports of entry, and screen admissibility of persons, cargo, and vessels arriving into U.S. ports. CBP also supports a National Targeting Center and operates the Container Security Initiative with the DOE. [14, pp. III-8]

Federal Emergency Management Agency. The Federal Emergency Management Agency provides support to our nation's critical infrastructure in response to CBRN hazards through comprehensive emergency management programs including risk reduction, preparedness, response, and recovery. [14, pp. III-8]



Domestic Nuclear Detection Office (DNDO). DNDO improves the Nation's ability to detect and report transportation of nuclear or radiological material. Additionally, DNDO operates the National Technical Nuclear Forensics Center, which has two primary missions. The first provides centralized planning, integration, assessment, and stewardship of the nation's nuclear forensics capabilities to ensure a ready, robust, and enduring capability in coordination with other U.S. Government departments and agencies who have assigned responsibilities for national technical nuclear forensics. These include the Department of Justice and FBI, who is the lead federal agency responsible for the criminal investigation of terrorist events and the nuclear forensic investigation of planned or actual attack; DoD, DOE, DOS, ODNI, and DHS. The second mission is to advance the capability to perform nuclear forensics on nuclear and radiological materials in a pre-detonation (intact) state. [14, pp. III-8]

Immigration and Customs Enforcement (ICE). ICE enforces US immigration and customs regulations. One of its highest priorities is to prevent illicit procurement networks, terrorist groups, and hostile nations from illegally obtaining U.S. military products, sensitive dual-use technology, WMD, or CBRN materials. The ICE homeland security investigation's counterproliferation investigations program oversees a broad range of investigative activities related to such violations. The counterproliferation investigations program enforces US laws involving the export of military items, controlled dual-use goods, firearms, and ammunition, as well as exports to sanctioned or embargoed countries. [14, pp. III-9]

## **Conclusion**

The effects of U.S. CWMD policy range from the mundane to the profound. Patients of nuclear medicine are routinely pulled aside after tripping Radiation Portal Monitors installed in airports and other major U.S. ports of entry. [16] Citing the need to disarm Iraq of suspected caches of WMD, President Bush in March 2003 launched the U.S.-led invasion of Iraq. The invasion and subsequent eight-year occupation cost the nation \$1.7 trillion, 4,488 U.S. casualties, and 32,223 U.S. wounded. Iraq itself suffered an estimated 189,000 casualties and counting as it continues to struggle with internal strife. [17] No definitive caches of WMD were found.

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## Challenge Your Understanding

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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. Which WMD agent was first used in warfare?
2. Which WMD agent emerged during World War One?
3. Which WMD agent emerged during World War Two?
4. How did the 1995 Tokyo subway attacks change the WMD threat?
5. What is DoD's role in national counter WMD strategy?
6. What is DOS's role in national counter WMD strategy?
7. What is DOE's role in national counter WMD strategy?
8. What is ODNI's role in national counter WMD strategy?
9. What is DHS's role in national counter WMD strategy?
10. Which WMD agent do you think is easiest to obtain? Explain your answer.