

NAVAL WAR COLLEGE
Newport, R.I.

*Organizational Change to enhance the effectiveness of the Counterterrorism Mission of the
United States Government*



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The contents of this paper reflect my personal views and are not necessarily endorsed by the Naval War College, the Department of the Navy or the United States Government.

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14. ABSTRACT Counterterrorism remains a vital capability and must be maintained in the face of ever-tightening resource constraints. USSOCOM must utilize its flexibility to address changing strategic conditions, as well as a need for greater efficiency with lesser resources, through reorganization and engagement with non-traditional U.S. Government partners to capitalize upon technical expertise. The United States Marshals Service is a federal law enforcement agency within the Department of Justice responsible for the global pursuit of criminals. The institutional knowledge within the Marshals Service would greatly enhance the Department of Defense counterterrorism mission. Specifically, USSOCOM collaboration with the Marshals Service should leverage previously underutilized specialized capability in finding those eluding government authority around the world, thereby increasing the capability of the United States to intervene to prevent and deter future acts of terrorism.					
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Introduction

After many years of prosecuting the Global War on Terrorism, the 2018 National Defense Strategy calls for increased attention on nation-states and potentially great power conflict. Specifically inter-state strategic competition, not terrorism, is now the primary concern to our national security. Counterterrorism remains a vital capability and must be maintained in the face of ever-tightening resource constraints. This is further underscored by a recent publication authored by a recently former National Security Council official noting concerns over maintaining the U.S. counterterrorism capability.ⁱ

The United States Special Operations Command (USSOCOM) and its subordinate commands are responsible for the counterterrorism mission of the Department of Defense. Special Operations Forces must be agile and able to adapt to changing operational environments. Agility and adaptability are particularly necessary in the zero failure environment which exists when facing an enemy intent on harming the United States. Furthermore, it has long been acknowledged that special operations require non-special operations support for mission success. USSOCOM must utilize its flexibility to address changing strategic conditions, as well as a need for greater efficiency with lesser resources, through reorganization and engagement with non-traditional U.S. Government partners to capitalize upon technical expertise. The United States Marshals Service is a federal law enforcement agency within the Department of Justice responsible for the global pursuit of criminals. The institutional knowledge within the Marshals Service would greatly enhance the Department of Defense counterterrorism mission. Specifically, USSOCOM collaboration with the Marshals Service should leverage previously underutilized specialized capability in finding those eluding government authority around the

