

Case Studies in  
**Policy Making**

11th Edition

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## Preface

In a frictionless environment, there would be no need to examine complex national security cases. In fact, there would be no complex cases to study. The president or leader of a large organization would simply implement his vision or grand strategy and move on to the next issue. But that is not the world in which we live. The decision maker at the national strategic level operates in a very complex environment where the constraints of international laws, rules, norms, and differing ideologies exist. If those elements are not difficult enough to contend with, the decision maker is further constrained by an entrenched bureaucracy, influential personalities, the media, Congress, and his own cognitive limitations. To operate knowledgeably in this environment and recognize the forces at play in the decision-making arena, the National Security and Decision Making (NSDM) graduates will be better prepared for their next assignments, whether they are on a major service or combatant commander staff or working within the interagency structure.

The case studies compiled for this book were all written by accomplished scholars and national security professionals and highlight the challenges of making policy in a world of friction. The Contemporary Staff Environment (CSE) and Policy Making and Process (PMP) courses will use these cases in seminars designed to uncover the various elements that impact decision making and cause organizations to respond the way they do. We are pleased to introduce a new case to this 11th edition printing: “The U.S. and Russia: Rekindling the Cold War,” by Col Dana Struckman, which examines the increasingly chilly relationship between the United States and Russia and discusses the various actors, rules, and tools that will likely influence future U.S. policy with that resurgent nation. This latest edition also includes CDR John Segerson’s revised version of CDR Randy Weitman and LTC Larry Thompson’s “Hurricane Katrina” case study.

The 11th edition printing of this book could not have happened without the dedication and hard work of many individuals who are dedicated to our national security. We would like to acknowledge Dr. Joan Johnson-Freese, Department Chair, for her stewardship over NSDM, and Professor Al Shimkus, Course Director for CSE and PMP, for his wise guidance. We would also like to acknowledge and thank Ms. Peggy Jones, Academic Coordinator of the NSDM department, Mr. Ken DeRouin, Mr. Albert Fassbender, and Ms. Shannon Cole for their expert typesetting, proofreading, and editorial advice, and Ms. Cristina Hartley of the NWC Visual Communications Division for the cover design.

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# Policy Making and Process: A Guide to Case Analysis

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RICHARD J. NORTON

## INTRODUCTION

**F**ew decisions can be more difficult for a U.S. president than to commit military forces to potential combat situations. The stakes in such decisions are always high. Loss of U.S. and other lives, the expenditure of vast amounts of resources, and damage to national prestige are among the possible negative outcomes of such decisions. Other decisions made at this level, such as the selection of a particular policy, commitment to procurement of certain military capabilities and weapons systems, and the signing of treaties, involve stakes that are almost as great as those involving the use of force.

There is a widespread tendency to believe that decisions of this nature are derived from a coolly analytical process, in which the costs of particular courses of actions are weighed against anticipated gains to national security. Indeed, many of the formal decision-making mechanisms in the federal government were designed to facilitate and support this sort of cost-benefits driven decision making.

But scholars who have studied national security decision making have learned that such calculated decisions are more the ideal than the real. Some analysts believe decisions predominately are reached to protect the interest of the great established government bureaucracies, such as the departments of Defense, State, and Treasury. Others see the decision-making process dominated by powerful individuals such as Henry Kissinger, Zbigniew Brezinski, James Baker, Madeleine Albright, Colin Powell, and Carl Rove—all of whom have enjoyed the ear of one or more presidents. Still other scholars argue national security decisions cannot be understood without understanding the personal beliefs, values, norms, and biases of the senior decision maker. It has even been argued that some decisions are forced on the U.S. government as the result of irresistible inputs generated either domestically or internationally.

Students at the Naval War College will be involved as participants in the national security environment and as part of the decision-making process. Thus, an understanding of these forces and the various ways national security decisions are made is an essential part of our students' education. The Department of National Security Decision Making (NSDM) and the Policy Making and Process (PMP) course seek to provide our students with an understanding of the organizational, political, and behavioral influences on such decisions as well as knowledge of the formal processes through which national security decisions are made.

**THE CASE STUDIES**

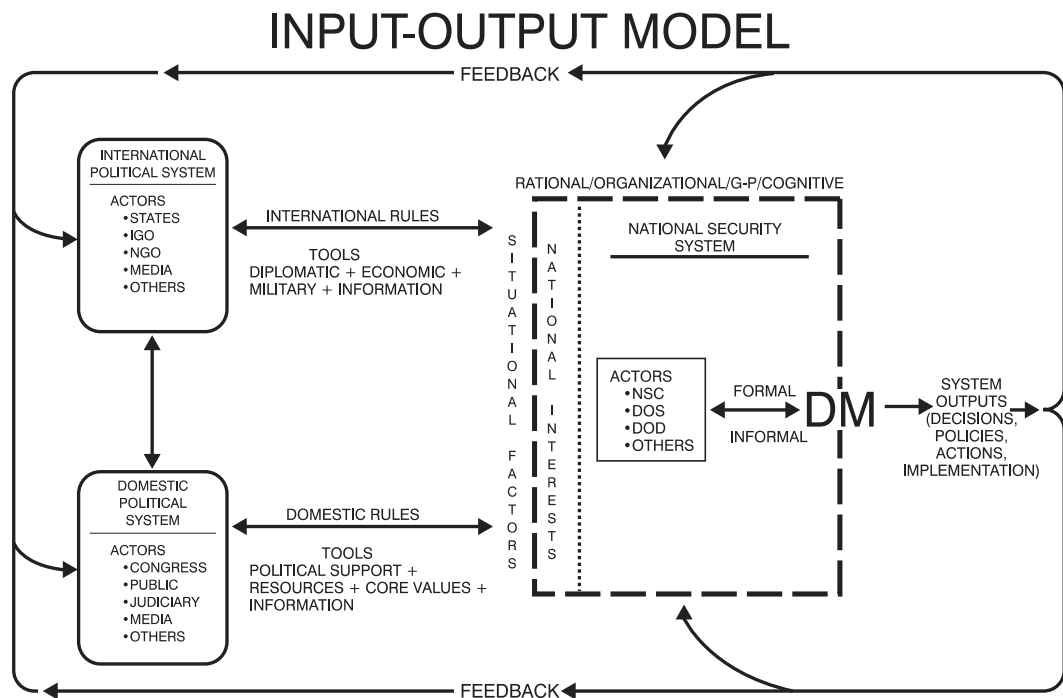
The PMP course uses the case study as the principal vehicle to study national security decision making. The case studies in this volume are either in current use at Newport, or have been part of the PMP curriculum in the past. All have been authored by members of the NSDM faculty. While a fictional narrative may sometimes be used, the facts in each of the cases are accurately reported. Each case is based on extensive research of primary and secondary sources and numerous interviews with participants. In some cases, those interviewed have provided information under conditions of anonymity and their wishes have been respected. The cases in this book represent only a small number of the case studies compiled by various members of the NSDM Department for more than a decade.

**THE INPUT-OUTPUT MODEL**

The primary analytical tool used in the PMP course is the Input-Output Model (I/O Model), depicted in figure 1. The origins of the I/O Model can be traced to the work of David Easton.<sup>2</sup> However, the NSDM faculty have constantly and consistently modified the I/O model over the years. While it is true the model is U.S.-centric and oriented to analyzing decisions made at the highest levels, it can, with only minor modifications, be used for any decision-making process in any organization.

The I/O model is divided into three major components: the international political system (IPS), the domestic political system (DPS), and the national security system (NSS). Each of these systems provides inputs to, and receives inputs from, the other systems. Although the

**Figure 1:** The Input/Output Model



line diagram used to denote these systems might imply impermeability, actors can often belong to more than one system. For example, the chief executive officer of a large U.S. company could be an actor in both the domestic and international political systems.

The international political system is primarily composed of actors outside the domestic political and economic arena, such as states, nations, intergovernmental organizations, multinational corporations, and nongovernmental actors with cross-border activities or membership. The last category is extremely diverse, encompassing everything from armed resistance groups to religious organizations to multinational corporations. The state is given primacy of place in this system because, although others act within and exercise influence upon the IPS, states remain this system's most powerful actors. The inputs to the decision-making process from the IPS cover a vast spectrum of discrete actions, but generally fall within the broad categories listed. The term "international rules" refers to international laws, customs, and international agreements that are taken into account when reaching a national security decision. Examples could include restrictions on violating another state's territorial integrity, the need to follow specific treaty provisions, and prohibitions on a variety of military actions. International trends, such as conflicting norms, globalization, and emerging technology also play a critical role.

The domestic political system is no less complex than the IPS, especially in a participatory democracy where public opinion and core societal values may form significant inputs to members of the national security system.<sup>3</sup> Interest groups form another rich source of inputs as does the legislative and, to a lesser degree, the judicial branches of government. The news media is represented as both a domestic actor as well as an international one, since most countries have a relatively identifiable and distinct national press and video media. Some of the key inputs to the decision maker from the DPS include resources (e.g., financial and political support), missions and requirements, as well as restraints on the activities of organizations belonging to the national security system. Other inputs include information and intelligence from sources as disparate as lobbyists to congressional staff members returning from a fact-finding mission.

For the PMP course, the national security system lies at the heart of the decision-making process. It is here where various models of decision making are active. Broadly speaking, membership in the NSS is composed of the individuals and organizations that work for the decision maker. For example, in the case of the Haitian intervention, the NSS would consist of the entire executive branch of the U.S. government. However, this is not to imply that every member of the NSS participates in the decision-making process. Nor do members and organizations that are involved always play an equal role.

The following are among the central tasks of the NSS.

- Obtaining resources from the IPS and DPS.
- Once obtained, allocating those resources.
- Planning and deciding U.S. national policies.

- Organizing and directing agents to achieve those policies.
- Motivating, evaluating, modifying and changing both agents and policies as implementation and feedback is processed.<sup>4</sup>

The outputs of the NSS are decisions which, in turn, are translated into actions. Sometimes the decision and the subsequent action are to “do nothing.” These outputs then directly and indirectly influence all three systems of the model. Thus the model incorporates a feedback loop, and can be used as a tool to analyze a series of decisions, as well as a one-decision “snapshot.”

Before discussing how the decision-making process can be analyzed, it is necessary to touch briefly on the role of situational factors and informational uncertainty in the model. These aspects of the decision-making process affect every portion of the model. Failure to take them into account increases dramatically the possibility of flawed analysis.

Situational factors are elements that contribute to the unique nature of each decision. At the level of the IPS such factors could include the polarity, or distribution of power within the IPS, whether or not a particular actor possessed weapons of mass destruction, a global dependency on oil, geographical or climatic conditions and so on. At the domestic level, an impending presidential election, the state of the economy, time elapsed since the last major conflict, and the degree to which populations in the United States possess a shared, cross-border identity, are all examples of situational factors. Within the NSS, situational factors might include the availability and competence of certain military units, the age of the participants in the decision-making process, and the amount of time available to the decision makers to select a course of action.

Informational uncertainty also occurs at every point of the model. Decision makers rarely, if ever, have all the information they want. Even when inputs to the decision-making process are clearly perceived, as would be the case for a documented movement of foreign troops to a contested international border, the rationale behind these movements may be unclear. Are the troops there as merely a show of force, or are they moving to preinvasion jump-off points? On the domestic level, outcomes of votes taken in Congress are often laced with uncertainty as is the predicted duration and strength of public support for a given course of action. Equally unpredictable may be the manner in which the domestic media handle a given story. Nor does uncertainty only impact inputs. Outputs are also affected. Among the most powerful uncertainties is often the inability to fully answer the question, “will this decision solve or improve the problem?”<sup>5</sup>

It is also important to identify what national interests are involved in the issue being analyzed. Since the end of the Cold War, the term “national interest” has been applied to many issues that previously would not have been considered in such a light. The PMP course does not argue that one definition of national interest is superior. The I/O model can be successfully utilized whatever definition of national interest is used.

## **THE PERSPECTIVES**

The I/O model depicts four different ways of looking at the interactions in the NSS. These four perspectives (rational actor, organizational behavior, governmental politics, and cognitive) are listed above the NSS “box.” Each of these perspectives is discussed in considerable detail during the PMP course and is applied to each case.

Very briefly, the rational actor perspective assumes that decisions are based on the desire to promote a clearly identified national interest, and that all the costs and benefits of the various options are weighed in order to make a choice. The organizational behavior perspective maintains that power government organizations exert tremendous influence on the decision-making process and that these influences are often translated into decisions. Rather than a deliberate advancement of national interests, decisions are often made to protect the interests of these organizations. The governmental politics perspective offers a different twist on this idea. Rather than presenting the idea that organizations are having the most influence on the decision process, the governmental politics model sees that role as being filled by the decision maker’s closest and most powerful advisors. The fourth perspective, which the PMP course has labeled the cognitive perspective, argues that the decision maker’s personal beliefs, values, experiences, and emotions are much more influential in reaching a decision than the other perspectives would suggest.

The PMP course does not suggest that one of these perspectives is the “right” perspective. All depict and provide a means of analyzing forces that may be active in a decision domain. In fact, the forces examined through these perspectives are often active at the same time, perhaps working to propel the decision maker toward a given decision; perhaps pulling the decision maker in different directions.

## **APPLYING THE I/O MODEL**

The I/O Model can be used to map the components of each of the major systems, to identify the national interests involved in the case and to link specific actors to discrete inputs, and to identify the impact those inputs had on the decision-making process. It is also possible to identify linkages between various actors and the role of situational factors, uncertainty, and feedback in the decision-making process. Once this is completed, it is possible to apply the rational actor, governmental politics, organizational, and cognitive perspectives to gain a deeper appreciation of the forces which impacted, shaped, and drove the decision-making process.

## **THE VALUE OF PMP**

If all PMP was able to do was provide a deeper understanding of past national security decisions, it would be valuable to participants in the national security decision-making environment. However, PMP and the I/O model perform a much greater task than simply historical analysis. A greater understanding of past decision making can generate valuable lessons learned that can be applied to current and future decisions. Using the tools, techniques, and concepts of PMP, participants in the decision-making environment can more

readily identify the forces acting on the decision-making process and counter or exploit those forces in order to best further the national interest. Furthermore, PMP may also provide the practitioner with the means of more accurately determining the probability that a given option will be the one chosen. This is not to claim that PMP is some sort of crystal ball, merely that those who have the benefit of this course will be more proficient in the decision-making environment than those who do not.

### Notes

1. Alexander George, *Bridging the Gap: Theory and Practice in Foreign Policy* (Washington, D.C.: United States Institute of Peace Press, 1996), 135.
2. David Easton, *A Framework for Political Analysis* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1965).
3. William C. Adams, "Opinion and Foreign Policy," *Foreign Service Journal*, 6, no.5 (May 1984).
4. Allan Ricketts and Richard J. Norton, *National Security, Volume 1: Case Studies in Policy Making and Implementation* (Newport, R.I.: Naval War College Press, 1994), 5.
5. *Ibid.*, 7.



# The 1973 Arab-Israeli War

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DAVID T. BUCKWALTER  
REVISED BY BRENT L. BOSTON

## PROLOGUE TO WAR

**T**he seeds of the 1973 war were sown with Israel's stunning six-day victory in 1967. The Arab forces suffered a humiliating defeat, which was felt most severely by Egyptian President Gamal Abdel-Nasser. Nasser tendered his resignation immediately after the 1967 defeat, but a demonstration of popular support within Egypt and much of the Arab world caused him to withdraw this resignation.<sup>1</sup>

It was clear in the wake of the 1967 war that the Arabs could not soon regain their territory by directly attacking Israel. Nasser's strategy evolved to one of increasing military pressure along the Suez Canal with the aim of reclaiming the Egyptian land by making continued occupation too costly for Israel. His "War of Attrition" from March 1969 to August 1970 consisted mainly of artillery and commando raids designed to impose this unacceptable cost on Israel.<sup>2</sup>

The fundamental weakness of the "attrition" strategy was Israel's ability to escalate the conflict when costs grew onerous and make the Egyptian costs too great to bear. One example was in January 1970, when Israel began deep air raids against strategic Egyptian targets. Following this escalation, Egypt sought and obtained increased assistance from the Soviet Union in the form of surface-to-air missiles (SAMs) and additional Soviet fighter aircraft (with Soviet pilots to fly them). There was a direct Soviet-Israeli air battle on 30 July 1970, resulting in five Soviet aircraft downed with no Israeli losses. Shortly after, Egypt and Israel agreed to a cease-fire, and the "War of Attrition" ended in August 1970. The war cost Israel over 700 dead and 2,700 wounded, but the Arab losses were three to five times greater.<sup>3</sup>

In September 1970, President Nasser died of a heart attack and was succeeded by Anwar Sadat. Sadat exhibited greater flexibility than Nasser in pursuing diplomatic solutions, but he retained the option of improving the status quo by force. He accepted U.S.-mediated negotiations, but proclaimed 1971 the "year of decision" if diplomacy failed to dislodge the Israelis from the Sinai. When 1971 passed with no Egyptian action, Sadat's proclamation was seen as a mere bluff. Later in July 1972, when Sadat expelled over twenty thousand Soviet advisers, Egypt seemed even less able to impose a military solution. Few realized that the expulsion of the Soviets, by providing more freedom of action for Sadat, was a precursor to war. Despite the expulsion, Sadat was able to obtain agreement for increased Soviet arms deliveries in late 1972—arms that helped make war more feasible.<sup>4</sup>



For Sadat, the status quo of “no war—no peace” was intolerable. Facing a crumbling economy, deprived of Suez Canal revenues, and still shouldering the humiliation of 1967, Sadat felt he had to do something. In October 1972, Sadat called a fateful meeting of Egyptian military leaders. At this meeting, Sadat stated his desires for a limited war with Israel as soon as Soviet weapons deliveries provided sufficient strength. The Minister of War, General Sadeq, argued vehemently against limited war, believing Egypt was ill prepared to challenge the Israelis. Two days later, General Sadeq was replaced by General Ahmed Ismail, who supported Sadat’s plan for limited war. Sadat had decided to change the status quo by force.<sup>5</sup>

From the Israeli perspective, “no war—no peace” was a favorable outcome. The 1967 war gave Israel reasonably defensible borders and some strategic depth for the first time in the young state’s history. It would be a long time (if ever) before the defeated Arabs could hope to match Israel’s prowess in air combat and mobile armored warfare. The apparent cooling of Egyptian-Soviet relations was also a favorable development; Israel would be free to conduct strategic operations without the likelihood of direct Soviet confrontation. Moreover, the pursuit of détente by the superpowers favored continuation of this favorable status quo.<sup>6</sup> The environment seemed to provide Israel with a greater range of choices for a national security strategy.

The national security strategy chosen by Israel was “total deterrence” (threatening massive retaliation for any attack). Operationally the strategy relied on three essential elements, in addition to superior combat forces:

- Prepared defensive strong points along the hostile borders, which would enable Israel’s small standing ground force (supported by a qualitatively superior, largely regular air force) to blunt any initial assault
- Rapid mobilization of well-trained reserve ground forces to execute crushing counterattacks (Israel’s ground forces more than tripled to over 350,000 upon full mobilization)
- Sufficient strategic warning (minimum twenty-four to forty-eight hours) to both properly deploy regular forces into the border defenses and mobilize the reserves.<sup>7</sup>

In October 1973, all three elements of the Israeli strategy failed to some extent—the most critical failure being lack of strategic warning. The Agranat Commission that investigated the Israeli “intelligence failure” after the war found that the Israeli surprise was due in large measure to their “concept” of a future Arab-Israeli conflict. This “concept” held: 1) Egypt would not attack prior to solving their “air superiority problem” (inability to strike deep into Israel or protect Egypt and her forces from air attack), and 2) Syria would not attack without Egypt.<sup>8</sup> The “concept” was not merely the product of Israeli imagination, it was precisely the *Egyptian* assessment, known through an excellent intelligence source, prior to Sadat’s replacement of General Sadeq in late 1972.<sup>9</sup>

The “concept” served Israel well right up to October 1973. In the previous three years there were at least three times the Egyptians were prepared to go to war: December 1971 and 1972, and May 1973. In the May 1973 instance, Israeli decision makers did not heed

the advice of the director of military intelligence that war was not imminent. They responded with a partial mobilization that cost over \$11 million.<sup>10</sup> Moreover, an October 1973 mobilization would have political as well as economic costs, with an Israeli election approaching in late October.

By October 1973 the “concept” had been “proven.” It was a given that Egypt would not go to war while still inferior in the air. Therefore, although the Israelis believed Syria was preparing for some sort of military action, by the tenets of the “concept,” Syria would not attack. Ironically, the “concept’s” elements did apply in October 1973. The Arabs had solved the “air superiority problem” with Soviet SAMs and SCUDs. In the 1967 war, the Israel Air Force was decisive in the lightning victory, nearly destroying the Arab air forces in the opening salvo and providing effective air support for the subsequent Israeli armored thrusts. By 1973, the SAM umbrella provided air cover for the ground troops, and the SCUDs could threaten deep strikes. Air was important in the 1973 war, but certainly not the decisive factor Israel believed it to be. The second part of the “concept,” Egyptian-Syrian cooperation, also was present in October 1973. Syrian President Hafez Assad consolidated his power in early 1971 and proved more amenable to conventional military action than his predecessor, who had favored guerrilla action. Coordination between Egyptian and Syrian military staffs began in early 1973, and on 6 October, Israel faced a fully coordinated Egyptian-Syrian attack.

#### **NO LACK OF INFORMATION—THE RUN-UP TO WAR**

It is October 3d today and it is four in the afternoon. I believe that they will reveal our intention any moment from now and this is because our movement henceforth cannot leave any doubts in their minds as to our intentions. Even if they know tonight, even if they decide to mobilize all their reserves and even if they think of launching a pre-emptive attack, they have lost the chance to catch us up.<sup>11</sup>

—Anwar el-Sadat, 3 October 1973

Sadat overestimated his enemy’s acuity by some sixty hours (the Israelis were not fully convinced war was coming until 0430, 6 October), but the Israeli failure to see war on the horizon was not due to lack of information. Even allowing for clarity of hindsight, the indicators during the run-up to war were striking.