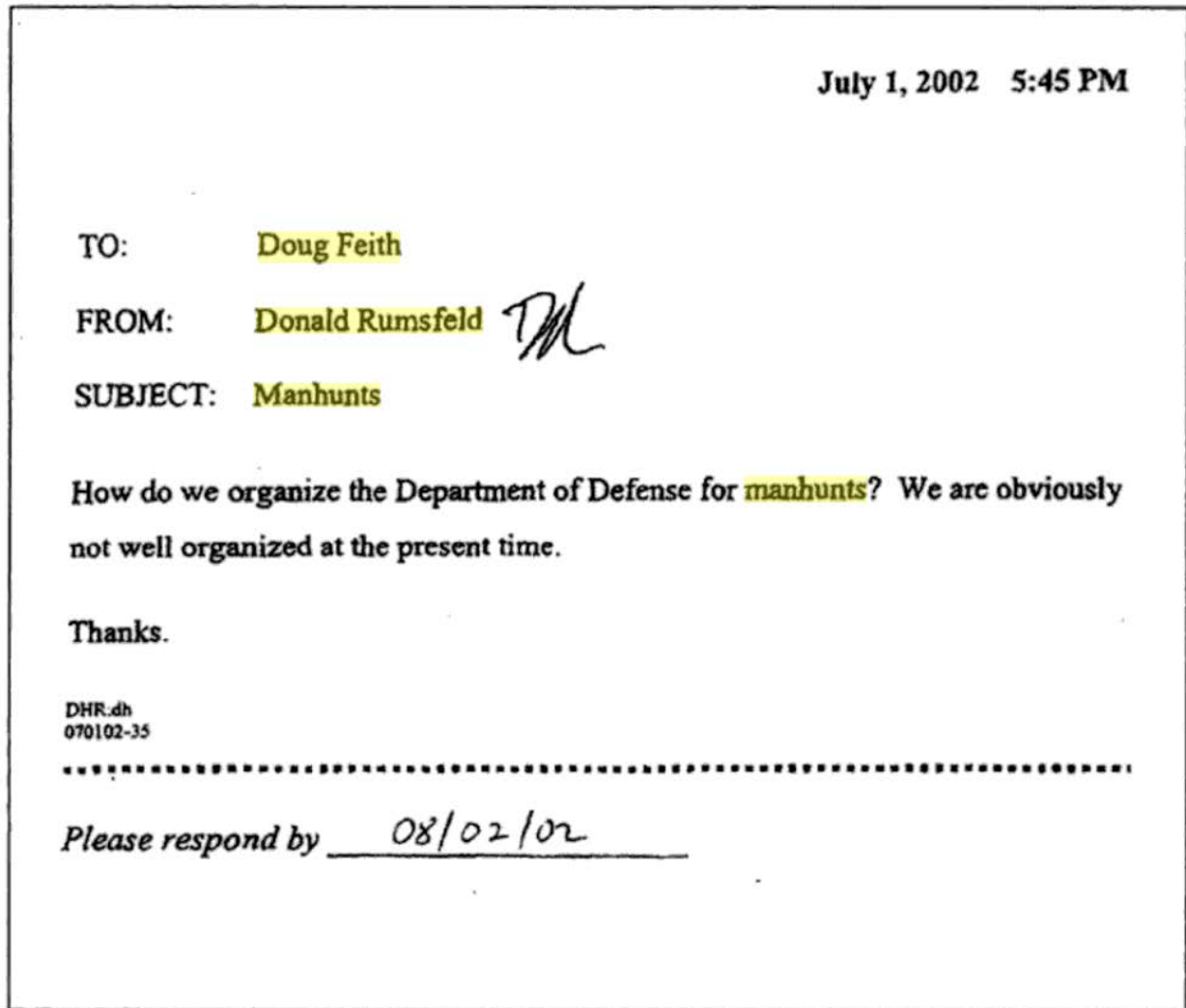
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world, thereby increasing the capability of the United States to intervene to prevent and deter future acts of terrorism.

Background

International terrorism has become a frightening challenge to the free world. Very few countries have been immune from the plague of terror-related violence, whether domestic or international. As terrorist attacks have become increasingly spectacular, targeting non-combatants and resulted in greater damage, the United States has frequently turned to its military to strike back at terrorist organizations. As the Global War on Terrorism began, President Bush declared in a joint session of Congress, "Our enemy is a radical network of terrorists and every government that supports them. Our war on terror begins with Al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated."ⁱⁱ

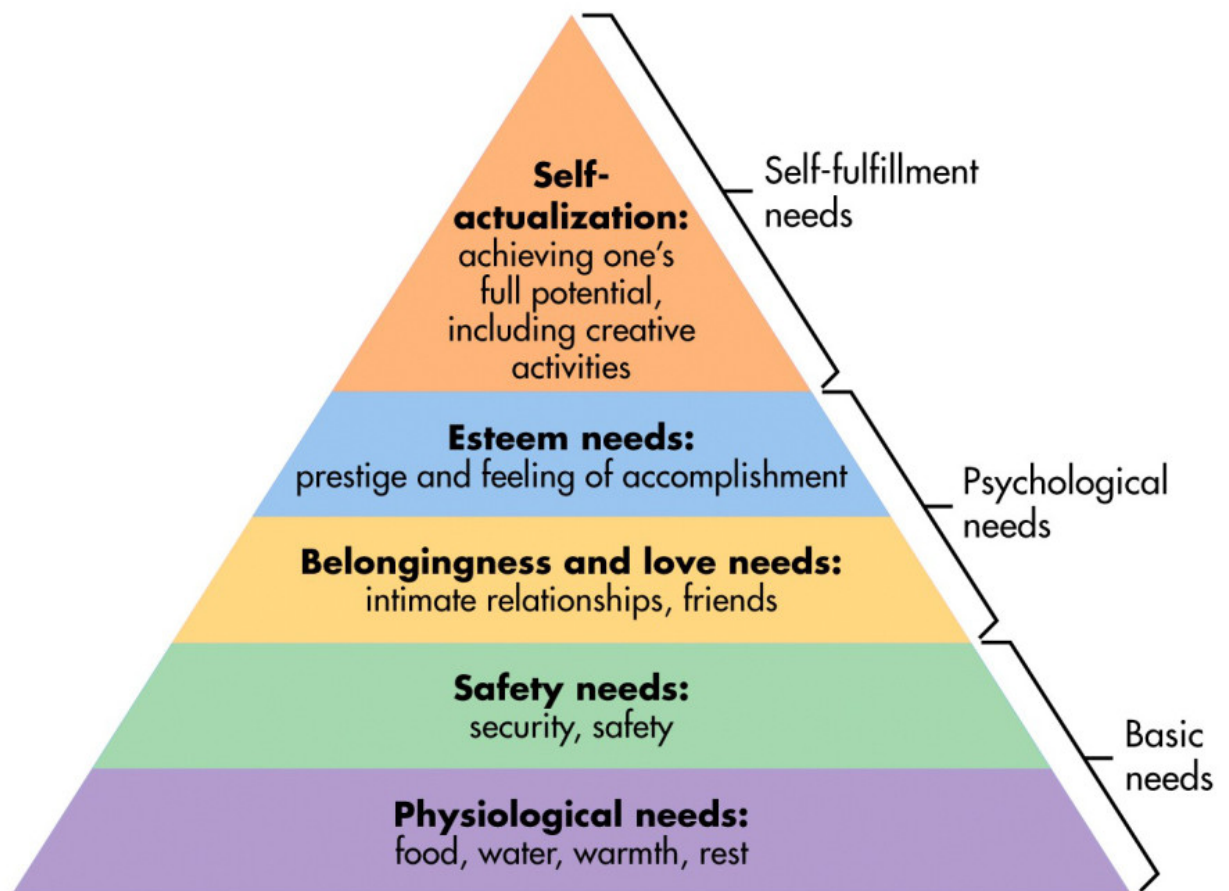
Since 2001, the United States military has found itself increasingly pursuing individuals for their roles in terrorist organizations intent on harming United States' interests. These pursuits also occur inside and outside of defined conflict areas. The unconventional enemy poses a significant challenge to the Department of Defense. In July 2002, after nearly ten months of not being able to locate Osama Bin Laden, Secretary of Defense Donald Rumsfeld sent the below memo to his Under Secretary of Defense for Policy:ⁱⁱⁱ



In 2003, during a joint news briefing, Secretary of Defense Rumsfeld stated: "The only way to deal with the terrorists is to find them and stop them before they launch more attacks." He further replied as follows when questioned regarding the reasons the U.S. could not find Bin Laden, "One is, it's very hard to find a single individual in the world. It's a big place. And it isn't easy. And our government didn't get up one morning, 10, 15, 20 years ago and say, "Gee, let's organize, train and equip so we can do manhunts."^{iv}

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The pursuit of someone eluding governmental authority involves much more than analysis of the underlying activity which caused them to become a person of interest. The analysis must be expanded to include the entire person, their daily activities, and the supporting motivation for those activities. The most well known study on human behavior, and the needs which motivate individuals, was published by Abraham Maslow in 1943^v. This study details the hierarchy of human needs which motivate behavior and form the basis of the targeting methodology used by the U.S. Marshals Service. These needs are summarized in the below illustration:^{vi}



In this pyramid, individuals must satisfy lower level needs before being able to satisfy needs higher on the pyramid. For instance, a person of all ages must have food and water. These

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needs are met either individually or with the assistance of others, i.e., family, friends, etc. Once having food and water, a person seeks security and safety. An individual hoping to advance a terrorist ideology must meet these basic needs and some fashion of psychological needs before fulfilling his terroristic goals. Those who successfully elude detection for longer periods make fundamental differences as to how they meet their basic needs when they learn they are the target of governmental authority.