Most accounts of the run-up to war begin with a 13 September air battle over the Mediterranean in which Syrian fighters attacked an Israeli reconnaissance flight, to their peril as it turned out, losing twelve planes with only a single Israeli loss. There is no evidence that this engagement was part of a coordinated plan, but it did provide a convenient explanation for subsequent Arab deployments. Israeli Military Intelligence (AMAN) expected some sort of retaliation for the incident, and in this light, Syrian deployments could be seen as either preparation for a limited retaliatory strike or defense against any Israeli reprisals. Subsequent Egyptian deployments were seen as normal for an announced exercise (“Tahrir 41,” scheduled to begin on 1 October), but also might be defensive for fear of being caught up in Israeli-Syrian conflict.<sup>12</sup> The expected Syrian strengthening opposite Golan was observed over the next week, and Israel did take the precaution of adding some forces on the Golan heights.

On 25 September, King Hussein of Jordan requested an urgent meeting with Israeli Prime Minister Golda Meir. He flew his personal helicopter to Israel and delivered the message that the Syrian deployments were actually the precursor to war and that he expected, if war were to come, Egypt would cooperate with Syria.<sup>13</sup> Meir asked for an assessment of this information from the director of AMAN, Eli Zeira, who argued that Hussein was acting on Sadat's behalf in an effort to bluff Israel into concessions on returning the canal. Hussein's warning did result in further increases of Israeli forces on the Golan but did not dissuade Meir from departing on a planned trip to Europe the next day.<sup>14</sup>

On 27 September, Egypt mobilized a large number of reserves, announcing that they would serve until 7 October. This was the twenty-third time they had mobilized reserves in 1973. On 30 September, they mobilized another large group, and to maintain their deception plan, announced demobilization of the 27 September call-up (although only a small number were actually released).<sup>15</sup> Mobilizations, troop movements, and even credible human intelligence (HUMINT) warnings of war (as in the May 1973 Israeli mobilization) had become a common occurrence. The "cry wolf" factor certainly operated on the Israeli decision makers. Meir later said: "No one in this country realizes how many times during the past year we received information from the same source that war would break out on this or that day, without war breaking out. I will not say this was good enough. I do say it was fatal."<sup>16</sup>

While Egypt had orchestrated a well-constructed deception plan, there is still argument whether the next critical element in the path to war was part of it or just plain bad luck for Israel. On 28 September, Palestinian terrorists from a previously unknown organization based in Syria took over a Moscow-to-Vienna train carrying emigrating Soviet Jews. They demanded closure of a transit center for Soviet Jews at Schonau castle (which had processed over sixty thousand émigrés in the previous two years). The Austrian chancellor, himself a Jew, quickly acceded to their demands to save the hostages.<sup>17</sup> All Arab leaders quickly praised Austria for the action.

Many thoughtful analysts of the war doubt that this incident was part of the deception plan, but the effect was dramatic.<sup>18</sup> The Schonau incident, as it came to be called, caused Meir to delay her return to Israel until after she could make a personal (and unsuccessful) plea to the Austrian chancellor to reopen Schonau (she did not return until 3 October). Moreover, Schonau was the lead story on all Israeli newspapers right up to the day before the war, accompanied by public demonstrations, petitions, and meetings, and it provided another possible explanation for the Arabs' threatening preparations (Syria and Egypt could be reacting in fear of an Israeli attack over Schonau).<sup>19</sup> Schonau was also the front-page Middle East story in the *New York Times* from 29 September through 4 October.

U.S. intelligence agencies were not oblivious to the Arab buildup—as early as 24 September the central intelligence agency (CIA) passed a warning to Israel noting discrepancies in Egyptian preparations from previous exercises. Israeli intelligence was not alarmed. On 30 September and again on 4 October, Henry Kissinger asked for specific assessments of the region, and both the State Department Intelligence and Research Bureau (INR) and the CIA, apparently relying on assessments they had received from Israel, termed the possibilities of

war “dubious” to “remote.”<sup>20</sup> Kissinger later told reporters: “We asked our own intelligence, as well as Israeli intelligence, on three separate occasions. . . . There was the unanimous view that hostilities were unlikely to the point of there being no chance of it happening . . . obviously, the people most concerned, with the reputation of the best intelligence service in the area, were also surprised, and they have the principal problem of answering the question which you put to me.”<sup>21</sup>

Israeli intelligence did indeed have an excellent international reputation. The Israeli intelligence apparatus consists of four separate organizations. The Mossad operates in foreign nations much as the U.S. CIA; the Shin Beth is concerned with internal security like the FBI; and a small research department in the Foreign Office deals with political intelligence akin to INR. Unlike the United States, only AMAN (military intelligence) had responsibility for national estimates. Additionally, in Meir’s government, decisions were often made in a smaller forum known as “Golda’s Kitchen Cabinet,” composed of Meir, Deputy Premier Yigal Allon, Defense Minister Moshe Dayan, and Minister without Portfolio Israel Galili. For any national security issues, Israeli Defense Forces (IDF) Chief of Staff David Elazar and Director of AMAN Eli Zeira were usually included. Thus, AMAN not only had responsibility for intelligence estimates, but a rather central *de facto* role in the most crucial policy decisions.<sup>22</sup> The Agranat Commission later recommended that the intelligence structure should be revised to provide more diverse advocacy in national estimates and distance intelligence somewhat from the policy formulation function, but the central position of the director of AMAN prior to the war meant he played a critical role in the Israeli surprise.<sup>23</sup>

Late in the evening of 30 September, AMAN director Zeira received word from Mossad that a reliable HUMINT source warned the Egyptian exercise would end in a real canal crossing (ironically, this was the same day that Egypt passed the “go” code, “BADR” to their Syrian allies). Zeira waited until the next morning before passing the information to his superiors Elazar and Dayan and said that his experts considered the report “baseless.”<sup>24</sup> In addition, at an IDF general staff meeting that day, Zeira voiced the opinion: “the Syrians are deterred by the IDF’s ability to defeat the army in one day.” But the Arab buildup continued relentlessly.

Reports received on 2 October included Syrian movement of bridging equipment, fighter aircraft, and SAM batteries. In the south, Egyptian bridging equipment was also observed advancing, and crossing spots were being prepared in the Egyptian Third Army sector.<sup>25</sup> An article was also published that day by the Cairo-based Middle East News Agency that the Second and Third Armies were on full alert (the article was one of the very few breaches in Arab security and deception plan, another was the premature cancellation of flights and dispersal of Egypt Air commercial aircraft on 5 October).<sup>26</sup> It was only at this late date (2 October) that the precise hour for the attack was agreed between Egypt and Syria, and the next day, the Arabs directly informed the Soviets that war was imminent.

The combination of indicators led Defense Minister Dayan to recommend a “Kitchen Cabinet” meeting on the morning of 3 October, shortly after Meir’s return from Europe. At the meeting Zeira’s deputy (Zeira was ill) related that the probability of war was still “low”

because, “there has been no change in the Arab’s assessment of the balance of forces in Sinai such that they could go to war.” At a full Israeli cabinet meeting later that day, Meir did not even discuss the Arab buildup. Rather, the “hot topic” remained the Schonau incident.<sup>27</sup>

Not everyone in AMAN was as wedded to “the concept” as those at the top. On 1 October, a young intelligence officer in IDF Southern Command, LT Siman-Tov, produced a document that argued the buildup opposite the canal was preparation for actual war. The lieutenant revised and strengthened his argument with a follow-up document on 3 October. Both of the reports were suppressed by the senior Southern Command intelligence officer because, as that officer later recounted, “they stood in contradiction to Headquarters’ evaluation that an exercise was taking place in Egypt.”<sup>28</sup> AMAN director Zeira only learned of Siman-Tov’s reports during the Agranat Commission testimony months after the war. Upon learning of the reports and Siman-Tov’s subsequent removal from his post at Southern Command, Zeira invited the lieutenant for an office visit and promoted him to captain.<sup>29</sup>

4 October provided some of the most dramatic warning indicators of the run-up to war. A special air reconnaissance mission in the Sinai revealed an unprecedented buildup of Egyptian forces. Fully five divisions and massive numbers of artillery were now positioned on the west bank of the canal.<sup>30</sup> In the late afternoon, it was learned Soviets were preparing to evacuate dependents (but not advisers). Late that evening, AMAN detected Soviet airlift heading for the region, presumably to execute the evacuation.<sup>31</sup> At 0200 the next morning, Mossad’s best HUMINT source gave his case officer the code word for imminent war (“radish”) and requested an urgent meeting. The chief of Mossad himself elected to fly to Europe to meet with the source personally, and notified Zeira of the development.<sup>32</sup> By the morning of 5 October, AMAN also reported that Soviet naval vessels were departing Arab ports.<sup>33</sup>

In the face of these indicators, IDF Chief of Staff Elazar, with Minister of Defense Dayan’s concurrence, increased the alert status of the regular armed forces and instructed logistics centers to prepare for mobilization of reserves. At a subsequent 1100 meeting with Meir, Dayan, Elazar, and Zeira, discussion turned to what was seen as the most ominous of the indicators—the evacuation of Soviet dependents. Zeira outlined three possible explanations for the evacuation: 1) Soviets knew war was coming; 2) Soviets feared an Israeli attack; and 3) there had been a serious rift in Soviet-Arab relations. He admitted that only the first explanation squared with all the indicators, but he did not change his opinion that there was a low probability of war.<sup>34</sup> Zeira did mention that he anticipated additional information to be forthcoming shortly, although he did not mention the Mossad HUMINT source by name. He was explicitly asked if “all sources were open and being used,” and he told his superiors that this was the case. It was learned later that at least one highly valued signals intelligence (SIGINT) source was not activated on Zeira’s specific orders. It is presumed that he feared compromise of the source, but the fact that he essentially lied to his superiors indicates how strongly he still believed in the low probability of war.<sup>35</sup> At the end of the meeting, Meir decided to convene a full cabinet meeting, but many ministers had already departed for the Yom Kippur holiday.

The “rump cabinet” met around noon to consider the situation. After brief discussion, it was agreed that authority to mobilize reserves would be delegated to Dayan and Elazar, but that steps already taken by Elazar would be sufficient for the present. The final AMAN report prepared before the war was ready shortly after the cabinet dispersed. Thirty-nine paragraphs of alarming indicators were recounted in the report, but the AMAN Egyptian desk officer appended his own final paragraph. The paragraph read:

Though the actual taking up of emergency positions on the canal appears to contain indicators testifying to an offensive initiative, according to our best evaluation no change has occurred in the Egyptian assessment of the balance of power between their forces and the IDF. Therefore, the probability that the Egyptians intend to resume hostilities is “low.”<sup>36</sup>

At about 0400 on 6 October, AMAN director Zeira received a phone call confirming the nature of the information from the Mossad HUMINT source (the information was actually received by the chief of Mossad the previous evening and another Mossad officer allegedly phoned the information to Israel—the twelve-hour delay in getting to the decision makers remains unexplained).<sup>37</sup> Zeira telephoned Elazar with the information that the Arab attack would come at 1800 that very day. Elazar in turn called Dayan, who already had the same information (it is unknown how Dayan got word, but possibilities include the earlier Mossad phone call and the U.S. CIA). By 0600 when Elazar and Dayan arrived at IDF headquarters, SIGINT sources had already reported Syrian officers phoning relatives in Lebanon telling them not to return to Syria anytime soon. There was no doubt at this point that war was imminent.<sup>38</sup>

Elazar and Dayan disagreed on how to respond. Elazar favored a preemptive air strike and full mobilization to be ready for a rapid counterattack. Dayan opposed the preemptive air strike for political reasons and thought a full-scale mobilization was unnecessary since in-place forces should be able to hold their lines, making counterattack unnecessary. At a subsequent 0900 meeting with Meir, the preemptive strike was conclusively ruled out and only a partial mobilization was authorized. Mobilization actually began at 1000, and a full mobilization was authorized later that day.<sup>39</sup> In addition, movement into the prepared defensive strong points in the Sinai was not rapid enough to occupy them all by the actual 1400 start of the war (some believe because the warning specified an 1800 H-hour).<sup>40</sup>

Israel’s reactions, even after all doubts concerning the attack had been removed, have evoked a number of competing explanations. It is clearly the case that Israel was mindful of the political necessity to not appear to be the instigator of the conflict. Meir spoke with the U.S. ambassador to Israel the morning of the attack and was told diplomatically that: “If Israel refrained from a preemptive strike, allowing the Arabs to provide irrefutable proof that they were the aggressors, *then* America would feel morally obliged to help. . . .” (this statement was also the “moral lever” that Meir used later to argue for increased military resupply from the U.S.).<sup>41</sup> Some scholars argue that Israel feared even full mobilization might be perceived as Israeli aggression or trigger an Arab attack even where none was actually planned.<sup>42</sup> Others have argued that the Israeli “concept” and mindset continued to affect their thinking even after any doubts about Arab intentions were resolved. These scholars

argue that complacency and overconfidence in their own capabilities versus the Arabs caused less than optimal response by the Israelis.<sup>43</sup> No matter which explanation is closer to the truth, it is clear that Israel paid dearly for both her surprise and limited initial reactions in the ensuing war.

### **THE WAR**

The first forty-eight hours of the Arab attack sent Israel reeling. On the Syrian front, three infantry and two armored divisions stormed into the Golan Heights, defended by a single Israeli armored division. Although Syrian losses were extremely heavy, by the afternoon of 8 October, the Syrians had achieved a major breakthrough and Syrian tanks stood on the hills overlooking the Sea of Galilee and pre-1967 Israel. The situation was so desperate that arriving Israeli tanks were committed to battle in “ad hoc” platoons, formed whenever three tanks could be assembled.

In the south, the Egyptians sent two field armies (five infantry and two armored divisions) across the entire length of the Suez Canal and around or through the Israeli front-line strong points. The crossing must be considered one of the best-orchestrated obstacle crossings in history. The Egyptians achieved major bridgeheads east of the canal (Second Army in the northern half, Third Army in the south). The Egyptians estimated the possibility of up to ten thousand killed in this operation—the cost was a mere two hundred killed.<sup>44</sup> By 7 October, the defending Israeli regular division had lost two-thirds of its 270 tanks, most to infantry antitank missiles.

On 8 October 1973, the first two reserve armored divisions arrived in the Sinai and were committed to a major counterattack of the Egyptian positions. One of the divisions was badly mauled by the entrenched Egyptian infantry. The other spent the day maneuvering due to confusing reports on the progress of the battle. By the end of the day, the Israeli army suffered what noted military historian Trevor Dupuy called: “the worst defeat in their history.”<sup>45</sup>

The low point of the war for Israel came on the evening of 8 October. Israeli Minister of Defense Dayan told Prime Minister Golda Meir, “the Third Temple [the state of Israel] is going under.”<sup>46</sup> Some speculate that if ever Israel considered seriously using nuclear weapons, it was on the night of 8 October 1973, and at least one author has claimed that a decision to ready the weapons was actually made.<sup>47</sup> It is known that on 9 October Meir was concerned enough to propose the drastic step of traveling personally to Washington to speak face-to-face with President Nixon but discarded the idea upon receiving reassurances of U.S. resupply.<sup>48</sup> Several days later on 12 October, Golda Meir transmitted a personal letter to Nixon. That letter reportedly hinted Israel might soon be forced to use “all available means to ensure national survival” if U.S. military resupply was not immediately forthcoming. This subtle nuclear threat was less credible by 12 October, when the gravest danger to Israel had already passed, but U.S. arms began flowing the next day. Years later, Henry Kissinger indicated to a trusted colleague that an implicit nuclear threat was involved over the arms resupply issue.<sup>49</sup>

The tide began to turn by 9 October. In the south, the Israelis eschewed further counterattacks as the Egyptians elected to reinforce their positions. The Israeli reserves arriving on

the Syrian front counterattacked and, after heavy fighting, restored the prewar lines by the evening of 10 October. A major Israeli counterattack aimed at threatening the Syrian capital of Damascus was prepared for 11 October. The intent was to knock Syria out of the war so Israel could concentrate on the Sinai. The attack pushed the Syrians some ten miles past the prewar lines, but it stalled approximately twenty miles from Damascus. At this point, the Syrian defensive lines held, aided by the arrival of troops from Iraq and Jordan. By 14 October, the northern front stabilized.<sup>50</sup>

The counterattack in the north did not knock Syria out of the war, but it did affect the southern front to Israel's advantage. On 11 October, Syria urgently requested Egyptian action to relieve Israeli pressure in the north. Egypt had achieved success thus far by remaining under their SAM umbrella and fighting a defensive war. Not all Egyptian commanders were convinced that switching to the offense was the best course of action; notably, Minister of War Ismail was opposed. However, the Syrian plea strengthened the position of other key Egyptian leaders who had argued that Egypt should exploit her gains. Thus, on 14 October, the Egyptians launched the equivalent of a two-armored-division thrust along a broad front against the now-prepared and reinforced Israelis. The Egyptians were repulsed with extremely heavy losses. This was the last major Egyptian offensive.

The Israeli offensive in the south began on the afternoon of 15 October as a two-division thrust toward the Suez Canal just north of the Great Bitter Lake. Lead elements of the Israeli force, maneuvering through lightly defended terrain, reached the east bank of the canal late on 15 October and began crossing in the early morning of the 16th. Three days of pitched battle with heavy losses on both sides allowed the Israelis to improve their access to the canal and exploit their bridgehead. By 18 October, an Israeli pontoon bridge was spanning the canal and a two-division force was crossing into "Africa" preparing to attack southward toward Suez to cut off the Egyptian Third Army. By 22 October, elements of the Israeli force were within artillery and tank range of the main Suez-Cairo road, threatening communications with the Third Army.

Initially the Egyptians believed the offensive was an attempt to roll up the right flank of the Second Army. The Egyptians did not appreciate the true purpose of the Israeli thrust until late on 18 October, when satellite photography confirmed the size of the Israeli force west of the canal (the photography was provided by Soviet President Alexei Kosygin, who had traveled secretly to Cairo on 16 October).<sup>51</sup> When the intentions of the Israelis became clear, Sadat became much more receptive to Soviet suggestions to press for a cease-fire. On 20 October, Henry Kissinger flew to Moscow to hammer out the terms of a UN-mediated halt to the fighting. The result was UN Security Council Resolution 338 (UNSCR 338), adopted in the early-morning hours of 22 October. The resolution called for a cease-fire beginning at 1852, 22 October.

Henry Kissinger stopped by Tel Aviv on his way back to Washington at Israel's request to discuss the negotiations (Kissinger had not communicated with the Israelis prior to agreement on the draft UNSCR). The "cease-fire in-place" portion of UNSCR 338 was criticized by Israeli officials, who complained it would not allow them to "finish the job" in the Sinai.



Kissinger responded by asking how long it would take to complete encirclement of the Egyptian army. Upon hearing “two or three days,” Kissinger is reported to have responded: “Well, in Vietnam the cease-fire didn’t go into effect at the exact time that was agreed on.”<sup>52</sup>

Although both Egypt and Israel accepted the terms of UNSCR 338, fighting continued past the designated cease-fire time. Both sides claimed that the other had violated the cease-fire, and both sides were probably correct. With many Egyptian units encircled behind the Israeli line of advance on the west bank of the canal, some continued fighting was inevitable. Israel went beyond consolidating gains and used the continued fighting to complete their encirclement of the Egyptian Third Army. Israeli forces reached the Gulf of Suez by midnight, 23 October.

By 24 October the final positions of the opposing forces were essentially established, but fighting continued on the west bank of the canal. The Soviets, who had guaranteed Sadat the cease-fire would hold and that the Third Army would be saved, responded to the continued fighting by placing up to seven airborne divisions on alert and marshalling airlift to transport them to the Middle East. At 2125, 24 October, President Nixon received an urgent note from Brezhnev suggesting joint U.S.-Soviet military action to enforce the cease-fire. The note threatened unilateral Soviet action if the U.S. was unwilling to participate.<sup>53</sup>

Nixon and Kissinger saw deployment of U.S. troops so soon after Vietnam, possibly to fight alongside Soviets against Israelis, as impossible. Similarly, unilateral Soviet action was unacceptable. Early on 25 October, Nixon cabled Brezhnev voicing his strong opposition to superpower military involvement, especially unilateral Soviet action. Nixon also placed U.S. military forces worldwide on an increased state of alert (DEFCON THREE), and an urgent warning was sent to Israel to cease fighting. That afternoon, fighting along the Suez front subsided to minor skirmishes, and superpower tension was relieved. The war had produced the most serious superpower confrontation since the 1962 Cuban Missile Crisis.<sup>54</sup>

It took until 18 January 1974 to reach a disengagement agreement between Israel and Egypt. The agreement created a UN buffer zone approximately ten miles east of the Suez Canal with limitations on Egyptian and Israeli forces in areas adjacent to the buffer zone. Disengagement negotiations with Syria were more difficult. An agreement was finally reached on 31 May 1974, including a UN buffer zone approximating the prewar border with force limitations in the adjacent areas.

### **WINNERS, LOSERS, AND LESSONS**

Both sides claimed victory. Israel, after being nearly overwhelmed, staged a remarkable comeback, conquering new territory in the north and isolating an entire field army in the south. The Soviets had pressed urgently for a cease-fire because they recognized “the full significance of the deteriorating military situation.”<sup>55</sup> Israel suffered over 11,000 total casualties (2,800 killed) and lost over 800 tanks (400 of which were later repaired) and over 100 aircraft. The Arabs combined suffered over 28,000 casualties (8,500 killed), losing over 1,850 tanks and 450 aircraft.<sup>56</sup> While the Arabs lost more men and equipment, the impact on Israel with a much smaller population was arguably more severe.