The needs detailed above provide avenues of inquiry for governmental entities. This inquiry is frequently referred to as the “Find and Fix” portion of the special operations forces targeting process.¹ However, Find and Fix continues to vary depending on the hunted. In 2005, students at the Naval Post Graduate School conducted an analysis of military case studies as well as research of the process utilized by the U.S. Marshals Service (USMS) to find persons of national interest. This analysis identified three types of persons eluding governmental authority: individual criminals, persons who are members of organizations, and deposed state leaders.^{vii} Each category has different resources upon which to rely to continue their flight and meet their human needs as discussed earlier.

Shortcomings in Current Approach

As previously mentioned, the U.S. counterterrorism fight is operating in a zero-failure environment. There is no margin of error which is acceptable due to the massive potential effect of any single terrorist attack. Consequently, there are many factors to consider when analyzing the performance of the counterterrorism effort. One of the most critical aspects of this effort is the ability to locate terrorists attempting to hide. Understandably, many of the tools and

¹ There are many different targeting strategies utilized throughout the U.S. Armed Forces. It is widely accepted that forces must identify their enemy, locate them and then impose the commander’s will.

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methods in specific cases remain classified. However, some open source analysis is possible which demonstrates possible shortcomings in the current methods used to finding persons eluding governmental authority.

For a lengthy period, it has been the policy of the U.S. to transfer terrorist detainees to the detention center at the U.S. Naval Base at Guantanamo Bay, Cuba. In 2006, an analysis of the detainees held at the Guantanamo Bay Detention Facility indicated that less than eight percent of the detainees had been captured by U.S. forces.^{viii} The vast majority of the remaining acknowledged detainees were captured by other organizations. (This figure does not include any suspected terrorists who did not survive military operations against them.) It is not clear whether these organizations were functioning as proxies for the U.S. Government or whether the United States did not have the capability and relied on coalition partners. If the latter is indeed the case, it underscores the pressing need to increase U.S. counterterrorism capability.

In addition to the empirical data provided above, the U.S. Military also lacks a specific methodology as to how to locate persons eluding governmental authority. These targets proved to be vastly different than previous traditional targets of conventional warfare. After the invasions of Afghanistan and Iraq, U.S. forces found themselves conducting searches of areas for known or suspected terrorists. These missions were frequently unsuccessful and had significant ramifications. Unsuccessful manhunting operations serve to build resentment of U.S. forces within indigenous populations and further bolster insurgencies. Additionally, unsuccessful operations frequently reveal tactics and techniques which lead U.S. forces to a suspected location. Both of these consequences of unsuccessful operations serve to further support the adversary in his continued evasion of U.S. forces.

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Some experience was certainly gained in both the analytical and operational communities in the ten years which followed September 11, 2001. Unfortunately, this experience has not been translated into doctrine. The lack of specific doctrine is particularly important given the institutional knowledge which will begin to leave the military as the focus shifts to great power conflict. The shift in military priorities will require different solutions to obtain necessary resources to retain the counterterrorism capability.

Finally, the system of intelligence utilized by the United States often results in the United States reacting to adversarial actions. Analysts must process multiple sources of fragmented information to identify persons involved in terrorist organizations. Indicators and warnings identify potential threat actors after they have already begun to prepare for an operation. The identification of these individuals and the assessment of potential operational capabilities generates a time delay which requires swift action to overcome. Reacting to adversarial action is not a scenario in which the United States can rely upon on-the-job training to ensure the ability to locate a threat. Moreover, the analytical perspective necessary to most effectively and quickly locate an adversary requires a whole person analysis, not simply an analysis of their terrorist behavior. This perspective is not included in typical analytical training and only recently became available for instruction in the form of an eight hour seminar.

For the reasons detailed above, significant challenges exist within the U.S. Counterterrorism architecture related to expeditiously finding persons. Innovative solutions must be explored to retain our advantage in the fight against terrorism, particularly in the face of competing for national priorities and future resource constraints.