Despite the losses, Arab claims of victory are not far-fetched. In the north, the Syrians and their allies had fought the Israelis to a standstill. In the south, Israel had isolated the Egyptian Third Army, but it is not clear that the Israelis could have protected their forces on the west bank of the canal from a determined Egyptian assault and still maintained sufficient strength along the rest of the front. In the final settlements, Syria essentially maintained the status quo ante, and Egypt regained the Suez Canal. Unquestionably the best argument for an Arab victory is the changed political situation. The Arabs had accomplished their goal of favorably upsetting the status quo, and the 1973 war was a direct antecedent of the 1979 Camp David Accords. Trevor Dupuy sums up the issue well:

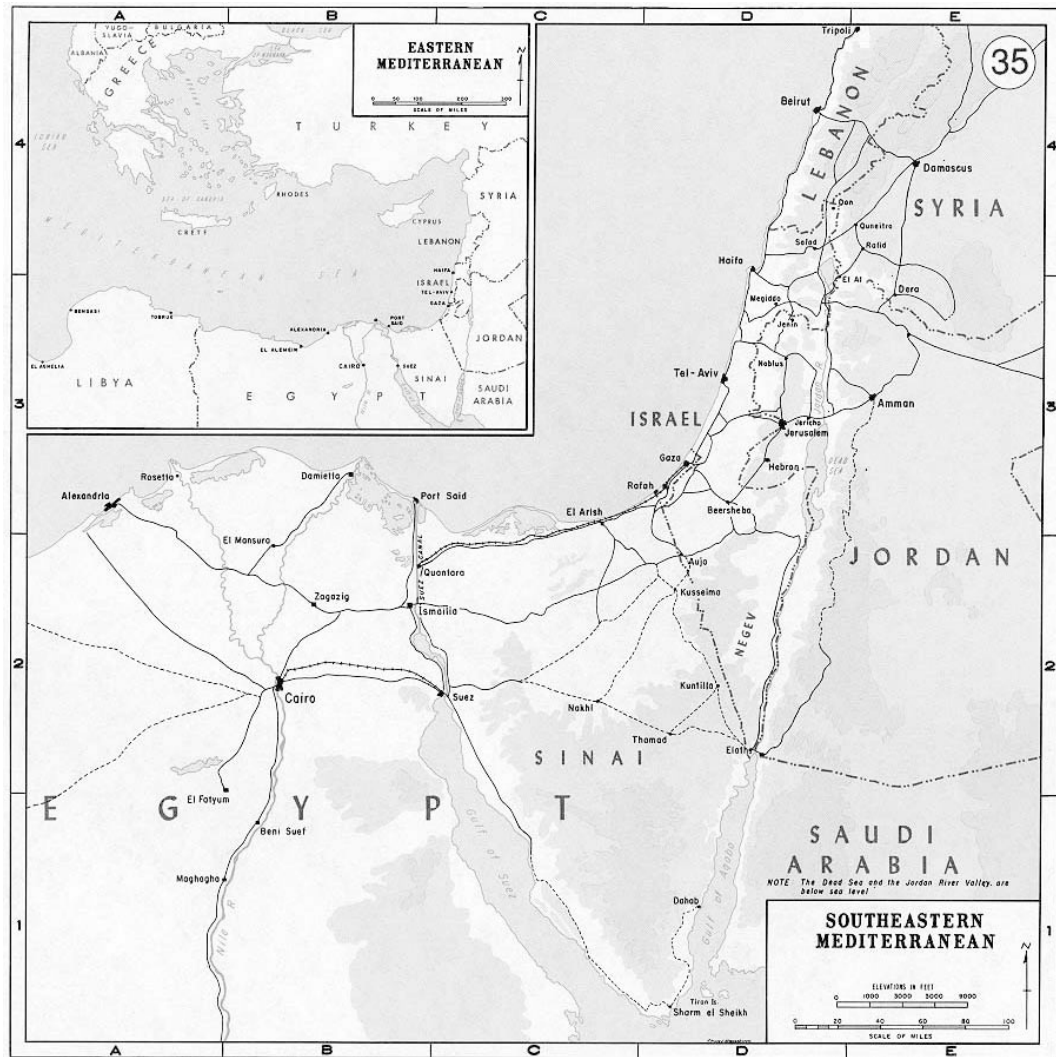
Thus, if war is the employment of military force in support of political objectives, there can be no doubt that in strategic and political terms the Arab States—and particularly Egypt—won the war, even though the military outcome was a stalemate permitting both sides to claim military victory.<sup>57</sup>

The 1973 war has been extensively studied for both its military and political lessons, but it is equally revealing as a study in human decision making. The disastrous 14 October Egyptian offensive, which was resisted by Minister of War Ismail, is one example. The Syrian call for help, coupled with the euphoria over initial Egyptian successes felt by many in the senior Egyptian staff, prompted this poor decision. Parallels to the revision of objectives in Korea after Inchon are discernible, as is an appreciation for the discipline it must have taken to hold to the original objectives in Desert Storm. The case also graphically points out the human tendency to “fight the last war.” Israeli reliance on mobile armored warfare, supported by air, was key to the 1967 victory, but also the precursor to the 8 October defeat. The most striking lesson, however, is the aspect of lack of appreciation for the opponent’s point of view.

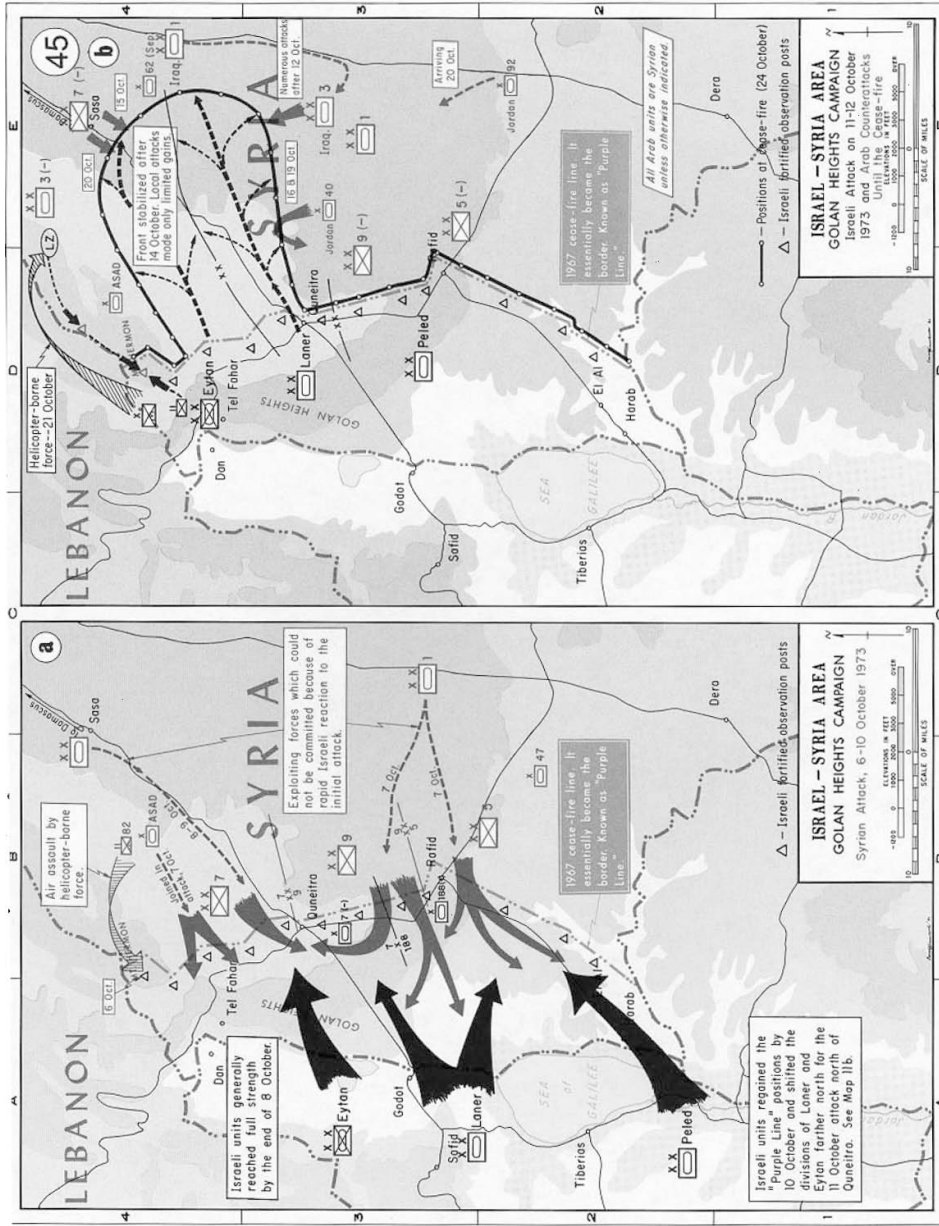
The Israelis were genuinely surprised in October 1973, mostly because they viewed Egypt’s resort to war as an incomprehensible act. By their calculations, there was no chance for Egyptian victory, thus no reason to resort to force. From Sadat’s perspective, even a limited military defeat was preferable to continuation of the status quo. The parallels to U.S. evaluations of Saddam Hussein’s calculations are evident. The technology of war may change, but the calculations (and miscalculations) of national leaders remain a constant element of international conflict.

**Figure 1:** Southeastern and Eastern Mediterranean

Source: USMA Military History Atlas, [http://www.dean.usma.edu/history/web03/atlas/atlas\\_toc.htm](http://www.dean.usma.edu/history/web03/atlas/atlas_toc.htm)

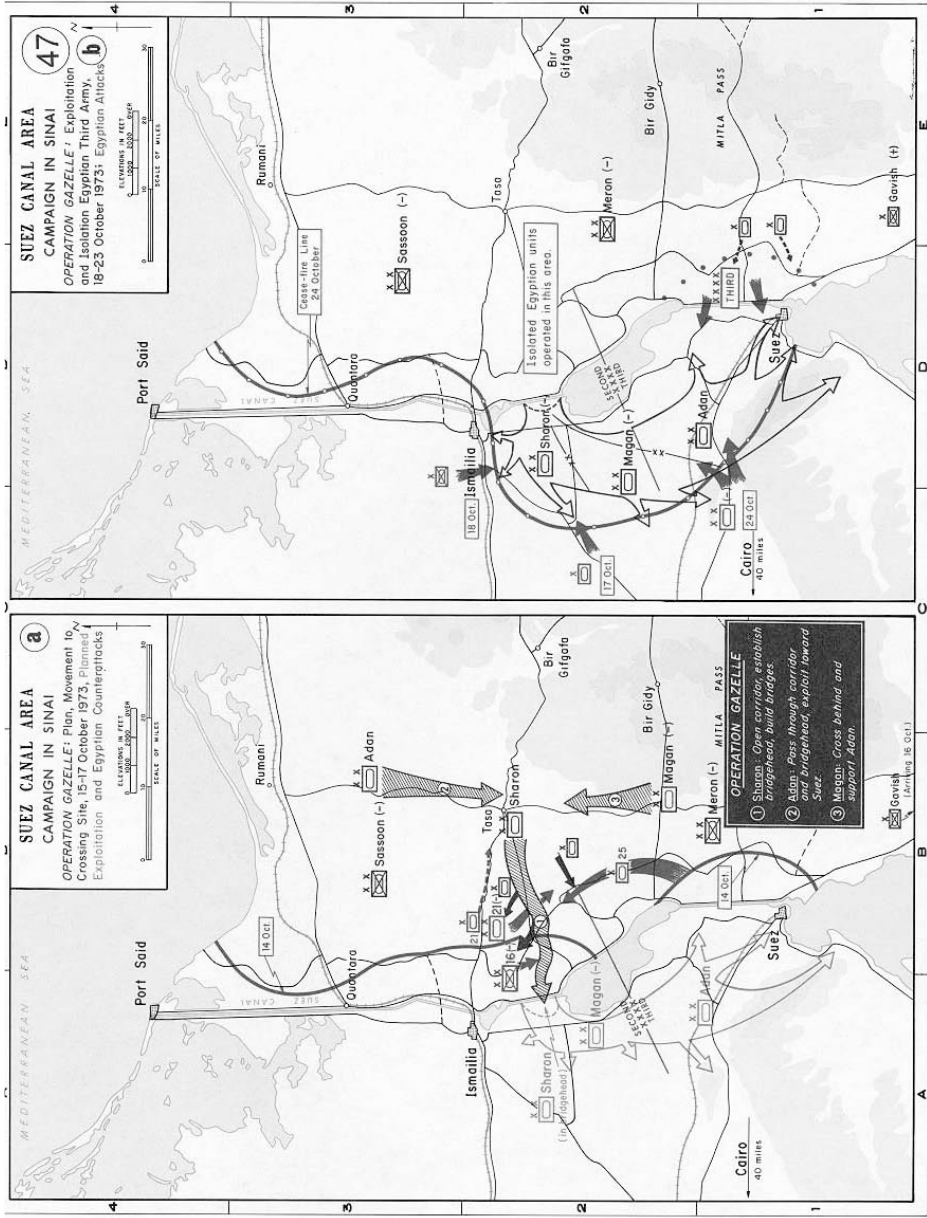


**Figure 2:** Israel-Syria Area: Golan Heights Campaign  
Source: USMA Military History Atlas, [http://www.dean.usma.edu/history/web03/atlas/atlas\\_toc.htm](http://www.dean.usma.edu/history/web03/atlas/atlas_toc.htm)





**Figure 4:** Suez Canal Area: Campaign in Sinai: Operation Gazelle  
 Source: USMA Military History Atlas, [http://www.dean.usma.edu/history/web03/atlas/atlas\\_toc.htm](http://www.dean.usma.edu/history/web03/atlas/atlas_toc.htm)



<b>1973</b>						
<b>Sun</b>	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>
<b>Sep 30</b>	<b>Oct 1</b>					
Mossad HUMINT says war coming Egypt to Syria: "go" CIA/INR report calms Kissinger	LT Siman-Tov warns war coming Egyptian exercise "Fahri' 41" begins Syria deploys more	Bridging equipment moves, both fronts Syria calls reserves 1400 time of attack agreed Meir to Vienna	Soviets informed Meir returns from Austria Siman-Tov's 2nd Rpt Kitchen Cabinet briefed "low"	Sinai recon reveals artillery/ammo Soviet evacuation Soviet navy leaves Mossad source requests meet	Israel cabinet meets: Alert IDF, but no mobilization and prob. still "low" Mossad Chief warned by source	0400—War at 1800 0930—Mobilize/not preempt 1400—War begins <i>Yom Kippur</i>
<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
Egypt establishes bridgehead Syria threatens southern flank	Israel's "worst defeat" in Sinai Syria near-break-through "3rd Temple" falling	Meir proposes visit to United States Sinai stabilizes Tide reverses in Golan	Israel regains ground lost in Golan	Counterattack into Syria Syria requests Egyptian attack	Israel would accept cease-fire in place Meir letter to Nixon	U.S. airlift begins Syria offensive begins to stall
<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
Egyptian attack defeated Syria lines harden	Israeli thrust toward canal begins	First Israeli forces to west of canal Kosygin travels to Egypt	Battle for corridor to canal	Bridge over canal secured Sadat agrees to cease-fire	Israeli breakout west of canal aimed at Suez	Kissinger to USSR
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
Kissinger in USSR	UNSCR 338 calls for cease-fire Kissinger visits Israel	Fighting continues; Israel closes toward Suez	USSR threatens unilateral action United States to DEFCON III	Cease-fire observed by both sides		

13 Sep—Air battle with Syria; 23 Sep—Syria deploys in defensive positions/calls up reserves; 24 Sep—Israel begins strengthening Golan; 25 Sep—King Hussein warns Meir of Syrian intention to attack; Egyptian deployments noted; 29 Sep—Meir to Europe (previously planned trip); 27 Sep—Egypt mobilizes reserves (twenty-third time in 1973); 28 Sep—Terrorists attack train in Austria; Schonau transit facility closed

## APPENDIX

### Biographical Highlights of President Anwar Sadat

- |                  |  |             |  |
|------------------|--|-------------|--|
| <b>1918</b>      | Born in the village of Mit Abul-Kum; son of a midlevel government official.  | <b>1951</b> | special examinations given due to the Free Officers' support.  |
| <b>1925</b>      | Family moves to village near Cairo. Sadat's life-long inspiration is Zahran, an Egyptian who killed a British soldier who had shot at Egyptian civilians. Zahran remained fearless before his execution because he "rejected anything and anyone who tried to humiliate him and his people." <sup>58</sup>                       | <b>1952</b> | Nasser brings Sadat into the Free Officers inner circle, the Constituent Council.  |
| <b>1936</b>      | Graduates from secondary school; begins education at national military academy.  | <b>1956</b> | The Free Officers overthrow King Farouk and establish government. During the first hours of the coup, Sadat is with his wife at a movie. Sadat attributes this to a lack of clear communication in the hours after he returned to Cairo. <sup>59</sup> Sadat makes the public announcement of the coup the following dawn. He serves on the "Revolutionary Command Council," consistently supporting Nasser from his position as secretary general of the dominant Arab Socialist Union party. |
| <b>1938</b>      | Graduates from national military academy; connects with Gamal Abdel Nasser, fellow junior officer and future Egyptian hero.  | <b>1962</b> | Suez Crisis. Nasser's political triumph, after military defeat, makes him a great hero, especially in the Arab world.  |
| <b>1939–1941</b> | Forms the "Free Officers" organization and leads discussions intended to prepare officers to oppose the Egyptian King Farouk and the British protectorate.   | <b>1964</b> | Nasser appoints Sadat as speaker of the National Assembly.   |
| <b>1942–1945</b> | Stripped of his rank and jailed for trying to establish radio communications with Rommel to coordinate Egyptian efforts with Rommel's invasion of Egypt. Nasser replaces Sadat as leader of the Free Officers. In October 1944, he escapes from jail and lives 11 months as a fugitive until martial law ends in September 1945. | <b>1967</b> | Nasser appoints Sadat as one of four vice presidents.  |
| <b>1946–1948</b> | Jailed for conspiring in the murder of a prominent pro-British politician.   | <b>1969</b> | Humiliation in the Six-Day War, including loss of the Sinai to Israel, prompts Nasser to offer his resignation. Intense popular support keeps him in power.  |
| <b>1950</b>      | Restored to Egyptian officer corps at his previous rank of captain. He rapidly advances to LtCol via   | <b>1970</b> | Nasser appoints Sadat as vice president of Egypt.  |
|                  |  |             | Nasser dies of a heart attack. Many doubt that Vice President Sadat will succeed him as president. Rivals underestimate Sadat as he skillfully jockeys for power.  |



<b>1971</b>	Sadat named provisional president. Attempts to consolidate power through domestic reform and efforts to recover the Sinai.	<b>1978</b>	Camp David Accords signed.
<b>1972</b>	Intensifies military buildup in Egypt and Syria.	<b>1979</b>	Peace treaty signed between Egypt and Israel.
<b>1973</b>	Launches "October War." Sadat takes title "Hero of the Crossing."	<b>1981</b>	Islamist radicals in the Egyptian military assassinate President Sadat at a military parade commemorating the 1973 attack across the Suez Canal.
<b>1974, 1975</b>	Disengagement agreements made between Egypt and Israel with U.S. mediation.	<b>1982</b>	Israel returns the final portions of the Sinai, taken in 1967, to Egypt.
<b>1977</b>	Sadat goes to Israel for peace talks. He is the first Arab leader to do so.		

### **Biographical Highlights of Prime Minister Golda Meir**

<b>1898</b>	Born Golda Mabovitch in Kiev, Russia. Jews are routinely attacked by mobs with government acquiescence or encouragement. Meir's earliest clear memory is of helplessness and terror in the face of these pogroms. Hunger and poverty are pervasive. Meir describes her family as "not particularly religious" but observant of Jewish tradition, celebrating holidays and festivals.	<b>1928–1932</b>	Moves to Tel Aviv to become the secretary of the Women's Labor Council, which establishes "workingwomen's farms" to teach job skills and Hebrew to new immigrants. Her husband stays in Jerusalem, visiting on weekends; the Meirs separate permanently in 1938.
<b>1906</b>	Moves to Milwaukee, Wisconsin, United States of America. Meir attends school and helps her mother run a marginally successful shop. Meir becomes a highly regarded spokesperson for the Labor Zionist Party at 17 years of age. She embraces socialism and is deeply committed to the idea of a Jewish national home.	<b>1932</b>	Her daughter nearly dies from kidney disease. Seeking a cure, Meir takes her son and daughter to New York City, beginning two years of work there.
<b>1917</b>	Marrries Morris Myerson (Meir); he is a fellow Zionist, but less passionate.	<b>1934</b>	Elected to the Labor Council Executive Committee.
<b>1921</b>	Moves to Palestine with husband. Meir thrives on kibbutz Merhavia, but her husband does not. She	<b>1940–1945</b>	Serves on British War Economic Advisory Council. Works to enlist Palestinian Jews and to create a Jewish Brigade in the British army,

	to fight Hitler. Supports desperate efforts to aid Jews being destroyed by Nazis.	<b>1951</b>	Her husband dies while she is overseas raising money for Israel.
<b>1943</b>	Her 17-year-old daughter, Sarah, leaves high school to help found a kibbutz.	<b>1956</b>	Becomes foreign minister.
<b>1947, 1948</b>	As head of the Political Department of the Jewish Agency, Meir meets secretly twice with King Abdullah of Transjordan. She obtains what she views as his commitment to remain neutral in the looming war. In May 1948, just days before the war, the king tells her that he is not free to remain neutral, referring indirectly to Egypt, Iraq, Lebanon, and Syria. <sup>60</sup>	<b>1969</b>	Becomes fourth prime minister of Israel.
		<b>1970</b>	“Black September” hijackings.
		<b>1972</b>	Fedayeen terrorists massacre 11 Israeli athletes at Munich Olympics. Meir authorizes killing of those involved. 100 Israeli aircraft attack Fedayeen camps in Syria and Lebanon. <sup>61</sup> The three terrorists captured at Munich are released by West Germany six weeks later in exchange for hostages.
<b>1948</b>	Signs Israel’s Proclamation of Independence; leads fund-raising in the United States that allows purchase of \$50 million in military supplies and equipment during the war. Appointed Israel’s ambassador to the USSR.	<b>1973</b>	“October War.”
		<b>1974</b>	Resigns from parliament. Although the initial Agranat report clears her of any direct responsibility for the problems in the war, she has been politically and emotionally hurt. She describes Israel as suffering “trauma” after the war. <sup>62</sup>
<b>1949</b>	Elected to Israeli legislature; becomes minister of labor. Member of the Mapai, the Labor Party.	<b>1978</b>	Dies of cancer.

### Reflections from Prime Minister Meir Concerning 5 and 6 October 1973

Golda Meir's autobiography describes her thinking and actions on Friday, 5 October and Saturday, 6 October 1973, just before the war. It also shows the burden she carried afterward.

"On Friday, October 5, we received a report that worried me. The families of the Russian advisers in Syria were packing up and leaving in a hurry. It reminded me of what had happened prior to the Six-Day War, and I didn't like it at all."<sup>63</sup>

"In the welter of information pouring into my office that one little detail had taken root in my mind, and I couldn't shake myself free of it. But since no one around me seemed very perturbed about it, I tried not to be obsessive."<sup>64</sup>

"I asked the minister of defense, the chief of staff, and the head of intelligence whether they thought this piece of information was very important. No, it hadn't in any way changed their assessment of the situation. I was assured that we would get adequate warning of any real trouble, and anyway, sufficient reinforcements were being sent to the fronts to carry out any holding operations that might be required."<sup>65</sup>

Following the meeting on noon, Friday, 5 October, Prime Minister Meir felt very uncomfortable with the situation and stayed in her office for much of the afternoon. Yom Kippur, the Jewish Day of Atonement, the holiest of Jewish holy days, began at sunset Friday.

"How could it be that I was still so terrified of war breaking out when the present chief of staff, two former chiefs of staff (Dayan and Chaim Bar-Lev, who was my minister of commerce and industry) and the head of intelligence were far from sure that it would?"<sup>66</sup>

"I knew as well as anyone else what full-scale mobilization meant and how much money it would cost, and I also knew that only a few months before, in May, we had had an alert and the reserves had been called up; but nothing had happened. But I also understood that perhaps there had been no war in May exactly because the reserves had been called up. That Friday morning, I should have listened to my own heart and ordered a callup. For me that fact cannot and never will be erased, and there can be no consolation in anything that anyone else has to say or in all of the commonsense rationalization with which my colleagues have tried to comfort me. It doesn't matter what logic dictated. It matters only that I, who was accustomed to making decisions—and who did make them throughout the war—failed to make that one decision. I, too, can rationalize and tell myself that in the face of such total certainty on the part of our military intelligence—and the almost equally total acceptance of its evaluations on the part of our foremost military men—it would have been unreasonable of me to have insisted on a callup. But I know that I should have done so, and I will live with that terrible knowledge for the rest of my life."<sup>67</sup>

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# Haiti

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In 1991 the impoverished Caribbean nation of Haiti held free elections for the first time in decades. Many Haitians had not voted more than once in their lifetimes. This time they swept a fiery orator, Jean Bertrand Aristide, into office. Aristide, a Catholic priest, was a champion of the poor and leader of the populist *Lavalas* movement.<sup>1</sup> In a country where the elites, who numbered less than 1 percent of the population, controlled more than 44 percent of the national wealth, support of the powerful for Aristide's brand of government was less than enthusiastic.<sup>2</sup> Nor was it certain that the newly elected president would even complete his term of office. In its two hundred years of independence, Haiti has had forty-one heads of state. Of these twenty-nine were either assassinated or forcibly removed from office; nine declared themselves heads of state for life, and seven served for more than ten years.<sup>3</sup> In the nineteenth century, only one Haitian leader left the presidential office alive.<sup>4</sup> In the two centuries of its existence, Haiti has experienced twenty-one constitutions.

On 30 September 1991, a military junta, led by Lieutenant General Raoul Cedras, deposed the president in a quick, successful coup. Cedras, the coup's titular leader, was a military aristocrat who had initially risen to power during the Duvalier regime.<sup>5</sup>

The United States and the Organization of American States (OAS) refused to formally recognize the Cedras regime. That the OAS did so was not surprising. Democracy had swept South America during the latter half of the 1980s. By 1991, only Haiti and Cuba had nondemocratic governments. Furthermore, on 5 June 1991, the OAS passed *Resolution 1080*, which called for an emergency meeting any time there was an overthrow of a democratic state in the region.<sup>6</sup> On 4 October, an OAS delegation met with Cedras in an effort to convince him to relinquish power. The attempt failed and by November the OAS had embargoed all shipments of weapons and oil to Haiti.

President Bush embarked on essentially a two track policy toward Haiti. One track was designed to make General Cedras and his cronies step down. The other track was to manage the tide of boat people that were coming to the United States. To accomplish the first track's objectives the United States initiated diplomatic overtures and supported similar moves by the OAS. An embargo on certain essential materials bound for Haiti was initiated. It was hoped that such actions would be enough to convince the Cedras junta to leave.

In handling the other track, the administration was aided by the Alien Migration Interdiction Operation (AMIO). AMIO was a treaty, signed during the Reagan years, between

Haiti and the United States. It gave the United States the right to return Haitian refugees to Haiti without recourse to a legal screening process. However, this generated considerable domestic unrest and several court challenges. On three separate occasions the Bush administration was forced by court injunctions to suspend direct repatriation of Haitian refugees until they could win the domestic legal challenges to the policy. As an interim measure, Haitian refugees began to be quartered at the U.S. Naval Base in Guantanamo, Cuba.

An additional problem for the Bush policy on Haiti was presidential candidate Bill Clinton. After emerging as the democratic candidate the former governor of Arkansas attacked the president on a wide variety of topics, including repatriation. Not only did candidate Clinton condemn the president's policy, but he also took pride in being ". . . the first person running for president . . . to speak out against the Bush administration's handling of the Haitian situation."<sup>7</sup>

Candidate Clinton's domestically oriented campaign produced highly successful results. In November 1992 he reiterated his opposition to the forcible repatriation policy and promised to overturn it when he was president.<sup>8</sup> This promise was not lost on the Haitian population.<sup>9</sup> Throughout October and November boat building boomed along the Haitian coast. Some of the wood used in the construction came from houses that people had torn down in their eagerness to escape. Nervous Coast Guard officials began predicting refugee flows as large as two hundred thousand people.<sup>10</sup>

By mid-January 1993 President-elect Clinton, faced with overwhelming evidence of impending massive Haitian refugee flows, was faced with a dilemma. If he kept his words, waves of boat people would put to sea. He then announced that he would temporarily continue the Bush policy of forcible repatriation. At the same time he reiterated his support of UN diplomatic efforts to find a way to restore democracy to Haiti.<sup>11</sup> The response did not go over well with the Haitian or the human rights communities.

Clinton's words also failed to resonate with the detainees at Guantanamo. Although the detainees had praised the U.S. military officers in charge of the camp, there was a riot on 14 March. The reason for the outburst was said to be irritation with the pace "with which U.S. officials are deciding their fate."<sup>12</sup> The riots also brought a visit from the Reverend Jesse Jackson, who compared the living conditions at the camp to those of a prison.<sup>13</sup>

On 15 March there was a rally in Manhattan protesting the government's Haiti policy. Forty-one people were arrested. Among the marchers was actress Susan Sarandon. Among the arrested was the Reverend Jesse Jackson. Reverend Jackson's arrest was photographed and was printed in the *New York Times* for two consecutive days.<sup>14</sup> Sarandon later made a controversial plea for the Haitian detainees during the nationally televised Academy Awards.

Haiti was far from being the only item on the president's agenda. It was even far from being the most important item on the agenda. Deprived of even the traditional "honeymoon period," the Clinton administration found itself embroiled with Congress from the outset. In part this was because the president had chosen much of his staff at the last minute and according to one noted Washington columnist had seemed to prefer inexperience.<sup>15</sup>

The president allowed foreign affairs and national security issues to be looked after by key cabinet members and advisors. When it came to Haiti, National Security Advisor (NSA) Tony Lake, Assistant National Security Advisor Sandy Berger, and Lawrence Pezzullo, a foreign service officer who had been named special envoy to Haiti, were among the most important of the inner circle.<sup>16</sup> These men formed the core of the “Haiti hawks.” Lake and Berger controlled and dominated the National Security Council staff and managed the NSC schedule and agenda. As a result, even if the president’s attention were elsewhere, there would always be a spot on the NSC calendar for Haiti.<sup>17</sup>

The most encouraging aspect of the spring of 1993 in regards to Haiti came from traditional diplomatic efforts. Things seemed to be on the verge of a breakthrough. A series of visits to Port-au-Prince had been made by UN envoy Dante Capote, and Lawrence Pezzullo, special envoy and special advisor to the president in Haiti. Pezzullo had carried the message that the United States was “determined to restore democracy quickly.”<sup>18</sup> This determination was echoed by U.S. Air Force General Raymond O’Mara, who was addressing a regional Caribbean security meeting in Port-of-Spain, Trinidad later that week. The general warned Caribbean military leaders to prepare themselves for action in Haiti if the situation worsened.<sup>19</sup>

Details of the plan began to emerge both in the hallways of power and in the press. Cedras would step down. Within six months Aristide would return. A new prime minister, acceptable to both sides, would have to be found. A UN mission of as many as five hundred persons would oversee the reconstruction of the Haitian judiciary and the creation of an independent police force. The mission would work with the 140 UN human rights observers already in Haiti.<sup>20</sup>

There seemed to be three key components to the rapid progress of the talks. One was that the United States seemed to be taking a dedicated interest in the problem. Another was that President Aristide seemed to be softening his long held position that General Cedras had to be exiled or punished. This was important as the junta considered it nonnegotiable. The third was that the United States and the United Nations (UN) were holding out the prospect of a massive infusion of aid to Haiti. President Clinton pledged \$1 billion as a start.<sup>21</sup>

Despite the optimism, there were also counterindications suggesting that agreement might not be as close as some would wish. Representatives of the Haitian business sector had told Pezzullo it would take U.S. military forces to reinstate Aristide. Cedras and his cronies had a monopoly on weapons and on violence. No one, including a restored Aristide, could “make” them behave. As prospects for peace grew stronger, so did the unease of the Haitian elite. They saw the return of Aristide as a return to class struggle, the possibility of being held accountable for the violence of the Cedras regime and, worst of all, and erosion of their wealth position and power.<sup>22</sup>

Other warning signs that all was not well with the negotiations included Cedras’ insistence that the coup participants be given amnesty or pardon. In addition these guarantees



had to extend to businessmen and politicians who had supported Cedras. While the Cedras camp focused on these issues, Aristide's support base began showing signs of friction. Long-time allies and supporters began "bickering" over what the new government of Haiti should look like.<sup>23</sup>

Domestically, right-wing Democrats were demanding action and resolution. Chief among these was Senator Bob Graham (D-FL). Concerned about an increase in the size of the Haitian refugee flow, as would-be boat people tried to beat the approaching hurricane season, Graham called for a 31 May deadline.<sup>24</sup>

As the negotiations continued, "After Action Reports," of U.S. interventions in Grenada, Panama, and Somalia were being widely circulated in the Pentagon. Secretary Aspin worried that failure to get the Defense Department actively involved in the Haitian interagency planning process could have a significant negative impact on his department.<sup>25</sup> He accordingly directed the Department of Defense to commence interagency planning. The secretary had correctly diagnosed reluctance on the part of the Defense Department and the military to participate in any operations having to do with Haiti. The opposition consisted of two major elements. The first was a reluctance to get into another "nation-building exercise." The army had gone through that in Panama and Grenada and was involved in just such an operation in Somalia. The second reason for the resistance was that based on an analysis of Haiti's conditions, senior defense leaders firmly believed that the U.S. military could not solve Haiti's problems.<sup>26</sup> Frequently reference was made to the thirty-five-yearlong occupation of Haiti by U.S. military forces.

Nevertheless, in support of the United Nations-sponsored negotiations with Haiti, the chairman of the Joint Chiefs of Staff was directed to plan a "nation assistance" operation to help restore democracy to Haiti.<sup>27</sup>

The negotiations that had led to such high hopes collapsed when General Cedras and the junta broke off talks.<sup>28</sup> This began a three-month period of varying diplomatic initiatives.

The Cedras regime's refusal to find a solution drew fire from both the UN and the United States. The secretary-general placed the blame squarely on the junta.<sup>29</sup> Inside the United States the Aristide cause was helped and promoted by a talented lobbying team. The team was led by Michael Barnes, a former congressman with a savvy understanding of Washington, D.C. Barnes had also been a key Clinton fund-raiser as well as a former partner in Sandy Berger's old law firm. The White House denied that Barnes had any special connectivity.<sup>30</sup> Mr. Randall Robinson of the lobby group "TransAfrica" helped Barnes in this effort. Robinson had been a member of the same public relations firm as Barnes and was also well acquainted with Tony Lake.<sup>31</sup>

After torturous negotiations it was agreed that talks between Aristide and Cedras would be conducted under UN auspices on Governors Island, just off Manhattan, on 27 June. Although the talks lasted several days, Aristide and Cedras did not actually meet. Dante Caputo served as intermediary between the two groups. The two sides reached agreement

on 3 July. The terms of the agreement were relatively simple. There would be a meeting of all Haitian political parties. A prime minister would be nominated by Aristide and confirmed. At this point the UN, OAS, and United States would suspend, but not end the embargo and start a program to modernize the armed forces and create a new police force. Aristide would then issue an amnesty for all the officers who acted against him in the coup and Cedras would resign and take early retirement. Aristide would return.<sup>32</sup>

Unbeknownst to the participants, the U.S. operatives had most carefully monitored both delegations. And what the United States knew was that neither side had any intention of honoring the agreement.<sup>33</sup>

Still, just because the signatories were contemplating cheating did not mean that they could not be maneuvered into compliance. Or that as the months moved along that the contending parties might not come to see real value in following the course of action laid out in the agreement. At least these assumptions are what the administration began to base its policies on.

Although it was known that the Cedras regime was planning to break from the agreement, Pezzullo and others believed that once the trainers were in place, Haitian resistance would be futile. Construction personnel would also be sent in to assist the Haitians in starting civic action projects. Further, President Clinton, proposed a five-year, \$1 billion international development program for Haiti.<sup>34</sup>

On 18 August, after weeks of debate and strife among Aristide supporters and opponents, the Haitian senate, with Aristide's approval, officially named Robert Malval as prime minister. Malval declared that he would only serve as an interim leader and would be replaced no later than 15 December 1993. Interim prime minister or not, Malval's acceptance as prime minister indicated to most that the agreement was on track.

One of Malval's first official acts was to appeal for an early end to the international economic embargo of Haiti. The confirmation of Malval as prime minister and the appeal to lift the embargo were enough to convince the OAS and the UN to recommend lifting the sanctions. Madeleine Albright, U.S. ambassador to the UN agreed with the idea. Haiti was starting to be touted as a rare example of sanctions being powerful enough by themselves to be successful. Some analysts attributed this to Haiti's unusual degree of vulnerability.<sup>35</sup>

Although Malval was now in place, political violence continued to escalate in Haiti. Beatings, kidnappings, and shootings were common. Political opponents frequently assaulted pro-Aristide demonstrators as Haitian military personnel watched, making no move to intervene. Most of the assailants were known to be "attaches," civilian auxiliaries of the Haitian police force.<sup>36</sup>

On 16 September, Coretta Scott King wrote a hard-hitting editorial. The widow of the country's most famous civil rights leader claimed that the UN sanctions had been lifted prematurely. She recommended delaying any further payments or shipments to the island until the return of Aristide as the Governors Island agreement required.<sup>37</sup>

On 27 September, the UN Security Council voted to send more than 1,200 police and military personnel to Haiti. Five hundred sixty-seven would be UN police monitors and the rest would be U.S. and UN military trainers. Most of the U.S. troops would be navy construction battalion personnel, known as “Seabees.” Most of the police monitors were expected to be in Haiti by 30 October.<sup>38</sup>

As September wore on, the United Nations threatened to reinstall sanctions. On the last day of September 1993, the USS *Harlan County* (LST 1195) set sail from Charleston, South Carolina, having embarked the initial group of U.S. monitors. The ship stopped in Puerto Rico en route to Haiti.

Secretary of Defense Aspin had argued against landing the monitors, fearing that once a presence in Haiti was established, it would be difficult to terminate. Should the animosity between the Cedras and Aristide camps turn violent, U.S. forces could be “caught in a civil war.”<sup>39</sup>

Tony Lake, Sandy Berger, and Warren Christopher felt that the United States needed to get the monitors into Haiti. They made the case that reversing U.S. policy was “not an option.” The interventionists carried the argument, without it ever reaching the level of the president.

There was also opposition from Capitol Hill. In a display of bipartisan concern, Senator Bob Dole (R-KS) and Senator Sam Nunn (D-GA) warned against sending U.S. forces into the country.<sup>40</sup>

Then, half a world away, events unfolded that would directly impact the administration’s handling of Haiti. On 3 October, in Mogadishu, Somalia, a force of U.S. Army Rangers and Delta Force soldiers attempting to capture warlord Mohammed Farah Aidid found themselves in an intense firefight. The eventual casualty report would list eighteen soldiers killed, seventy-four wounded and one captured. The Cable News Network (CNN) was on the scene and every television station in the United States showed the CNN video of a dead ranger being dragged through the streets of Mogadishu. Public and congressional reaction was immediate and negative.

Mogadishu would have a profound impact on the Clinton national security team and on every decision potentially involving military intervention made after 3 October 1993, and most strongly on what to do with the *Harlan County*. As George Stephanopoulos said, “So soon after Somalia, no one had the stomach for another fight.”<sup>41</sup>

Tony Lake admitted that the fight in Somalia had an impact, but denied that it had made him, or other members of the administration “less interventionist. Rather it had the effect of imposing a more critical cost-benefit analysis into the decision-making process.”<sup>42</sup>

The Haitian government had agreed to allow *Harlan County* to berth at a pier in Port-au-Prince. As *Harlan County* approached it quickly became apparent that the pier was blocked by another vessel. Furthermore, a large and angry crowd stood upon the pier, waving clubs and pistols. Mob spokesman claimed that they would turn Port-au-Prince into another

Mogadishu.<sup>43</sup> The *Harlan County* stopped in the Port-au-Prince Harbor, reported the situation, and waited for guidance.

In the White House a battle quickly developed between advisors in favor of forcing a landing and those that recommended the ship withdraw. On the one side were Ambassador Albright and NSA Lake. Albright claimed that U.S. prestige was at stake and would be harmed if *Harlan County* withdrew.<sup>44</sup> On the other side, Secretary Aspin argued that the troops embarked in *Harlan County* were not equipped for serious combat operations.<sup>45</sup>

Deliberations over what to do consumed the next day. The specter of the dead rangers in Mogadishu hung over the deliberations.<sup>46</sup> Lake, Albright, and Berger argued for intervention. Aspin was still opposed. Chief of Communications David Gergen recommended that it was time to “cut our losses.”<sup>47</sup> In the end, Secretary Aspin’s position prevailed. There would be no forcible landings. *Harlan County* withdrew. Larry Pezzullo was outraged. He had pushed hardest of all for a display of will, insisting that what the cameras were capturing was “theater, not threat.” In the end Secretary Aspin prevailed.

The *Harlan County* incident, as it came to be known in some circles, marked a major development in the U.S. involvement with Haiti. For several days there was an intense debate about what to do next. Lake, Berger, and Albright favored a rapid return to Haiti, followed by a forced entry if necessary. The president began asking close advisors whether the United States should “go in and take them?”<sup>48</sup> The answer, in part, was that the military continued to oppose invasion and there was no public support for such an action.<sup>49</sup>

In the wake of the *Harlan County* debacle, several new and disturbing facts and allegations came to the attention of the White House, the Congress, and the American people. For example, it was discovered that the mob which had demonstrated on the pier in Port-au-Prince was not a spontaneous expression of public determination. It had been organized by the “Front Pour L’Avancement et le Progress Haitien,” (FRAPH). FRAPH was definitely a right-wing organization, with Central Intelligence Agency (CIA) ties, but leaders in Washington were unsure whether to view it as a political party or merely a creature of the Cedras regime.<sup>50</sup>

There were also allegations made concerning President Aristide. A CIA personality profile of Aristide that had been provided to the White House was leaked to the press. The report claimed that Aristide had been treated for a mental disorder and was suffering from manic depression. Equally disturbing was the translation of a speech in which Aristide seemed to be voicing support for the use of violence against political opponents.<sup>51</sup> In Congress, Jesse Helms referred to Aristide as a “psychopath” and even though the president dismissed the report, he too referred to Aristide as “flaky.”<sup>52</sup>

It was later revealed that the information reported in the personality profiles was false.<sup>53</sup> The issue of supporting violence was more problematic. Aristide’s supporters claimed he had been poorly translated.

On 14 October, the United States and the UN reimposed sanctions on Haiti.

President Clinton ordered the United States Navy to take up blockading duties. Prior to this decision, the Coast Guard had performed this duty. Within days of the order six naval warships were on station off Haiti. Several Canadian and one British ship would also participate in the blockade.<sup>54</sup>

It was clear to all that the planned 30 October return of President Aristide to Haiti was not going to happen. Cedras and the junta remained firm in their defiance. For his part, Aristide returned to his old position of no amnesty for junta leaders. At this point, a discovery involving the junta leadership was made. It was reported and confirmed that both Cedras and Francois had at one point been paid by the CIA to be informers and agents.

The failure of the Cedras regime to conform to the Governors Island agreement convinced many people who had been unaware that there had never been any intention of conforming, that the junta was not to be trusted under any circumstances. Although some individuals and agencies, such as the Department of Defense, remained opposed to military intervention, others, such as members in the human rights directorate of the State Department, reevaluated their positions.

While the UN debated whether or not to impose an even tighter embargo on Haiti, reports began to emerge that the sanctions were taking their toll. Among the hardest hit were Haiti's poor. Many were out of work. Other than private volunteer organizations (PVO) and religious societies, there was nowhere to turn to for relief. Death rates among children rose. Broadening the sanctions would clearly deepen the impact, but this course of action was seen as the only alternative to combat.<sup>55</sup>

As this was occurring, Secretary Christopher was becoming increasingly marginalized where Haiti was concerned. As his power waned, the power of the Haiti hawks increased.