Proposed Solution

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The world of business is governed by market pressures which routinely result in a drive for increased productivity and enhanced efficiency. Reduced productivity and inefficiency are the recipes for unsuccessful businesses. In many technical industries, the concept of a center of excellence has emerged to develop and implement best practices to accomplish a particular task, typically a subset of the overall effort. For a center of excellence to gain acceptance within an enterprise, they must be given a clear mission and then provide demonstrable value to the business units. This concept has been implemented across the private sector to best utilize a limited technical resource across multiple business processes or locations. An example of this implementation is a team of robotics experts who deployed automated technology on the multiple assembly lines of the automotive industry to enhance efficiency. The U.S. Government has also leveraged private sector innovation by applying the Center of Excellence concept throughout information technology, Medicare and Medicaid, the Department of Homeland Security and the Department of Defense. In many cases, Centers of Excellence partner with academic institutions to conduct research projects and further amplify best practices to enhance productivity. USSOCOM should apply this successful model from business to counterterrorism operations.

A Center of Excellence (CoE) focused on finding persons eluding governmental authority should be formed within the Joint Special Operations Command (JSOC) as a subordinate of USSOCOM. This will allow each of the subordinate entities to avail themselves of this resource as the mission requires. As mentioned earlier, a commander cannot impose his/her will upon an enemy without being able to locate the enemy. The CoE will be built as a joint venture with the United States Marshals Service. Since the dawn of our country, U.S. Marshals have been critical to the pursuit of fugitives and enforcement of our rule of law. Through 230 years of experience,

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the Marshals Service has identified a successful methodology to pursue persons of national interest, and it apprehends thousands of fugitives each year, thereby preventing further crimes. In fiscal year 2018, the Marshals Service arrested 86,703 fugitives around the world^{ix}. These fugitives are accused of crimes ranging from homicide to high-level drug cartel activity to material support of terrorist organizations. One such case example resulted from the homicide of a United States Border Patrol Agent. In 2010, Border Patrol Agent Brian Terry was shot and killed performing his duties in Arizona on the U.S. border with Mexico. This case resulted in a large inter-agency and international investigation which identified six suspects. Four of the six were arrested over time and plead guilty in U.S. courts; however the main target remained loose. On April 12, 2017, the U.S. Marshal for the District of Arizona publicly acknowledged a joint operation with Mexican marines in a mountainous region of Mexico known for drug cartel activity which resulted in the capture of the main target.^x This case serves as a clear example of the abilities of the U.S. Marshals to locate fugitives, even in semi to non-permissive environments. Another example of the international reach of the Marshals Service is the case of an Al Qaeda and Islamic State recruiter, Sheikh Abdullah El Faisal. Faisal was previously convicted of inciting murder in the United Kingdom and indicted in New York City for material support of terrorism. He was specially designated a global terrorist by executive order. Faisal was later arrested in Jamaica with Marshals Service involvement.^{xi}

In 2015, pursuant to the Justice for Victims of Trafficking Act, Congress codified the fact that the skills of the Marshals Service apply more broadly than simply to fugitives. In this Act, Congress authorized the Marshals Service to utilize its skills in finding people to cases of missing children, regardless of evidence suggesting a suspicious circumstance. The institutional

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experience which exists within the Marshals Service would greatly benefit the Department of Defense in its pursuit of those intent on committing acts of terrorism.

The Center of Excellence as a joint effort between the Marshals Service and DOD, will be composed of two detachments: Operational Support Detachment (OSD) and Research and Assistance Detachment (RAD). The Operational Support Detachment will focus on providing tactical level operational insight regarding persons eluding governmental authority. The OSD will work closely with personnel from the originating command to bring a different perspective to available information to accelerate the process of locating the individual. Teams within OSD will function administratively under the control of the Center of Excellence but operationally controlled by the command they are supporting. OSD will utilize the tremendously successful cross-functional troop concept from Naval Special Warfare. This concept organizes different occupational specialists for one purpose, in this case finding the adversary. These specialists include human intelligence collectors, electronic intelligence experts, and other disciplines. In instances in which the presence of the target individual cannot be remotely confirmed, it is imperative that OSD personnel accompany the action force. Should the operation be unsuccessful in capturing the adversary, OSD presence would allow for targeted sensitive site exploitation which may not be readily apparent to others. Moreover, OSD personnel could guide on-site interrogation of associates of the adversary and OSD is more likely to detect deception than someone with less familiarity. In any case, rapid follow-up action is necessary as an unsuccessful attempt to capture a person will result in a renewed commitment by the adversary to maintain operational security. Each team within OSD will be composed of eight personnel which will allow for splitting the team to focus on separate yet related problems. Initially four

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teams are envisioned to allow for multiple operations as well as ongoing training to ensure high performance.