On 27 January 1994, the United States further tightened the economic screws on Haiti. In a series of moves designed to impact the Haitian elites, the United States revoked visas and froze additional Haitian financial assets.<sup>56</sup> At a meeting of the "friends" it was also decided to press the UN for a total trade embargo.<sup>57</sup>

Proponents for greater economic pressure being applied to Haiti received a boost when the Commerce Department reported that both imports to and exports from Haiti rose in 1993. It was also reported that the Haiti–Dominican Republic border was a sieve. Although the total amount of trade was small, only \$370 million, it was seen as sufficient to help the junta maintain their grip on the country.<sup>58</sup> Further indication of the failure of the embargo came when observers in Port-au-Prince reported the price of black-market gas had dropped from \$9 a gallon to \$6 a gallon.<sup>59</sup>

While the international diplomatic battles raged, domestic events were unfolding that would intrude into the Haiti calculus. Lawton Chiles, governor of Florida, had been impacted by the refugee flows as no other state leader had. Legal immigrants, bona fide refugees, and illegal immigrants tended to stay in Florida, and placed heavy burdens on the state's social systems and budgets. Efforts to get the federal government to pick up the additional costs had

not been successful. The governor turned to other methods and sued the federal government.<sup>60</sup> If the suit was successful, Chiles anticipated recouping significant amounts of money. The governors of Texas, New Mexico, Arizona, New York, and California were closely watching this pending legal action. Chiles was also a power in the Democratic Party and his state was going to be crucial in the upcoming congressional November elections.<sup>61</sup>

However, President Aristide managed to keep in the public eye. On 19 March, he launched his most telling and harshest criticism of the Clinton administration to date. During an opening meeting of the Congressional Black Caucus, Aristide compared the treatment of Haitian refugees with Cuban refugees. Aristide maintained that the U.S. policy toward Haiti was racist. Several members of the Caucus immediately agreed.<sup>62</sup> Few statements could have aggrieved or angered the Clinton administration as much.

In a nearly full page advertisement in the *New York Times*, more than eighty-five religious leaders, actors, politicians, and other well-known personages signed an open letter to the president, claiming that the repatriation policy was driven by “considerations of race.”<sup>63</sup> The ad included a form that one could use to make a donation to TransAfrica.

Aristide’s supporters now focused on Special Envoy Pezzullo as being part of the problem.<sup>64</sup> Special-interest groups began to demand his removal. Following a series of increasingly confrontational meetings, the Congressional Black Caucus called for his removal.<sup>65</sup> Although arguably filling no more than forty congressional seats, the impact of the caucus was significant. They represented large numbers of Democrats. The caucus members were highly articulate and dedicated. Their support was seen as essential to many of the president’s social programs. Furthermore, this was a unified position among caucus members. “We are hoping that the White House understands on this issue that the Congressional Black Caucus speaks with one voice,” said caucus Chairman Kweisi Mfume (D-MD).<sup>66</sup> The White House was listening and the White House did understand.

Proof of this came on 26 March 1994, when the administration announced that it was implementing a new plan that would be much more in tune with that favored by Aristide.<sup>67</sup> The new plan also included the potential for increased sanctions.

On 7 April, President Aristide formally served notice on President Clinton that, as the recognized leader of Haiti, he was canceling the current AMIO Accord. In keeping with the terms of the Accord, the cancellation would become effective in six months. Although the State Department would not comment on the cancellation, the repatriation policy remained in effect.<sup>68</sup>

Randall Robinson, the director of TransAfrica, was so adamantly opposed to the policy that he embarked on a highly publicized hunger strike on 12 April 1994. He made it clear that the strike would last until he died or Haitian refugees were given a hearing. In a powerful op-ed article, he accused the Clinton administration of lacking deep convictions, Pezzullo of accommodating the Haitian military while holding Aristide in contempt, and failing to include FRAPH among the State Department’s annual listing of human rights abusers.<sup>69</sup> The initial response of the White House was to announce a policy review.

As Robinson began his hunger strike, additional congressional members began to call for a military solution to the Haitian dilemma. David Obey (D-WI), chairman of the powerful House Appropriations Committee, publicly endorsed such an option. Although Obey stated that he would prefer an international military force be used, he would support a unilateral U.S. invasion. Not surprisingly, many representatives, especially Republican representatives, found the idea unacceptable. Others, notably Charles Rangel (D-NY), supported a “show of force,” but not the “use of force.”<sup>70</sup>

As Randall Robinson continued to fast, supporters of Aristide continued to attack Special Envoy Pezzullo. On 27 April, he tendered his resignation. The special envoy had become increasingly ignored by the administration.<sup>71</sup>

Robinson’s fast entered its seventeenth day and President Clinton admitted that his Haiti policy to that point had failed. He was personally troubled by the continuing violence. The president gave additional moral validity to the Robinson hunger strike when he stated that Mr. Robinson should “stay out there.”<sup>72</sup>

The number of voices clamoring for military invasion increased. Columnists Mary McGrory of the *Washington Post*, Richard Cohen, also of the *Post*, and Cathy Booth of *Time* all came out in favor of military action.<sup>73</sup>

On 21 April six representatives were arrested after chaining themselves to the White House fence in protest of the president’s Haiti policy. All were Democrats. The protest was well covered by the press and photographs of Joseph Kennedy (D-MA), Ron Dellums (D-CA), and the other four were on the front page the next day.<sup>74</sup>

By the end of April, the refugee issue was still receiving heavy play in the papers, Randall Robinson was gradually starving to death, and California and Arizona had followed Florida’s lead and filed lawsuits against the federal government. The governor of New York announced that New York was going to pursue similar action while the attorneys-general in Texas and New Jersey were deliberating whether or not to join the Florida litigation.<sup>75</sup> More than \$3 billion were at stake.

On 4 May, the twenty-third day of his hunger strike, Randall Robinson was hospitalized. Robinson’s strike and physical condition had been closely monitored by the White House, and perhaps most closely of all by Tony Lake. When asked if the hunger strike had an impact, Lake answered, “Of course. I was worried Randall might die.”<sup>76</sup>

Behind the scenes, military contingency planning for the use of force in Haiti was activated. Admiral Paul David Miller, commander in chief, U.S. Atlantic Command (USACOM) directed General Hugh Shelton to develop a plan to forcibly remove Cedras from power. The forcible entry option would be known as Operations Plan 2370 (OPLAN 2370). The U.S. XVIII Airborne Corps would provide the combat power the plan required. Simultaneously, the United States Agency for International Development (USAID) began developing its own plan for assisting democratic forces and training a Haitian police force.<sup>77</sup>

On 6 May, the UN Security Council voted for more sanctions. Private flights in and out of the country were banned. Police and military officers, prominent civilian supporters of the Cedras regime, and their families were prohibited from leaving Haiti. A worldwide freeze on these individuals' assets was also recommended.<sup>78</sup>

On 7 May, President Clinton once again changed U.S. policy toward Haitian refugees. Forcible repatriation would no longer be practiced. Haitians would now be given interviews either at sea, or in third-party countries. Those determined to be ineligible for asylum would be returned to Haiti.<sup>79</sup> This change of policy was enough to cause Randall Robinson to end his hunger strike. The decision came after a presidential discussion with General Shalikashvili, chairman of the Joint Chiefs of Staff. During this discussion the president said he had come to believe that the only way to resolve the situation was through intervention. The general countered by laying out the opposing viewpoints and invasion plans were put on hold.<sup>80</sup>

The Clinton administration also announced the appointment of Larry Pezzullo's replacement. William Gray, former congressman (D-PA) and president of the United Negro College Fund, was named U.S. special envoy to Haiti. Gray immediately announced that his goal was to "end the suffering of the Haitian peoples at the hands of their military leaders."<sup>81</sup>

During the second week in May, large-scale military maneuvers were conducted in the Caribbean. Many observers believed these were precursor operations to a Haitian invasion. The Clinton administration dismissed such speculation as incorrect. The sense that the nation was edging closer to conflict also energized Congress. Led by Bob Dole (R-KS), a proposal to require congressional authorization for any use of military force involving Haiti was introduced.<sup>82</sup>

As Congress debated and the junta continued to defy the UN, one of the fears of the Clinton administration began to be realized. As news of the revised refugee policy reached Haiti the numbers of Haitians putting to sea steadily increased. In an effort to cope with the rising demand, the U.S. government chartered the Ukrainian flagged liner *Gruziya* to serve as floating staging area and site of immigration hearings.<sup>83</sup>

As rumors of a possible invasion continued to abound, congressional members slowly coalesced into groups supporting and opposing the use of military force. On 22 May, Senator Bob Graham (D-FL) returned from a two-day trip to Haiti and announced that he now supported invasion.<sup>84</sup> Bob Dole continued to lead the opposition.

The shifts and reversals that had marked the Clinton policy on Haiti were also having an impact on public opinion. In May, a *Washington Post*—*ABC News* survey showed that only 40 percent of the U.S. public approved of the president's handling of foreign policy as opposed to 53 percent of those polled who did not.<sup>85</sup>

Yet another voice was added to those calling for invasion, when, on 1 June 1994, President Aristide claimed that economic sanctions would not restore him to office and called for "action." In his speech, he made it clear that he was talking about military action. "The



action could be a surgical move to remove the thugs within hours,” Aristide said of the kind of intervention he would support.<sup>86</sup>

On 10 June, President Clinton further increased sanctions on Haiti. U.S. commercial flights to Haiti were banned and most financial actions between the two countries were canceled. Concurrently, the State Department announced that it was pulling all embassy dependents out of Haiti and recommended that U.S. citizens in Haiti leave at the earliest opportunity. Other nations were expected to cancel their commercial flights as well.<sup>87</sup> In Haiti the Cedras government declared a “state of emergency.” Junta-appointed President Emil Jonassaint stated there was a threat of invasion and occupation. In response to this announcement, Clinton administration officials noted that thirty Caribbean and Latin American nations had expressed support for a U.S. intervention if all else failed.<sup>88</sup>

While the international community may have been coming to grips with the possibility of an invasion, the U.S. public was not. On 23 June, an *Associated Press* poll found only 28 percent of the populace approved an invasion.<sup>89</sup> This was not lost on the administration. Years later Tony Lake admitted that public opinion was never on the side of the administration.<sup>90</sup>

By 28 June, the oceangoing exodus the administration had been waiting for materialized. In an explosive surge of interdiction, Coast Guard vessels gathered in more than thirteen hundred Haitians in one day. It quickly became apparent that, despite the precaution of moving additional vessels into the area, the flow would overwhelm the preparations to meet it.<sup>91</sup> Within a day, President Clinton decided to reopen the refugee center at Guantanamo Bay. The combination of increased regime repression in Haiti, the disproportionate impact of sanctions on the poor and the reversal of the U.S. forcible repatriation policy were believed to explain the dimensions of the flow.

The refugee flow continued to build. The CIA estimated that as of early July, one thousand Haitians were leaving by boat every day and that the number would soon rise to four thousand each day. Boat building in Haiti was at such a fever pitch that houses again were being torn down to provide raw construction materials. In Haiti, it was believed that as many as one third of the refugees intercepted at sea were being allowed into the United States.<sup>92</sup>

In the midst of changing policies and mounting congressional debate, the United States sent four amphibious ships carrying the 24th Marine Expeditionary Unit (MEU) to the waters off Haiti to conduct exercises and to be available if a noncombatant evacuation operation of embassy personnel had to be carried out. Although Special Envoy Gray assured the press that no invasion was “imminent,” speculation ran rampant.<sup>93</sup> The MEU had only just returned to its home base of Camp Lejeune, North Carolina, from duty in the vicinity of Somalia.

The next increase in the pressure being applied to the junta came when Special Envoy Grey announced that General Cedras and the members of the coup had six months to leave, or face possible military action. The threat may have gained credibility when Panama declared that it would no longer serve as a third-party host to Haitian refugees. Efforts by the United States to reach a compromise solution failed.<sup>94</sup> UN Secretary-General Boutros Boutros-Ghali announced that only two thousand to three thousand of the nine thousand to

twelve thousand strong peacekeeping force had been identified. Potential contributors were said to be reluctant to commit until they knew if the United States intended to oust Cedras by force.<sup>95</sup>

At this point in the confrontation, the Cedras regime took action that could not have been more beneficial to the Clinton administration than if it had been planned for that purpose. On 10 July 1994, all OAS and UN human rights observers were ordered to depart Haiti within forty-eight hours. The observer force, numbering one hundred individuals, was declared to be “undesirable aliens.” To external observers it seemed that the junta was removing potential witnesses to what many feared would be a wave of orchestrated violence and terror.<sup>96</sup>

In Guantanamo, more than sixteen thousand Haitians awaited screening and transportation to a safe haven not in the United States. Some, tiring of the conditions or disappointed at being denied entry into the United States opted to return to Haiti.<sup>97</sup> The ever-increasing number of Haitians at Guantanamo was exerting an inexorable pressure on the administration to find some solution to the confrontation.

President Aristide amplified his earlier remarks on 15 July. Explaining that Haiti’s constitution did not “allow” him to call for an invasion, he still called for “swift and definitive action against the leaders of the coup.

The U.S. Army 10th Mountain Division was ordered on 28 July 1994, to begin planning for a permissive entry into Haiti.<sup>98</sup> This plan would be known as OPLAN 2380 and was an entirely separate operation from OPLAN 2370. There was almost no overlap in the forces assigned to each plan.

On 31 July, the UN Security Council authorized the United States to “use all means necessary” to restore President Aristide to power in Haiti. The vote was 12 to 0 in favor of the resolution, with China and Brazil abstaining. A UN observer force would accompany any invasion force.<sup>99</sup> The stage was now set for an invasion. All the component pieces were in place.

On 2 August, the Dominican Republic agreed to allow an international force to patrol the Dominican-Haitian border. The force’s purpose was to report cross-border smuggling to the Dominican authorities, which would then intervene.<sup>100</sup> The force, initially numbering only eighty individuals from the United States, Argentina, and Canada could be said to be more symbolic than utile, yet still presented an image of an internationally isolated Haiti.

Several Latin American countries, led by Venezuela, expressed concerns with the prospect of yet another U.S. military intervention into the Caribbean and Latin America. In the U.S. on 3 August, the Senate unanimously declared the UN authorization to use force did not justify the use of U.S. troops. However, the measure was nonbinding and when Senator Arlen Specter (R-PA) offered an amendment blocking the use of force in Haiti unless U.S. lives were endangered, the amendment was defeated 63 to 31. Even some opponents of the use of force in Haiti felt the amendment, if passed, would set a dangerous precedent.<sup>101</sup> The president reiterated that he already had constitutional authority to use military force as needed.<sup>102</sup>

Inside White House decision-making circles, Secretary of Defense William Perry argued against Deputy Secretary of State Talbott's desire to impose a deadline by which the junta leaders had to leave or face invasion. Perry, echoing the sense of his department wished to explore alternatives that could buy off the Haitian leadership. Talbott found this idea "repugnant" and favored an early invasion. Perry's counter was that it was preferable to spend money than lives.<sup>103</sup> Through the duration of the Haiti confrontation the Defense Department had been adverse to any application of military force and Strobe Talbott had consistently been in favor of intervention.<sup>104</sup>

As Guantanamo filled with Haitians and Lawton Chiles continued to sue the federal government and fall elections drew closer, Fidel Castro allowed an outpouring of Cuban refugees to brave the Windward Passage and head by sea to Florida. As the old operating rules remained in effect, the Cubans were initially granted political asylum. The expatriate Cuban community welcomed them to Florida. Not surprisingly, the flow evoked memories of the Mariel Boat Lift.<sup>105</sup> As the Cuban refugee flow swelled in size to more than two thousand individuals a week, the comparisons between the treatment they received vice that meted out to the Haitians came under harsher criticism.

For the president, recollections of the Mariel Boat Lift were not pleasant ones. While Clinton was governor, Cubans being held in Fort Chaffee, Arkansas rioted. There were several deaths and the riots were a major issue in the next gubernatorial campaign, which Clinton lost. He now made it clear that such events were not going to happen again.<sup>106</sup>

The refugees continued to flow and Guantanamo continued to fill. By 24 August, the navy was planning to remove civilian dependents of base personnel back to the United States. It was announced that the base would be used to accommodate up to forty thousand refugees.<sup>107</sup>

While the United States grappled with Cuban and Haitian refugees, the Cedras regime once again was thrust into an unflattering limelight. On 28 August 1994, Father Jean-Marie Vincent, Catholic priest and longtime friend of President Aristide was killed. More precisely, Father Vincent was gunned down just a few feet from the door of his order, the Congregation of Montfortin Fathers. It was "the first political killing of a priest in memory. . ." in Haiti. Vincent was credited with having saved Aristide's life in the past.<sup>108</sup> When President Clinton learned of the killing he was "outraged."<sup>109</sup>

As August gave way to September, four Caribbean states pledged to provide forces for any upcoming invasion of Haiti.<sup>110</sup> UN Secretary-General Boutros Boutros-Ghali also announced that he was "giving up" any attempt to try and persuade the leaders of the junta to step down. The UN had sent a high-level mission to Haiti during the last week in August, but the Haitian military leaders had snubbed the diplomats and refused to talk with them.<sup>111</sup>

Newspapers ran story after story speculating as to when U.S. forces would be used. The Pentagon announced that an invasion would cost \$427 million dollars in addition to the \$200 million already spent on interdiction operations as well as building and running the refugee facilities on Guantanamo.<sup>112</sup>

Unlike most preparations for operations involving the potential for combat, much of the invasion preparations took place in an overt fashion. The press coverage was extensive. This was clearly done in an effort to impress the junta to abdicate. U.S. military overflights of Haiti were increased and the international contingent of the invasion force trained openly in Puerto Rico.<sup>113</sup> Some administration officials explained that due to conflicting signals in the past and a possible perception of President Clinton being indecisive, General Cedras and the other coup leaders might not understand how resolute the U.S. position was.<sup>114</sup>

But opposition leaders were also making statements. Bob Dole continued to argue against any invasion arguing no U.S. interests were at stake. On 6 September, political cartoonist Gary Trudeau announced that the Clinton presidential icon was going to be a “waffle.”

What did not get reported was an NSC meeting on the Haiti situation in the White House on 7 September 1994. Tony Lake chaired the meeting. General Shalikashvili briefed the state of the Haitian Army, and the U.S. plans to deal with them. As soon as the briefing was over the president thanked him for the briefing and said, “It’s a good plan; let’s go.”<sup>115</sup>

Although it would take an additional eighteen days during which U.S. forces moved to position, the press indulged in a frenzy of speculation, and U.S. public opinion never moved to a point favorable to the president; the decision had been made.

Just prior to the invasion the president gave former president Carter, retired chairman of the Joint Chiefs of Staff Colin Powell, and former senator Sam Nunn (D-GA) permission to fly to Haiti in order to make one last effort to convince Cedras to step down. Former president Carter argued that, as he had known Cedras personally, he would be successful. He had convinced Powell and Nunn to add their arguments to his. Although there was concern that the three men could be taken hostage, they were allowed to go. The mission’s initial efforts were not successful, and negotiations were in progress when planes loaded with U.S. paratroopers lifted off and headed for Haiti.<sup>116</sup>

That fact, relayed to Cedras by a Haitian intelligence asset in the United States, was enough to convince him that the time had come to quit. The Carter mission gave him a face-saving way out and he took it. As the paratroopers’ aircraft moved steadily to the jump points, Carter reported Cedras’ “surrender” to the president. In a remarkable display of military discipline and precision the invasion was halted. Aircraft were turned around in mid-air and headed home. OPLAN 2380 was activated. In less than twelve hours, U.S. troops walked ashore. Five years later, Cedras was living comfortably in exile, the Haitian population was preparing for its second consecutive free presidential election and U.S. soldiers still walked the streets of Port-au-Prince.

## Notes

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5. Many feel that Francois was the true leader of the coup.
6. Ronald I. Perusse, *Haitian Democracy Restored: 1991–1995* (Lanham: University Press of America, 1995), 21.
7. *Larry King Live*, transcript 586, 18 June 1992, Cable Network News, 6; Hallow, Ralph Z., “Melting Pot Gets Fuller: Immigration Pace Changing a Nation,” *Washington Times*, 10 June 1992, A1.
8. Martin Walker, “US Tussles Over Haiti,” *London Guardian*, 11 October 1993, 2.
9. Perusse, *Haitian Democracy*, 39.
10. R. Allan Ricketts and Stephen H. Huber, “Coming to America,” in R. J. Norton and R. Allan Ricketts, eds., *National Security Vol. I: Case Studies in Policy Making and Implementation* (Newport: Naval War College Press, 1994): 333–347.
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13. “Jackson Urges Release of Haitian Refugees,” *New York Times*, 21 March 1993, 1, 28.
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15. Elizabeth Drew, *On the Edge: The Clinton Presidency* (New York: Simon & Schuster, 1994), 34–35.
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17. *Ibid.*
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20. *Ibid.*
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26. *Ibid.*
27. Ricketts and Huber, “Coming to America,” 345.
28. Michael Tarr, “Diplomatic Efforts Fail In Haiti; U.N. Envoy Could Not Get Military to Let Aristide Return,” *Houston Chronicle*, 17 April 1993, A21.
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30. Norton and Ahart, “Haiti: Uphold Democracy,” 212.
31. *Ibid.*
32. *Ibid.*
33. *Ibid.*, 213.
34. “Clinton, Aristide Meet; U.S. to Send Military Trainers,” *Los Angeles Times*, 23 July 1993, A11.
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42. Interview between Anthony Lake, former assistant to the president for national security affairs, and the author, via telephone, Newport, RI, 18 October 1999.
43. "Envoys Chased from Port in Challenge to U.N. Mission," *Minneapolis Star Tribune*, 12 October 1993, 1A.
44. Walker, "US Tussles Over Haiti," 3.
45. Drew, *On the Edge*, 334.
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47. Lake interview.
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49. *Ibid.*
50. Although not conclusively proven, there are significant indicators that FRAPH was a tool of the junta and that Washington deliberately ignored this and chose to treat it as a political party. (Confidential interviews.)
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52. *Ibid.*, Stephanopoulos, *All Too Human*, 219. "Clinton Says Aristide Is Fit to Govern; President Says Evidence Belies CIA Suggestions of Haitian's Instability," *Minneapolis Star Tribune*, 24 October 1993, 4A.
53. *Ibid.*
54. "Canada Joins U.S. in Haiti Blockade; Diplomats Are Urging Foreigners To Flee Port-au-Prince," *St. Louis Post-Dispatch*, 17 October 1993, 1A.
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62. "U.S. Haitian Policies Are Racist, Says Aristide," *Seattle Times*, 19 March 1994, A2.
63. "An Urgent Message to President Clinton," *New York Times*, 23 March 1994, A20. Signatories included such notables as Representative Ron Dellums (D-CA), the Reverend Jesse Jackson, actors Robin Williams, Robert De Niro, Gregory Peck, and Julia Roberts, the mayors of Birmingham and Denver, and the president of the Central Conference of American Rabbis.
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# Antipersonnel Landmines: A U.S. Policy-Making Minefield

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## INTRODUCTION

**O**n 17 September 1997, President Clinton stated that the United States would not sign the Ottawa Treaty banning antipersonnel landmines (APLs). He then announced a new U.S. policy that represented a multifaceted approach to landmine control. This was a curious moment, considering that the president was personally inclined toward a landmine ban, as well as the fact that the United States had been a global leader on the landmine issue since the 1980s.<sup>1</sup> The president went on to say that the United States would not sign the Ottawa Treaty banning APLs due to our nation's "unique responsibilities for preserving security and defending peace." He further added that "there is a line I simply cannot cross, the safety and security of our men and women in uniform." Highlights of the president's policy included a commitment to renew efforts to negotiate a global ban on landmines through the United Nations (UN) Conference on Disarmament (CD) in Geneva, an approach he originally announced in January 1997. Also, he directed the Department of Defense (DoD) to develop alternative technologies to replace APLs outside Korea by 2003 and within Korea by 2006, and he committed to significantly increase funding for all aspects of U.S. demining programs. In addition, he made permanent a moratorium on the export of APLs by the United States and capped the U.S. inventory of self-destructing landmines at existing levels. Finally, he appointed General David Jones, a former chairman of the Joint Chiefs of Staff, as special advisor to the president and the secretary of defense for issues related to this policy.<sup>2</sup>

## BACKGROUND

The landmine problem has its roots in the superpower proxy wars of the 1970s, fought in such places as Angola, Afghanistan, Cambodia, Nicaragua, and Vietnam. Since the Cold War many of these locations and others, including Bosnia, Kosovo, and Chechnya, have been embroiled in internal conflict and civil war. Cheap, effective, and easily obtained, APLs quickly became the weapons of choice in these conflicts, leading to their extensive and largely uncontrolled use, often by nonconventionally trained paramilitary forces. As a result, an estimated 70 to 110 million such mines were scattered in sixty-eight countries around the globe, causing death and serious injury to thousands of innocent civilians each year. Regrettably, in Cambodia one of every 236 civilians is a victim, and in Angola over

70,000 people are amputees—both are the highest proportions in the world. Initial estimates were that 55,000 casualties were occurring yearly due to landmines. U.S. policy needed to respond to these facts.<sup>3</sup>

The U.S. Department of State (DoS) was an early leader among nations advocating control of landmines. In the late 1970s, DoS helped craft the Protocols to the 1949 Geneva Conventions that were eventually signed by the United States in 1982. These Protocols codified customary humanitarian law, more precisely defined who combatants are, established rules pertaining to the treatment of noncombatants, and outlawed the use of indiscriminate and excessive force in war.

Ideas and norms regarding the use of landmines, as well as other tools of war, have been evolving over time. American and European views about landmines are tied by their history and culture to customary law, and the Protocols codified them into international law. In some countries customary law does not carry the same weight and some of those same countries did not sign the Protocols.<sup>4</sup> Further compounding matters, international laws such as the Protocols often clash with rules of sovereignty when dealing with conflicts internal to a state. As a result, states with internal conflicts became an open market for nonsignatory countries to sell mines, which the warring factions eagerly purchased and used, often in irresponsible ways.

Since before World War II, the rules of war and international law have considered mine warfare as a *defensive* strategy. Minefields were normally placed between countries or occupied territory, and APLs were invented to inhibit breaching of these barriers. These procedures generally held through the Korean War, after which both North Korea and South Korea used APLs to help establish the Demilitarized Zone (DMZ). To this day, the U.S. mutual defense treaty with South Korea rests in part on a policy of maintaining defensive mine warfare to protect U.S. forces. During the Vietnam War, however, the Viet Cong used mines not as defensive weapons but as psychological weapons. The Viet Cong often built crude “home-made” mines from tin cans and scrap metal. During that same time frame, the United States introduced a technological breakthrough—*smart* mines capable of self-deactivation and self-destruction.

#### **WHAT'S A LANDMINE?**

DoD defines an antipersonnel landmine as a mine designed to cause casualties to personnel. There are several types of mines. The United States favors the more technologically sophisticated “smart” types of mines. One of these types of mines favored by the United States is remotely delivered mines known by the acronym FASCAM, which stands for “Family of Scatterable Mines.” They contain both antiarmor and antipersonnel mine variants. Developed for both the land and air forces, FASCAM was widely viewed as an important force enabler to the military. Except for the dumb mines retained for use in Korea and for training, the United States currently only uses FASCAM. However, the rest of world’s major arms producers—particularly China and Russia—continue to focus on producing *dumb* mines. Italy, once a major APL producer, ceased production and export in the late 1990s.

Though labeled “dumb,” these mines are sophisticated weapons noted for their ease of construction, cheap cost, and lack of metal parts to foil detection. These types of mines were used extensively in the wars in the 1980s and 1990s and now constitute the problem.<sup>5</sup>

In addition to the DoS, other members of the U.S. government were influential in the formulation of the U.S. landmine policy. Senator Leahy, the Democrat from Vermont, was an early supporter of the antilandmine cause and has influenced the process for years by introducing congressional legislation to limit U.S. production, export, and use of APLs. Without Senator Leahy there might not have been any APL action. Senator Leahy proposed an amendment for a one-year moratorium on APL exports, which President G. H. W. Bush signed into law in 1992. The following year, the “Leahy Moratorium” was extended for three years, passing the U.S. Senate unanimously. The landmine moratorium he pushed through Congress in 1993 was due to expire in 1996. When he promised to renew it with even greater restrictions, the Clinton administration launched a formal review of its landmine policy. The outcome was published in February 1996 in the first National Security Strategy, in which the United States laid out its commitment to APL control. The strategy clearly stated that long-lasting “dumb” APLs were the problem, *not* the U.S. “smart” FASCAM mines. The 1996 U.S. policy was to stop the use of “dumb” APLs except in Korea and for training, to destroy U.S. stockpiles of these mines, to retain “smart” APLs until alternative technologies could be found, and to conduct demining programs. Additionally, the United States would also seek to use the CD process to control other nations’ use of dumb landmines. U.S. allies supported this policy.<sup>6</sup>

## INTERNATIONAL FORA

The landmine issue was discussed in several different international organizations, some with an arms control orientation, others with a focus on rules of war. President Clinton elected to pursue landmine reform at the CD since it was an established forum with previous success in negotiating international controls on chemical weapons. CD agenda items included discussions about nuclear arms control, the then-existing *ABM Treaty*, and the weaponization of space.

Yet another concurrent international forum interested in the landmine issue is the Conference on Conventional Weapons (CCW). The more formal name of the CCW is the *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects*. This is a forum in Geneva for negotiating rules of war. The Protocols to the CCW currently represent the strictest international agreement on APLs, which the United States signed in 1982. Agreements reached at the CCW dictate what you can and cannot do when engaged in armed conflict, whereas agreements reached at the CD dictate the types and amounts of weapons participants can produce, manufacture, stockpile, and distribute.

The Review Conference for the CCW resulted in an amendment to the Protocols extending their application to internal conflicts as well as international ones, and made significant progress negotiating controls over other unexploded ordnance, such as cluster bomblets,

collectively referred to as explosive remnants of war, or ERW. Work at the CCW is one aspect of APL policy that seldom received attention.

The UN and several non-governmental organizations (NGOs) became very involved in efforts to limit the production, export, and use of APLs and to minimize their impact on noncombatants. In September 1994, the UN General Assembly adopted a Clinton-proposed resolution striving for complete landmine elimination. Later, the UN voted in December 1996 for another U.S. initiative to negotiate a ban on all APLs as soon as possible. The U.S. State Department welcomed the NGO community involvement as well as the support of politicians and popular personalities. Arms control was a major priority in the 1980s due to Cold War tensions, and the DoS tool of choice for these negotiations was the CCW. At the 1980 CCW, the International Committee of the Red Cross pushed hard for a landmine ban. At this conference the delegates did negotiate Protocols to the Geneva Convention that included limitations on APLs, but the Protocols did not go far enough for many concerned parties. They did not call for an outright ban, did not cover internal wars, and lacked an important element of any arms control mechanism—strong verification and enforcement standards. The U.S. Senate did not ratify these Protocols until 1995. At the First Review Conference of the CCW in 1996, U.S. delegates helped amend the Protocols to address some of the landmine control, verification, and enforcement issues. Not all of the parties to the CCW ratified the amended Protocols; even the U.S. Senate did not do so until 1999.<sup>7</sup> Delays in ratification hindered U.S. credibility when trying to influence other states during these types of negotiations.

### **BETTER, FASTER, THAN CD, CCW?**

In January 1996, the United States and 51 countries signed protocols amending the CCW to strengthen rules governing APL use, but the Protocols did not call for an outright ban. Many delegates were disappointed at the failure to achieve consensus on an outright ban of APLs. Canada's foreign minister Mr. Lloyd Axworthy made an innovative proposal. He decided to radically change the process of negotiating a landmine treaty and announced Canada's sponsorship of a new and different kind of conference in Ottawa in October of that same year, initiating the "Ottawa Process." At the end of the October 1996 Ottawa conference, Mr. Axworthy challenged the world's countries to come back by the end of 1997 with their respective governments' approval for a treaty to ban landmines.

The Ottawa Process surprised many governments, not only because of the speed with which it operated, but also because Canada chose neither to follow the lead of their superpower neighbor to the south nor rely upon an existing diplomatic forum. Instead, Canada formed its own process and rapidly changed the face of international diplomacy. By December 1997 there were 122 countries that had signed the actual treaty.<sup>8</sup> With only forty countries needed to ratify the treaty, it went into effect on 1 March 1999, and since then the majority of the world's countries have also ratified it.

Mr. Axworthy stated at the DMZ in Korea that the treaty might save 40,000 casualties worldwide per year and that South Korea should eventually renounce APLs. Canada's

foreign minister was praised by the UN and other countries for leading the Ottawa Process and for influencing the U.S. policy of 17 September 1997.

The United States made repeated attempts to add APL reform to the CD agenda, but these efforts were blocked by states that advocated using the new negotiating forum, the Ottawa Process, because they felt the issue properly belonged to that process.<sup>9</sup> One reason that the United States favored the CD forum was that all the major landmine-producing states were participants of the CD process and were not participants of the Ottawa Process. In spite of reservations about Ottawa as the ideal forum for landmine control discussions, the United States nonetheless attended *Ottawa Treaty* meetings as an observer.

### **DO NGOS MATTER?**

Original U.S. landmine policy efforts were supported by several NGOs, and in particular the International Committee of the Red Cross, during the Cold War period. Later, however, the situation changed, and new forces emerged to influence the U.S. APL policy.

In the 1980s, several members of the Vietnam Veterans of America Foundation (VVAFF) were performing humanitarian works in Cambodia, distributing prosthetics for landmine victims. Bob Mueller, the VVAFF leader, got the idea to seek a worldwide landmine ban to prevent a future need for prosthetics for landmine victims. Five NGOs banded together and shaped the idea of an international campaign to ban landmine use. This grouping of NGOs formed themselves into an umbrella organization known, not surprisingly, as the International Committee to Ban Landmines (ICBL). The VVAFF hired an outspoken activist, Jody Williams, to serve as ICBL coordinator.<sup>10</sup> Ms. Williams championed the ICBL cause and led it from its infancy to “super-NGO” status. She eventually brought together over 1,000 groups and organizations from ninety countries to create a force to pressure governments into changing their landmine policies. She called this concept for world change the use of “civil society.”<sup>11</sup> For their efforts, she and the VVAFF received the Nobel Peace Prize, an event that generated a great deal of favorable publicity for the cause and undoubtedly enhanced the ICBL’s credibility.

Ms. Williams opined that governments would come to see that they do not need landmines to secure their borders and that their civil populations would help to bring about this change. She also spoke of how the NGOs gained credibility with the public and with international organizations and states because they were initially the only ones with the data on the destruction APLs were causing. Ms. Williams added that NGOs were adept at using information to raise domestic awareness of the problem in countries all over the world. She ended by saying that her concept of civil society works to form new partnerships with governments, and that these open partnerships were not the old diplomacy of the nation-states.<sup>12</sup>

The Nobel Prize probably hurt the VVAFF as much as it helped. It received tremendous recognition, and thus it helped the ICBL garner support for the treaty. With some help from the Ottawa Process, the VVAFF had a significant impact on the international arms industry, reducing production and use of APLs in several countries and, in some cases, eliminating them altogether. Determining who would speak for the ICBL became contentious and

difficult for some organization members. After the Nobel Prize was awarded, Ms. Williams left the organization. The VVAF no longer housed the ICBL, which moved to Paris and, with its Peace Prize funding, established itself as an international legal organization to continue its work. For others in the campaign, the movement just lost its glamour and they went on to new issues.

Canada certainly helped the VVAF, but its main disappointment was with the United States.<sup>13</sup> Retired generals Schwarzkopf and Galvin signed up. General Shalikashvili, then chairman of the Joint Chiefs of Staff (CJCS), reportedly had to call and ask the generals to stop supporting the landmine ban, as those views were counter to the Clinton administration's.<sup>14</sup>

The International Red Cross was very involved in the process of establishing the landmine Protocols, and was also a supporter of the Ottawa Process. For its part, the ICBL served a worthy cause in promoting the Ottawa Process, but one could argue that the diplomatic efforts of the DoS were ultimately more important. The major producers of dumb APLs never joined the process, so although it may be popular and get favorable media attention, the treaty is less likely to have the same long-term effects as efforts to negotiate APL reform at the CD and the CCW. Although NGOs such as the VVAF and ICBL did not generate the treaty, they were certainly instrumental in promoting it and pressuring countries to join.

The result was the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction*, more commonly called the *Ottawa Treaty* or the *Landmine Ban Treaty*.<sup>15</sup> For his active support and leadership in this process, the VVAF recognized Canada's Mr. Axworthy with the Senator Patrick J. Leahy Humanitarian Award in December 2000.<sup>16</sup>

### **DoD, DoS POLICY INFLUENCE?**

Recognizing the interrelatedness between the diplomatic and military aspects of the mine issue, Secretary of State Albright joined with Secretary of Defense Cohen to further clarify the president's initiative by introducing a program known as *Demining 2010*, intended to eliminate by 2010 the threat to civilians posed by landmines already on the ground. The president appointed Assistant Secretary of State Karl F. Inderfurth to serve as the special representative of the president and of the secretary of state for global humanitarian demining. The major focus of this policy is on the demining component.

DoD was presented with a politically charged problem, and one that some said could influence success or failure in war. Within DoD, there were many factions with strong emotions regarding the policy. The members of the Joint Staff did not want to run afoul of their civilian leaders at the Office of the Secretary of Defense (OSD), so they would not touch it. They wanted the Army to lead the APL initiative. OSD wanted to see the APL ban go into effect early in Clinton's first term and were not happy with the Army's go-slow approach.<sup>17</sup> Further exacerbating the issue, the Army zeroed the funding in the 2003–2007 spending plan that targeted the development of dumb APL alternatives, leading some to conclude that the United States would abandon its efforts to develop alternatives for FASCAM mixed-mine systems.<sup>18</sup>

DoD felt itself under attack from all sides on this issue. APL policy appears insignificant. However, it has direct connections to debates about international law, traditional diplomacy versus new processes of arms control, rules of war and sovereignty, and what role other states, NGOs, and the public should play in driving U.S. security policy.

Some DoD organizations defined the landmine issue in their own terms in order to promote their own policies and programs. Within DoD, the Army and Air Force both have a stake in the landmine issue, with their FASCAM systems. When former CJCS General Shelton first came on board, Air Force General Ralston, the vice chairman of the Joint Chiefs of Staff, was a key player while Shelton got oriented to his new duties. Ralston personally favored the ban. Some Pentagon insiders said Ralston's support was politically motivated because this was happening as he was being nominated to be the next chairman. Others accused him of more service-parochial views by supporting the ban on APLs in order to gain more technology funding for the Air Force to pursue alternative technologies. And finally, some implied it was just the traditional Army–Air Force rivalry. This played itself out in discussions surrounding the defense of South Korea. The Air Force strategy for the “Halt Phase” had them doing the major destruction of any North Korean attack, while Army force-planners saw their ground forces at the DMZ doing the bulk of the killing.<sup>19</sup> Money and influence were at stake while the policy was established.

The Joint Chiefs were considering supporting the ban until General Luck, the commander of forces in Korea, said he required landmines. Landmines were not previously explicitly highlighted in Korea war plans. Walt Slocumbe, then undersecretary of defense for policy, found that out and hastily had them put into the war plans so that technology funding would not be hurt.

The DoS traditionally conducts state-to-state diplomacy, not popular NGO-oriented campaigns. Many IGOs and NGOs the United States deals with recognize and appreciate the impact of U.S. contributions in demining. U.S. spending levels increased from \$7 million in 1997 to almost \$40 million in 2000 and 2001, for a total of almost \$142 million.<sup>20</sup> Worldwide demining and mine awareness education efforts are already bearing fruit. Initial estimates were that as many as 55,000 landmine casualties were occurring yearly. Later estimates suggested a much lower, but nonetheless significant, average of about 26,000 a year through the late 1990s. For the year 2000, however, the estimated number of casualties was less than 10,000 total for both landmines and ERW. This significant reduction is believed to be the combined result of fewer mines on the ground and better awareness among citizens of affected countries. Also, early estimates on the number of mines scattered around the globe ranged from 70 to 110 million. These estimates have since been reduced, in part due to more accurate surveys, but also due to superhuman efforts being made to remove and destroy deployed mines. This data, as well as a lot of other useful landmine-related information, is regularly made available to many audiences through a series of landmine publications called *Hidden Killers*.<sup>21</sup>

To help publicize the dangers associated with landmines, comic books were created for use in Bosnia, which then–First Lady Hillary Clinton introduced in 1996. A Spanish version



for use in Central America was unveiled in 1998 at the UN by Kofi Annan and USSOUTHCOM commander General Wilhelm. DoS coordinated with *DC Comics*, a division of Warner Brothers Entertainment, to create and publish the comic books for the United Nations Children's Fund (UNICEF).<sup>22</sup> The comic books were part of efforts to educate the public about the dangers of landmines and to match government and private partnerships to bring support to APL policy. The project was successful.

The U.S. position was that it needed to keep smart mines—especially mixed-mine FASCAM systems—in order to protect U.S. troops. Those countries attending the Ottawa Conference did not agree with the U.S. position. Treaty advocates wanted to completely ban the use, production, stockpiling, and transfer of all APLs. The United States bargained aggressively in the Ottawa Process but to no avail, so the United States did not sign the treaty. The treaty advocates had a driving sense of urgency. However, many did not fully realize that government policy takes time to develop, as do the alternative technologies needed to replace smart APLs. Deliberate efforts through the CD were viewed as ultimately more meaningful. Several countries involved in the proliferation of dumb APLs did not attend Ottawa meetings but did attend the CD in Geneva.<sup>23</sup>

President Clinton knew he would have to publicly address his decision not to sign the *Ottawa Treaty* and was, therefore, pressured to pull the various aspects of U.S. landmine policy and practice together into a coherent and defensible alternative to the treaty. He received much input in reaching his decision, but the option that he chose was one that maintained U.S. leadership on this issue, protected our forces, and acknowledged values held by the American public. The key new elements of his 17 September 1997 policy were the commitment to develop alternatives to APL use outside of Korea by 2003 and within Korea by 2006, and the appointment of General Jones, former CJCS and an APL ban supporter, as the president's landmine advisor. He also directed a significant increase in funding for demining operations, to include research and development, expanded training, and increased assistance for mine victims. And the last step was to renew efforts to negotiate a global APL ban at the CD.

#### **OTHER POLICY INFLUENCES**

The Clinton administration used its interagency working groups to develop and articulate a U.S. landmine policy, but Senator Leahy was also a forceful policy catalyst. He talked President Clinton into the policy, and Leahy's office actually wrote the landmine speech the president gave to the UN in 1994.<sup>24</sup>

Although the state that Senator Leahy represents—Vermont—is fairly small, it is also traditionally independent, and he has managed to be an effective champion of landmine reform for years. He is the recognized leader in Congress on this issue. President Clinton personally commended him for his dedication and moral leadership of the country on this issue, and in 1998 the VVAF even established an annual humanitarian service award named in his honor. In May 1998, National Security Advisor Sandy Berger wrote a letter to Senator Leahy on behalf of President Clinton to advise him that if suitable technological alternatives

to existing landmines were found, the United States would sign the *Ottawa Treaty* by 2006.<sup>25</sup> Previous U.S. leadership in humanitarian demining deflected a lot of the criticism when the United States later did not sign the *Ottawa Treaty*. Some U.S. NGO friends have even said that Ottawa means nothing and that the United States should continue to focus on demining.