The Research and Assistance Detachment (RAD) will serve as the other critical half of the Center of Excellence. RAD will be comprised of experienced operational personnel but also rely heavily upon Department of Defense academic institutions, for instance, the Center for Irregular Warfare at the Naval War College and the Joint Special Operations University to continually revise the methodology utilized by the Center of Excellence. Empirical research combined with human behavioral data and insight from academia will serve to refine further the art of finding adversaries.² This research may also serve to identify operational conditions which will make military action more successful. RAD will also convene an annual symposium of military, intelligence community, academics, and law enforcement personnel to discuss notable cases or changes to adversary tactics, techniques, and procedures.

RAD also entails international assistance in accordance with the National Strategy for Counterterrorism (2018). Enabling allies to unilaterally address counterterrorism threats is a key priority in our changing world. RAD will utilize the mobile training team concept to share its insight and methods with foreign governments to enhance their capabilities. These training sessions will occur in the host nation and entail a candid discussion on challenges and possible solutions to finding adversaries.

At first glance, the Center of Excellence as proposed may seem similar to the Pursuit Group which was established in 2009 by the Director of the National Counterterrorism Center. However, distinct differences exist which would result in the Center of Excellence serving to

² The term “art” is utilized here in the same sense that medicine is part art as well as part science. Each have underlying scientific principles however the techniques utilized vary depending on the practitioner.

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complement the Pursuit Group. The Pursuit Group, despite being an interagency effort, does not utilize the cross-functional troop concept. This results in a less-integrated approach than possible to the problem of finding adversaries. When more personnel are added to address an issue, additional productivity is not necessarily gained. More personnel frequently result in further specialization and compartmentalization which is counter-productive to the task of finding adversaries. In addition, eventual success does not equate to high-efficiency, particularly in the operational art of finding personnel eluding governmental authority. The United States must utilize experienced personnel in all facets of the counterterrorism fight. The work of the Pursuit Group would enhance that of the Center of Excellence and further bolster the fight to prevent and deter future acts of terrorism.

The establishment of this interagency Center of Excellence is a very achievable solution to prevent and deter future terrorist events that may be directed against the United States, its allies, and interests abroad. Moreover, through interagency collaboration, SOCOM will be successful in maintaining a capability to locate those attempting to hide at lower cost than that of attempting to build a similar capability . Furthermore, this concept is in alignment with the three of the five truths of special operations forces as stated by USSOCOM;

- Special Operations Forces cannot be mass produced
- Competent Special Operations Forces cannot be created after emergencies occur.
- Most Special Operations require non-SOF assistance

Conclusion

The asymmetric threat of terrorism requires a system of processes which are highly productive and tremendously efficient to prevent terrorists from achieving their goals. Since

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September 11, 2001, the United States Special Operations Command has demonstrated its agility to safeguard U.S. interests from harm. However, the terrorist threat remains. Currently, the U.S. Department of State has publicly identified twenty-three different individuals sought for acts of terrorism against U.S. interests.^{xii} As resources are diverted away from counterterrorism in accordance with the National Defense Strategy of 2018, innovative solutions to increase efficiency are necessary to maintain a counterterrorism capability.

One of the most critical aspects of countering terrorism is the ability to locate the adversary. The U.S. Military currently has no doctrine regarding the operational art of manhunting and will soon be losing its experience base due to attrition. Therefore, the SOCOM should partner with the United States Marshals Service to address this potential capability gap. This partnership should mirror the Center of Excellence model to utilize this experience broadly across organizational boundaries. This new partnership and organizational change will assist the United States in its efforts to prevent deter future terrorist events.

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