In the same month that Berger wrote Leahy, President Clinton directed DoD in May 1998 to find alternatives for their mixed-mine systems as well as all their APLs. This commitment was well received by the senator, as well as by NGOs and many states party to the *Ottawa Treaty*, although some considered this less than statesmanlike, since President Clinton would not be in office to honor the commitment. According to some, suitable alternatives already exist. The VVAF's military advisor, retired Army lieutenant general Robert Gard, Jr., wrote a monograph that discusses seven viable alternatives to mixed antitank and antipersonnel mine systems that the DoD already has access to.<sup>26</sup>

Senator Leahy differed more with DoD's policy than with DoS's, and most of his actions seemed to focus on changing DoD behavior. In pushing his *Landmine Moratorium Act* in 1993 he really caused a DoD policy crisis.<sup>27</sup> Interestingly, the Leahy amendment to the *Defense Authorization Act* in FY93 requiring demining operations actually helped the DoS by promoting the type of state-to-state diplomacy it favored. DoS negotiates with *countries* to perform demining missions, and then DoD, along with some NGOs and contractors, executes them. With the continued help of the Congress, DoD, and the NGOs, the DoS can further the foreign policy objectives of America through existing humanitarian demining programs.

#### **MEDIA INFLUENCE?**

The Ottawa Process received a great deal of media coverage, but much of it was outside the United States. When the ICBL won the Nobel Peace Prize it received a great deal of press coverage. Some of the most favorable media coverage involved now-deceased Princess Diana. She was a champion of the ban with worldwide popularity and constant access to the media. She memorably appeared in widely televised public service announcements walking along the minefields in Africa and talking with child victims of landmines. Her death in August 1997 sparked an emotional upsurge in the demand for a solution in the "Ottawa community." Some consider her a "martyr" for the cause. Some said Queen Noor of Jordan, a human rights celebrity in her own right, took over Princess Diana's role, and with the subsequent death of her husband, King Hussein, had also become something of a "martyr."<sup>28</sup>

The *Los Angeles Times* discussed the administration's policy review and reservations about the APL phase-out plan. The article included an interesting quote by Colin Powell taken from a CNN interview broadcast earlier in the week. Speaking about U.S. objections to some international treaties, then-Secretary Powell stated, "Just because they are multilateral doesn't mean they are good."<sup>29</sup>

The *New York Times* printed an interesting article on India's establishment of minefields along the border with Pakistan. The article highlighted the plight of the many civilians displaced from their farms and homes, and it described a number of mine-related accidents involving civilians, soldiers, cattle, and dogs.<sup>30</sup> While not directly related to U.S. policy, it

served to remind the world of the many problems associated with APLs. It is also worth noting that India, like the United States, is one of a few states that have not signed the *Ottawa Treaty*. Surprisingly, several of the other nonsigning countries include states that do not often share the same side of political issues as the United States, such as China, Cuba, Iran, Iraq, Libya, North Korea, Somalia, and Syria.

### **BUSH ADMINISTRATION**

Elements of the Clinton landmine policy faced some challenges from within DoD. DoD's position going into the Bush administration policy review favored abandoning the Clinton policy commitments to eliminate the use of both dumb and smart APLs by the 2003 and 2006 deadlines. Additionally, the Army cut back on some funding initiatives for alternative technology research and initiatives. Philosophical policy differences between the Clinton and Bush administrations decreased the likelihood of the new Bush administration's honoring Clinton's commitment to sign the *Ottawa Treaty* in 2006, as had been given to Senator Leahy.

There were some organizational changes made in the Bush administration involving the offices charged with landmine policy. The Office of Global Humanitarian Demining, established as part of the *Demining 2010* initiative, was renamed the Office of Weapons Removal and Abatement (WRA) and falls under the DoS's Bureau of Political-Military Affairs. On 20 November 2001, the assistant secretary of state for the Bureau of Political-Military Affairs, currently Assistant Secretary John Hillen, was given the additional responsibility of serving as the special representative of the president and the secretary of state for mine action.<sup>31</sup>

Secretary Rumsfeld initiated a review that recommended abandoning deadlines to replace all APLs with alternative technologies. This caused anxiety among NGOs like the ICBL and Human Rights Watch, both of which had hoped to convince President Bush to go one step further than Clinton and actually sign the *Ottawa Treaty*.<sup>32</sup>

On 19 May 2001 six retired Army lieutenant generals, including two who had commanded at the division level or higher in Korea, joined ranks with a retired vice admiral and a retired rear admiral in sending a letter to President Bush urging him to sign the *Ottawa Treaty*.<sup>33</sup> Similarly, a largely partisan group of 124 members of Congress sent the president a letter expressing concerns over DoD's proposed changes to the policy and encouraged President Bush to honor the current policy and work toward elimination of APLs.<sup>34</sup> Although only two of the letter's signatories were Republicans, the balance of power in Congress then did not permit the president to take matters lightly. The Republican majority in the House was small, with Democrats then in the majority in the Senate, and 2002 was an election year.

The VVAF initiated a lobbying campaign to pressure President Bush, Congress, the State Department and especially DoD not only to honor President Clinton's commitments but also to sign and ratify the *Ottawa Treaty*.

As is many times the case, ultimate U.S. national security policy has many ingredients, influences, and sources. Sometimes the formal deliberate internal processes dominate policy creation, other times key individuals propel an issue to prominence, and sometimes nongovernmental actors, notionally external to the policy formulation process, can influence policy. And as is always the case, feedback and reaction to policy pronouncements make policy making a dynamic process.

## **ADDENDUM**

In February 2004, the United States implemented a landmine policy that pledged that, after the year 2010, the United States will no longer use persistent landmines of any type, antipersonnel or antivehicle. Ending the use of persistent landmines is the most significant component of the new policy. The humanitarian danger posed by any landmine is directly proportional to its persistence. Mines that remain active long after their military use is finished pose an unnecessary risk to civilians, and the longer they linger, the greater the risk. Although persistent landmines fulfill a unique military requirement on the battlefield, self-destructing landmines provide the valuable capability of allowing our own forces greater freedom to maneuver. Also, unlike persistent mines, self-destructing landmines defeat enemy attempts to recover these mines to use against us, or to recover mine explosives and fuses to employ in improvised explosive devices.

Additionally, the policy commits the United States to developing alternatives to current persistent landmines, incorporating enhanced self-destructing/self-deactivating (SD/SDA) technologies. SD uses a timing device to explode the mine after a period of time. Current U.S. mines self-destruct between four hours and fifteen days, well within the specified limits set by the CCW's Amended Mines Protocol. SDA is a backup process that would occur in the unlikely event that an activated mine failed to self-destruct. All U.S. SD/SDA mines contain batteries that have been designated with a limited life span, and 90 days after emplacement a mine's batteries are completely exhausted and incapable of detonation. The United States is seeking an international agreement that prohibits the sale or export of landmines that do not self-destruct.

Nondetectable mines pose special challenges for humanitarian mine clearance and are essentially invisible to standard metal detectors. While techniques do exist to find so-called minimum metal mines, these methods are difficult and costly. Effective 2005, the United States banned the use of all nondetectable landmines of any type and every U.S. landmine meets or exceeds the specifications for detectability in the CCW's Amended Mines Protocol.

Lastly, the 2004 U.S. Landmine Policy called for increased funding for Humanitarian Mine Action by 50 percent over the FY03 baseline levels of \$70 million annually. Since 1993, the United States has provided in excess of \$1 billion to nearly 50 mine-affected countries for humanitarian mine removal, mine-risk education, assistance to mine survivors, mine surveys, research and development on better ways to find and clear mines, and training for non-U.S. mine action managers so that they can run their own nation's programs more effectively.<sup>35</sup>

In 2007, the UN Secretary-General Ban Ki-moon encouraged countries that have not signed international treaties banning the use of landmines to do so "as soon as possible." He made the appeal in a statement commemorating the International Day for Mine Awareness. Although major powers such as China, Russia, and the United States have shunned

the treaty, the number of states-parties continues to grow, and currently 153 have ratified it.<sup>36</sup>

The fight against landmines has become a model of international co-operation and action; this proves that a coalition of governments, NGOs, international institutions and civil society can set a global agenda and effect change.<sup>37</sup>

—Kofi Annan, UN Secretary General

## **LANDMINE POLICY CHRONOLOGY**

1982	United States signs Convention on Conventional Weapons (CCW), which limits landmine use through broad language and a weak enforcement mechanism. It does not call for a total ban.		<i>Treaty</i> and outlines a new U.S. APL policy.
1991–1992	Vietnam Veterans of America Foundation and 5 NGOs form the International Campaign to Ban Landmines. Ms. Jody Williams hired as coordinator.	Dec 1997	<i>Ottawa Treaty</i> signed by 122 countries.
1992	Leahy amendment for one-year moratorium on APL exports signed into law by President Bush.	May 1998	President Clinton states that the United States will sign the <i>Ottawa Treaty</i> by 2006 if alternative technologies can be found.
1993	Leahy moratorium amendment extended for three years; passes Senate 100–0.		United States completes destruction of over 3.3 million of its non-self-destructing antipersonnel landmines, keeping only enough for the defense of South Korea and for training and research. United States joins with other donor nations to form Mine Action Support Group.
April 1994	State Department’s first edition report on landmines, <i>Hidden Killers</i> , sparks worldwide interest.		United States completes destruction of over 3.3 million of its non-self-destructing antipersonnel landmines, keeping only enough for the defense of South Korea and for training and research. United States joins with other donor nations to form Mine Action Support Group.
Sept 1994	UN General Assembly adopts President Clinton’s resolution to strive for complete APL elimination.	Mar 1999	The <i>Ottawa Treaty</i> enters into force.
1995	Formal negotiations begin to amend the 1980 CCW governing use of APLs.		United States removes its last permanent minefield at U.S. Naval Base at Guantanamo, Cuba, and ratifies the Amended Mines Protocol to the Convention on Certain Conventional Weapons.
Jan 1996	United States and fifty-one states sign Protocols amending CCW to strengthen rules governing APL use, but Protocols do not call for an outright APL ban.	Sept 1999	Conference on Disarmament ends with no progress on landmines or other issues.
Oct 1996	Canada’s Foreign Minister, Mr. Axworthy, initiates the Ottawa Process.	May 2001	Eight retired U.S. general/flag officers write letter to President Bush urging him to join the <i>Ottawa Treaty</i> .
Dec 1996	UN votes 156–0 for U.S. initiative to negotiate a ban on all APLs “as soon as possible.”	Aug 2001	Bush administration signals reservations about U.S. APL policy and initiates a review.
Sept 1997	President Clinton announces United States will <i>not</i> sign <i>Ottawa</i>	Nov 2001	Army cancels funding of program to develop alternatives for “dumb” APLs; Pentagon

	proposes cancellation of program to develop alternatives for FASCAM mixed-mine systems.		landmines that cease to be a threat after battle.
Dec 2001	124 members of Congress write letter to President Bush urging him to support APL ban.	2005	U.S. ban on nondetectable APLs and antivehicle mines goes into effect.
Feb 2004	United States launches new landmine policy, committing to never use "persistent" APLs or antivehicle mines after 2010, not to use nondetectable mines after 2004, to seek a worldwide ban on the sale of such mines, and to continue research and development on self-destructing/self-activating	2006	United States and 24 other countries declare their intention to adopt humanitarian practices related to antivehicle mines, including not using particular types of such mines outside perimeter-marked areas, as well as requirements concerning detectability, self-destruction, self-neutralization, and deactivation of antivehicle mines.



## Notes

1. President Clinton, 17 September 1997, transcript of remarks given upon announcing landmine policy, White House, Washington, D.C., Office of the Press Secretary, daily press releases, 17 September 1997. Several Presidential Decision Directives cover the actual policy; the most critical one for DoD and arms control is PDD 64.
2. U.S. State Department, "Fact Sheet: U.S. Government Humanitarian Demining Program," issued 20 May 1998, <http://usinfo.state.gov/journals/itps/0798/ijpe/pj38lmfx.htm> (accessed 3 January 2002).
3. U.S. Department of State, *Hidden Killers: The Global Landmine Crisis* (Washington, D.C.: September 1998), <http://www.state.gov/global/arms/rpt-9809> (accessed 26 October 1998).
4. Kofi Annan, "At Last, a Court to Deter Despots and Defend Victims," *International Herald Tribune*, 28 July 1998, as published in the *Early Bird*, 28 July 1998, page 11. Mr. Annan makes the point through relating a quote from the famous Roman lawyer and scholar Cicero, who declared that "in the midst of war, law stands mute." Another secretary-general of the UN, Boutros Boutros-Ghali, makes much of the same argument in his September 1994 article in *Foreign Affairs*. An effective treatment of many of the legal aspects is covered in chapter 6 of the book *The Technology of Killing: A Military and Political History of Antipersonnel Weapons*, ISBN 1 85649 357.
5. Mark Hitzney, *Background Paper on APL Control Measure* (Alexandria, VA: Defense Special Weapons Agency, report prepared under contract DSWA001-96-G-0061), May 1998, 1.
6. U.S. Department of State, "Fact Sheet: U.S. Government Humanitarian Demining Program," *U.S. Foreign Policy Agenda* (Washington, D.C.: U.S.IA, July 1998; issued by DoS 20 May 1998), <http://usinfo.state.gov/journals/itps/0798/ijpe/pj38lmfx.htm> (accessed 3 January 2002).
7. On 24 May 1999 the Senate finally ratified the Amended Protocols. President Clinton took this opportunity to again recognize Senator Leahy and others. White House, Washington, D.C., Office of the Press Secretary. An executive summary and the text of the CCW can be found at <http://acq.osd.mil/treaties>.
8. Anthony Depalma, "As U.S. Looks on, 122 Nations Agree to Landmine Ban," *New York Times*, 4 December 1997, 1–2.
9. Conference on Disarmament, *Disarmament Diplomacy*, no. 59, July–August 2001, <http://www.acronym.org.uk/dd/dd59/59cd.htm> (accessed 3 January 2002).
10. International Campaign to Ban Landmines, "Temptative Statutes to Register ICBL in France," <http://www.icbl.com> (accessed 27 May 1998).
11. Jody Williams, speech presented at St. George's School, Middletown, Rhode Island, 23 October 1998, author's notes.
12. Ibid.
13. Robert Mueller, interviewed by Colonel Sullivan, VVAF Headquarters, Washington, D.C., July 1998; Colonel Sullivan's notes.
14. Unless otherwise indicated and cited, information regarding the NGOs represents paraphrased material based on interviews conducted by Colonel Sullivan during research for his case study in July 1998.
15. Stuart Maslen and Peter Herby, "An International Ban on Anti-personnel Mines; History and Negotiation of the 'Ottawa Treaty,'" *International Review of the Red Cross*, No. 325, 31 December 1998, 693–713.
16. Vietnam Veterans of America Foundation, "Lloyd Axworthy Receives Senator Patrick J. Leahy Humanitarian Award," 1 December 2000, [http://vvaf.org/media/pr\\_120100.shtml](http://vvaf.org/media/pr_120100.shtml) (accessed 10 January 2002).
17. Unless otherwise indicated and cited, information regarding the internal DoD perspectives represents paraphrased material based on interviews with officers in the Pentagon while conducting research for this case study during July 1998.
18. Human Rights Watch press release, "U.S.: Pentagon Mine Policy Rollback," 21 November 2001, Washington, D.C., <http://www.hrw.org/press/2001/11/usmines1121.htm> (accessed 2 January 2002).
19. See note 17.

20. U.S. Department of State, "Nonproliferation, Anti-terrorism, Demining and Related Programs (NADR) Funds for Humanitarian Demining Programs," Bureau of Political-Military Affairs Fact Sheet, 2 January 2002, <http://www.state.gov/t/pm/rls/fs/2002/index.cfm?docid=7010> (accessed 10 January 2002).
21. U.S. Department of State, *Hidden Killers 2001—The World's Landmine Problem* (Washington, D.C.: undated), <http://www.state.gov/t/pm/rls/rpt/2001/index.cfm?docid=6961> (accessed 10 January 2002).
22. DC Comics, "Superman and Wonder Woman: The Hidden Killers," New York, 1998. This comic book has been translated into languages for use in Central America and Bosnia. Copies of the English and Spanish versions are in the author's possession.
23. Canadian Press, "Russia Sees Continuing Need for Land-Mines," *Ottawa Citizen*, 30 May 1998, as published in the *Early Bird*, 2 June 1999, page 8. Interestingly enough, even with the animosity between the ICBL and the U.S. government, Ms. Williams and a representative of the Canadian government went to Russia to attempt to have that government renounce the use of landmines and join the international community's legal venues for their control.
24. Steve Goose, interviewed by Colonel Sullivan, Human Rights Watch Headquarters, Washington, D.C., July 1998; Colonel Sullivan's notes.
25. Patrick Leahy, "Facts: Anti-Landmine Chronology," available on Senator Leahy's web site at <http://leahy.senate.gov/text/issues/landmines/facts.html> (accessed 3 January 2002).
26. Lieutenant General Robert G. Gard, Jr., (USA, ret.), *Alternatives to Antipersonnel Landmines*, (VVAF Publications, Spring 1999), <http://vvaf.org/gard.shtml> (accessed 10 January 2002).
27. Tim Reiser, congressional staffer for Senator Leahy, interviewed by Colonel Ed Sullivan, Middletown, Rhode Island, July 1998, author's notes. Mr. Reiser offers that Senator Leahy was a critical influence in shaping Mr. Clinton's perspective on landmines, and that he also has had a continuing impact on DoD, where he feels they have been slow to respond to the landmine crisis. Similarly he also feels Senator Leahy impacted Mr. Berger's policy direction on the issue. Evidence of this is the exchange of letters between the two that shows the Senator's influence in having President Clinton publicly state that the United States is in favor now of signing the *Ottawa Treaty*.
28. G. E. Willis, "Defense vs. Offense Landmines," *Army Times*, 15 June 1998, 12. Underestimating the impact of Princess Diana for the ICBL would miss one of the critical cognitive and emotional impacts to this case. The information on Queen Noor comes from a series of e-mails Colonel Sullivan had with her press secretary's office, September 1998.
29. Norman Kempster, "U.S. Cools Toward Land Mine Phase-Out Plan," *Los Angeles Times*, 3 August 2001, [http://www.banminesusa.org/news/988\\_administration.html](http://www.banminesusa.org/news/988_administration.html) (accessed 2 January 2002).
30. Somini Sengupta, "India's Land Mines, A Bitter Harvest for Farmers," *New York Times*, 4 January 2002, as published in the *Early Bird*, 4 January 2002.
31. U.S. Department of State Press Release, "New U.S. Landmines Official Appointed," (M2 Communications, 10 December 2001), <http://www.banminesusa.org/news/977.htm> (accessed 3 January 2002).
32. Human Rights Watch press release, "U.S.: Pentagon Mine Policy Rollback," 21 November 2001, <http://www.hrw.org/press/2001/11/usmines1121.htm> (accessed 2 January 2002).
33. Ban Mines U.S.A., "Action Alert! Make the Military Argument!" [http://www.banminesusa.org/urg\\_act/990\\_generalsltr.html](http://www.banminesusa.org/urg_act/990_generalsltr.html) (accessed 2 January 2002).
34. Ban Mines U.S.A., "Defense Department Asks President Bush to Abandon Efforts to Ban Landmines; 124 Members of Congress Send Letter to the President Urging him to Give Up the Weapon!" [http://www.banminesusa.org/news/975\\_letter.htm](http://www.banminesusa.org/news/975_letter.htm) (accessed 2 January 2002).
35. U.S. State Department, "Fact Sheet: Landmine Policy White Paper," issued 27 February 2004, <http://www.state.gov/t/pm/rls/fs/30047.htm> (accessed 4 March 2007).

36. International Campaign to Ban Landmines, "States Parties," <http://www.icbl.org/layout/set/print/layout/set/print/content/view/full/76> (accessed 2 March 2007).
37. Kofi Annan, "The New Diplomacy," *Policy Review*, Hoover Institution, December 2002 and January 2003, page 5. Mr.

Annan makes the quote after the author, David Davenport, mentions that ironically, the landmines treaty entered into force without the support of nations representing over half of the world's population. Nevertheless, both the result and the process were widely lauded.



## Kosovo

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ANDREW L. STIGLER

**C**ommander Neil McCauley had hardly arrived at his office when the phone rang. It was General Fogarty's aide, informing McCauley that the general was asking for him and could McCauley stop by at his earliest convenience. McCauley promptly left his Pentagon cube and headed for E-ring. He had recently been assigned to the Joint Staff, and was still getting the swing of things. This was his first time in with his new boss.

On arrival, the general's executive assistant (EA) sent him in. They exchanged a few brisk pleasantries, and then the general got to the point. "Commander, we've been called on by the secretary to assist with some research on coercive strategies. I hear it's got something to do with NSC preparations for a possible approach to North Korea.

"To be specific," the general continued, "I need you to take a look at two of the key decisions involved in Operation Allied Force. Specifically, examine the initial decision to use force, and subsequently how the Clinton administration approached the question of whether or not to escalate to a ground operation. This second part is likely to be tougher to pin down. I'm told that you should look at the case broadly, as whatever you come up with may be used in planning for other scenarios as well.

"Pay close attention to how the political heavyweights affected the process. I want to know who took what side. We need to try to understand their perspectives and influence even if we only have access to incomplete information. I've arranged three people for you to interview who should be able to help you out, two at DoD and one at State. Good luck." The general handed McCauley a folder with contact info and background material.

McCauley left and returned to his office. The first name on the general's list was Richard Meyers, a former foreign service officer with the Political-Military Affairs Bureau of the Clinton State Department. Meyers was now working as the assistant deputy to the Chief of Staff at State. McCauley had assumed that it would be fruitless to try to get ahold of him in short order, and was surprised when Meyers told McCauley he could open up some time toward the end of that afternoon. At 1730, McCauley found himself being ushered into Meyers' slightly cramped but well-appointed office at Foggy Bottom. Meyers wasted no time.

"Everyone had known long before March 1999 that Kosovo was a potential flashpoint. As a province of Yugoslavia, it had been granted semiautonomous status for much of the Cold War. But as in so many other parts of Eastern Europe, the end of the Cold War seriously unsettled things. In 1989, Kosovo 'teetered on the edge of secession and open revolt.'<sup>1</sup> There

were op-eds appearing as early as 1993 warning of the possibility of instability spreading to Kosovo.<sup>2</sup> It was hard to be proactive, though, when there were so many other matters in the Balkans that needed our attention.

“The main Kosovar resistance organization, the Kosovo Liberation Army [KLA], emerged in 1996 when it conducted a series of bombings in the province.<sup>3</sup> Yugoslav President Slobodan Milosevic decided to crack down on the KLA in early 1998, and things started to heat up. At that time, the CIA predicted a major crackdown was in the offing. On February 28, 1998, two dozen ethnic Albanians were killed in Central Kosovo.<sup>4</sup> A U.S. reaction of some kind was needed.

“Secretary Albright was in the lead on this one. She made a number of strong statements, remarking at one time that ‘History is watching us. In this very room our predecessors delayed as Bosnia burned, and history will not be kind to us if we do the same.’<sup>5</sup> Some people have called this ‘Albright’s War.’ There’s a fair amount of substance to the argument that she was a major factor in the policy decision, but it’s worth exploring why for a minute. It’s often believed that those of us in State didn’t have much say in determining when the United States will employ military force, at least compared to individuals with Defense Department responsibilities. There were, however, some unusual elements to the Kosovo situation that may have given Albright additional influence.

“First off, State was in the unusual situation of *promoting* the use of military force. If the diplomats believe that concrete military threats are necessary in a situation, that means they don’t expect diplomacy alone to work—a position that does not bode well for purely diplomatic options. It’s similar to having the DoD tell you that military force will not get you what you want—politicians pay attention when those in charge of a particular national security tool say that their tool alone cannot do the job.

“Second, there were reasons to believe that Milosevic would have little interest in continuing his actions against the Kosovars in the face of a unified NATO. The KLA was a major nuisance to Belgrade, but not a real threat. Remember, Richard Holbrook’s book had just come out in 1998,<sup>6</sup> arguing that it was NATO airstrikes that convinced Milosevic to sign the Dayton Accords back in November of 1995. Dayton, in turn, had led to a fairly stable political arrangement between Bosnian Serbs, Croats, and Muslims. General Clark was of a similar mind, later writing that ‘the NATO limited strikes [had] worked so well in Bosnia in August 1995.’<sup>7</sup> You mentioned you’re talking to LTC Vincent Hanna?”

“He’s next on my list, yes,” McCauley said.

“I’ll let him cover the choice of military strategy,” Meyers continued. “We’ve probably got different perspectives, but you should certainly get his cut on it. Suffice it to say that there were reasons to hope that air power would work. And, ultimately, very little reason to believe it would make the situation worse. But Milosevic responded in ways that made no sense, and only worsened his situation. He should have recognized that escalating against the Kosovar Albanians would not serve him well in the long run, because it would force NATO to insist that the situation be reversed.<sup>8</sup> Even if air power was not guaranteed to get

us everything, there was little reason to believe that it would lead to such a deterioration of the situation.

“It’s also worth considering Clinton’s relationship to the military. His effort to allow gays to serve openly, one that he had pursued early in his first administration, started the relationship off on a pretty bad foot. His lack of a military record, and the fact that he was replacing a president who had both fought in World War II and won the 1991 Gulf War, didn’t help either. As a reporter put it toward the close of his presidency, Clinton’s own foreign policy advisors conceded that he was “a president unwilling to exercise full authority over military commanders.”<sup>9</sup>

“In early 1998, there was little indication that the highest reaches of U.S. government (aside from the State Department) were inclined to seriously contemplate that use of force in Kosovo. As long as things were fairly quiet, Kosovo was off the ‘to-do’ list. Albright’s own memoirs offer an example of the resistance that the State Department met in its early suggestions that Clinton take a hard-line approach. As National Security Advisor Samuel ‘Sandy’ Berger put it in April 1998, ‘It’s irresponsible to keep making threatening statements outside of some coherent plan. The way you people at the State Department talk about bombing, you sound like lunatics.’<sup>10</sup>

“American special envoy Richard Holbrook had been sent to the region in May 1998 to try to convince the Serbs to back off and to foster discussions between the Kosovars and Serbs. Progress was limited; it proved extremely difficult to even get an agreement between the KLA and other Albanian leaders as to who would be on their negotiating team. Holbrooke, like Albright, thought that military action could be necessary to resolve the situation. It seemed that diplomacy was not likely to save the day.

“The situation in Kosovo continued to deteriorate, though not dramatically. Regardless, the Europeans felt that they had been too slow to involve NATO in previous Balkan crises, and were resolved to get some sort of military threat on the table sooner rather than later. In June 1998, they undertook an air exercise and a series of preparations for military action. Many people, including the chairman of the NATO Military Committee, General Klaus Naumann, felt that Milosevic came to the conclusion that NATO was only bluffing.<sup>11</sup> And numerous Western officials thought that Milosevic was right on that score.

“Then, in July 1998, the KLA made the mistake of launching an offensive, a limited operation that Albright called ‘a disaster.’<sup>12</sup> The Serbs went after the Kosovars again—hard. By late August, about one hundred thousand Kosovars had been forced to flee their homes, and many of Kosovo’s villages had been turned into ghost towns. On September 23, the UN passed Resolution 1199, stipulating the Serb government should end its brutal treatment of the Kosovars, let them return to their homes, and enter into meaningful dialogue to try to end the crisis. The resolution had no teeth, but this was because no one had tried to give it any—it was assumed that the Russians wouldn’t let a resolution authorizing force to go forward.

“There was a massacre at Gornji Obrinje on September 29, 1998. This was a particularly nasty event, involving the murder of twenty-one women, children, and elderly citizens,

including a seven-month pregnant woman whose belly was slit open. The international media did an effective job of publicizing the massacre. Berger found this event particularly appalling, and called it a breach of the 'atrocities threshold.'<sup>13</sup> He was now leaning more in favor of a forceful response.

"Why didn't we take action then and there?" Neil asked.

Meyers smiled. "It's worth keeping in mind how difficult it is to determine when it's appropriate to use force in these situations. These things unfold gradually, and you can't really say 'Five more atrocities and I'm going to do something.' That takes matters out of your hands, and commits you to action at a time you cannot control. Politicians aren't keen to make such commitments. And there are disadvantages to publicizing your 'atrocities threshold' even if you have one, since that just gives the bad guys an incentive to do everything just short of the line you've drawn in the sand. As a result, any decision to act is going to look arbitrary in retrospect. This is one of the things that makes military action in defense of human rights both hard to justify and hard to get rolling.

"On October 8, Albright and Holbrooke met with Alliance representatives and generally agreed that the threat of force would be necessary. Now the European members of the Contact Group, members such as France and Germany who had been leery of pressing the Russians on the issue, were willing to put serious diplomatic heat on Russian Foreign Minister Igor Ivanov.<sup>14</sup>

"But even this attempt to convince the Russians to support a UN Security Council resolution failed. As a result, the enlarged circle of Europeans who supported action understood that such action would have to be taken outside of the UN. Clinton became willing to make more concrete threats, and sent special envoy Richard Holbrooke back to talk to Milosevic. Holbrooke had met with Milosevic a number of times in previous years, and the two men had established a working relationship. Holbrooke could make no headway, however, at one point reporting to Albright that "This guy is not taking us seriously."<sup>15</sup> Only when NATO publicly issued activation orders for airstrikes (which would be executed only after ninety-six hours had passed) did Milosevic come around and agree to let two thousand European monitors in to guarantee Yugoslavia's compliance with UN resolutions regarding Kosovo. It seemed as if a serious but not imminent risk of military action had gotten Milosevic to change his position. But any appearance that NATO had decided that the situation merited the use of force is deceptive; Holbrooke convinced his fellow NATO members to approve the activation orders [ACTORD] only by assuring them that such a move would get Milosevic to change his mind.

"The monitoring agreement was flawed, however. It wasn't clear exactly what the European monitors were supposed to verify. Did Kosovo need to be perfectly quiet, or just something close? If atrocities occurred, would the monitors investigate? Additionally, there was no NATO force on the ground to make it clear what the repercussions would be if the Serbs violated the agreement. The fragile truce that Holbrooke had brokered gradually deteriorated, and by December 24 the Serbs were sufficiently emboldened to launch a major new

offensive. As William Walker, the American diplomat in charge of the monitoring mission put it, ‘If the two sides are unwilling to live up to their agreements, 2,000, 3,000 or 4,000 unarmed verifiers cannot frustrate their attempts to go after each other.’<sup>16</sup>

“Worse was to come. On January 15, Serb soldiers attacked the Kosovar village of Racak, slaughtering at least forty-five people. U.S. Ambassador William Walker called the scene an ‘unspeakable atrocity’ and ‘a crime against humanity.’<sup>17</sup> This was enough to put some momentum behind the effort to make a serious threat of American force. Though some of the NSC principals—most notably Secretary of Defense William Cohen and CJCS Hugh Shelton—still wanted to avoid escalation, it was clear that the current arrangement in Kosovo was gradually falling apart. The timing of the Yugoslav attack was especially poor—Racak was discovered just hours after a meeting of the NSC principals, a meeting in which Defense Department officials had expressed optimism that the situation in Kosovo would improve.

“Albright and her chief aides at the State Department spent the next few days developing a strategy for delivering a final ultimatum to Milosevic and, if this was not successful, executing NATO’s standing orders to commence a phased air campaign. With Berger’s change of heart and the lack of a viable policy alternative from those who were still opposed to the use of force, the way had been cleared for generating a serious threat to use military force. On January 19, Albright convinced the rest of the NSC that it was time to commit the United States to a serious NATO air campaign if Milosevic did not amend his ways.

“Then another piece fell partway into place. On a trip to Moscow, Albright took in a production of *La Traviata* with Foreign Minister Ivanov. During an intermission, Albright brought up Kosovo. She pointed out that the United States and Russia would be unable to cooperate on a ‘whole range of issues’ if the situation in Kosovo were not resolved. ‘We can’t let this happen,’ Albright said. Ivanov listened to Albright’s arguments, and then replied that ‘Russia will never agree to air strikes against the Serbs.’ All the same, Ivanov said, Russia ‘share[s] your desire for a political settlement, and perhaps the threat of force is needed to achieve that. I do not see why we cannot try to work together.’<sup>18</sup>

“This admittedly vague Russian endorsement of NATO’s position was used to convince the Serbs to agree to peace talks that were held the next month. Negotiations were opened on February 6 at Rambouillet in France, and after a number of obstacles were surmounted, the Kosovar Albanians signed the proposed settlement. This settlement allowed for a three-year interim period, during which hostilities would be ended and Kosovo would be allowed considerable latitude for self-government. After the Kosovar delegation signed, the Serbs declined to give their approval. There’s much more that could be said about Rambouillet, but that’s most of what you need to know. It was essentially the outcome that had been expected.

“There is one other element that bears mentioning, since it touches on the other focus of your investigation—the role played by NATO’s ground threat. Some individuals, most notably the Balkan expert Tim Judah, have suggested that the Serbian delegation was not prepared to negotiate at Rambouillet. Judah reports that the Serbs adamantly opposed *any*



foreign forces in Kosovo, and that NATO's demands in Kosovo 'could certainly have been whittled down significantly' if the Serbs had adopted a more flexible diplomatic approach.<sup>19</sup>

"To my mind, this could be important, because it gives us some insight into what led to Milosevic's decision to give in. Some people say that the offer the Serbs accepted on June 10 was substantially different from the one they had been offered at Rambouillet, and that this was a major reason for the Serbs' decision to concede. If so, this would undercut the role played by both the air campaign and the ground threat, since it would mean that NATO altered its demands to a limited extent. But even if the final treaty that ended the conflict was significantly different from what was negotiated at Rambouillet, it's hard to say that the Serbs were fighting the war for those changes.<sup>20</sup> If they had been, why didn't they try harder to achieve their aims at the negotiating table?

"It was becoming clear to everyone involved that diplomacy was all but exhausted. At a foreign policy meeting on March 19, President Clinton summed up his perspective.

Look, let's remember the purpose of using force to stop Milosevic-style thuggery once and for all. There's no guarantee it will succeed, but the alternatives are worse. If we don't respond now, we'll have to respond later, perhaps in Macedonia, maybe in Bosnia. Milosevic has picked this fight. We can't allow him to win. . . . In dealing with aggressors in the Balkans, hesitation is a license to kill.<sup>21</sup>

"Richard Holbrook led a group to Belgrade in a final effort to get Milosevic to change his mind, but this failed on March 23. NATO commenced bombing on the following day."

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McCauley then arranged a telephone interview with COL Vincent Hanna (USMC). Neil placed the call late that evening, in order to catch Hanna at a reasonable hour. Hanna had been a NATO military aide in Brussels during the war, and was now the G-5 (responsible for developing and updating plans) for III MEF in Okinawa. "I can certainly give you my personal perspective on the United States' negotiating strategy and the threat of air strikes," Hanna said after McCauley had introduced himself. "Ultimately, it was a strategy that relied on coercive diplomacy. This is not always a bad thing in and of itself. But there are serious risks involved in coercive strategies such as these. Such strategies depend on defeating the enemy's willingness to resist, and it is very difficult to gauge in advance what the enemy's tolerance for pain will be. From my perspective, any number of actors involved in the planning of NATO's strategy could have made more of an effort to recognize its potential shortcomings.

"It's important to consider how the political environment shaped the strategic thinking. Almost everyone involved recognized that it would be impossible to get NATO to agree on the use of ground forces in advance; introducing that topic at the outset could have scared the more reluctant allies, with the effect of taking all military options off the table entirely. Clark clearly perceived this danger.

“And keep in mind, the less-than-warm relationship between Clinton and the military could have had two effects. It could have made the Clinton administration less likely to confront the Joint Chiefs, since Clinton knew he had little leverage to change their minds. But it could also mean that the Chiefs had less influence on policy decisions, since the administration knows the military doesn’t completely trust the president’s leadership. Bad relations between branches of government can cut in one of two ways—you can become either less likely to disagree with the other agency, or more likely to ignore it.

“GEN Clark recognized that the air campaign could lead to a debacle. It’s worth considering his words on the situation:

In Clausewitz’s *On War*, there is a crucial passage in which Clausewitz writes that ‘No one in his right mind would, or ought to, begin a war if he didn’t know how to finish it.’ . . . But in practice, this proved to be an unreasonable standard. In dealing with complex military-diplomatic situations, the assertion of power itself changed the options. And trying to think through the problem to its conclusions in military terms always drove one to ‘worst-case’ analysis. Had we done this in Bosnia, we could well have talked ourselves out of participating in any agreement. No doubt, I thought, someone could easily imagine the situation in Kosovo turning into a military quagmire like Vietnam—all one had to do was assume the worst at every step along the way. While it was well to see the risks, some of the risks would have to be discounted by common sense. Others would have to be faced if they become more likely.<sup>22</sup>

“Clark had a point. If you focus on worst-case planning, you can talk yourself out of anything except the use of decisive force. Limited uses of force have their virtues, and are even necessary in some situations. The effort to find Osama bin Laden is such an example of limited force; it is limited because the political environment in which the operation is taking place (the border region shared by Afghanistan and Pakistan) is not amenable to an all-out U.S. military operation.

“Basically, people were optimistic that air power alone could do the job. A number of high-level U.S. officials believed that there was a less than 25 percent chance that Milosevic would be able to withstand a short bombing campaign.<sup>23</sup> It’s been publicly revealed that President Clinton, Berger, and Albright were optimistic about the effect of a brief but sustained bombing campaign.<sup>24</sup> Albright believed that Milosevic would cave, and that threats of action were necessary because Milosevic ‘only understands the language of force.’<sup>25</sup> When you think of the military power at the command of NATO, it wasn’t hard to see why Clinton thought that the Serbs would change their mind.

“There were a number of bad signs, however. Diplomats who dealt with Milosevic near the end of negotiations described him as having a ‘bunker mentality.’ Apparently his advisors had told him that it would be possible to finish off the KLA once and for all if the Yugoslav army put forth a maximum effort, and that this could be done in several days.<sup>26</sup> In this scenario, the start of bombing was a signal to the Serbs to ramp up their military operations, instead of warning them to scale back as the Allies had hoped.

“Ultimately, however, after seventy-eight days of bombing and the threat of escalating to a ground war, Milosevic capitulated. The Russians decided that things were getting unpleasant, and in early June they told Milosevic that they could no longer support him. You may have reservations about NATO’s strategy, but it was ultimately successful at very low cost, even if it wasn’t pretty to watch.”

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The next morning, McCauley went to talk to LTC (ret.) Mark Gable. Gable had served in Political-Military Affairs at State at the time, and was now retired and living in Alexandria. General Fogarty had said that Gable was considered a bit of an expert on the ground threat, and could offer McCauley both sides of the issue.

“General Fogarty tells me you’ve gotten the background on how the war played out,” Gable said. McCauley nodded, and Gable continued. “I’ve always been interested in the role of the ground threat myself, since it raises an important issue—had Clinton decided to move up to a ground war?”

“From the start, Clinton thought that the U.S. public wouldn’t tolerate a ground war in Europe, at least not over these stakes. Cohen summed it up in testimony to Congress during the air campaign. As he explained:

At the time [during diplomatic efforts to resolve the crisis], you may recall there was a great disconnect up here on Capitol Hill. If I had come to you at that time and requested authorization to put a ground force in—U.S., unilaterally, acting alone—I can imagine the nature of the questions I would have received. You’d say ‘Well, No. 1, where are our allies? And No. 2, who’s going to appropriate the money? No. 3, how long do you intend to be there? How many? How long? How much? And what’s the exit strategy?’ . . . And that would have been the extent of the debate and probably would have received an overwhelming rejection from the committee.<sup>27</sup>

“As the air campaign unfolded, it wasn’t hard to see why both NATO and administration officials were reluctant to issue open threats.

“By most accounts, the idea of a ground war received considerably more resistance from the senior commanders than had the initial decision to start the air campaign. It’s one thing for the Department of Defense to acquiesce to a limited use of air power; a ground war in Europe, however, is another matter entirely. Clark was in favor of generating a sincere ground threat, and he believed that is was one of the reasons we won the war.<sup>28</sup> Certainly many well-informed analysts of national security affairs felt that NATO had waded in pretty far after dropping bombs for over two months, and if it took a ground campaign to win the war, then that was the way it would have to go. The future of NATO was on the line, and alliances like NATO don’t grow on trees.”

“What was Secretary Cohen’s position?” Neil asked.

“Cohen apparently thought an invasion was a bad idea,” Gable replied. “After the war, he gave an interview in which he discussed why he was not eager to mount a ground campaign.

It became clear to me that [a ground war] was going to be a very hard sell, if not impossible [sic], to persuade the American people that we were going to put up 150,000 or 200,000 American troops to go in on the ground. . . . The chiefs were split [as well]. There was strong opposition within the ranks as such. If you look at the terrain, you can understand why. I have seen it, and I think it would have been a very difficult campaign. There were bridges [which] could have been dropped, with Milosevic’s forces up in the hills just zeroing down on our forces. There could have been substantial casualties. And if we had started to suffer substantial casualties, I am convinced it would have turned into quite a contentious issue up on the Hill. . . . It was never a close call in getting a consensus to put land forces in. There may have been one or two countries that said they’d be supportive. But out of 19 total, I doubt very much whether we could have gotten consensus. I’m convinced we could not have. . . . I think it’s easy to sit on the sidelines and say, if only we had led, they would have followed. But none of those people were part of these conversations. We found strong opposition. . . . It would have been very difficult to get the support of countries that were under enormous domestic pressure to not even participate in any way in Kosovo. . . . Those who said if we had only led . . . fail to appreciate the intensity of the opposition within those countries.<sup>29</sup>

“By the end of the war, was President Clinton ready to send U.S. troops into Kosovo to finish the job? Right after the bombing ended, he gave an interview to Jim Lehrer during which he said that he believed that Milosevic surrendered in part because the Serbs believed a NATO ground operation was inevitable.<sup>30</sup> During the war, however, the president felt he could go no further than making statements such as ‘we have not and will not take any option off the table.’<sup>31</sup> If this was a signal to Milosevic that he should expect ground forces to be used, it was a pretty vague one.

“If Clinton was willing to escalate to a ground war, why didn’t he openly make that threat? A serious and unmistakable statement from Clinton that the United States was prepared to use ground troops might well be what was needed to get Milosevic to reconsider whether further resistance was in his interests. When you think of the human, political, and economic costs that a ground war would entail, it’s hard to believe that Clinton wouldn’t throw out an unmistakable threat in an attempt to avoid those costs.

“It’s worth considering how difficult it is to figure out what politicians actually planned to do at the time. Keep in mind the fact that everyone had expected this to be a short conflict. When it went on far longer than expected, the Clinton administration came under intense criticism for getting the United States and NATO embroiled in a war that it had no sure way to win cheaply. Then the air campaign turned into a win—contrary to the expectations of many—at the same time that there were *some* signs that the president was trying to warm up the invasion threat.

“There was a clear political motive for administration officials to suggest, after the fact, that they were ready to invade if necessary. If the United States was prepared to invade, then the win in Kosovo would seem like less a matter of luck and more the result of the administration’s determination to do whatever was necessary to see the struggle through to the end. These motives would be shared by any president in a similar position. Secretary Cohen’s statement, on the other hand, sounds a bit more credible, since it cuts against those incentives.

“The alliance had frequently indicated that this June 15 was the deadline to start preparations in order to execute the operation before the onset of winter. At the time Milosevic gave in, not only were the resources in the theater woefully inadequate for such an operation, there was no indication that additional troops and equipment were in the pipeline.<sup>32</sup> If NATO and the U.S. Congress were reluctant to support a ground operation before the deadline, they would be even less likely to be in favor if the most opportune time for an invasion had passed. An experienced politician like Clinton would be sure to recognize this.

“Clark was strongly in favor of an invasion; he had even taken some political heat at an early stage for candidly mentioning it to some senators. The service chiefs were apparently against the idea, however. When Clark briefed Shelton on ground options on May 19, he sensed ‘ambivalence’ from the CJCS. Shelton, however, also saw a need ‘to force a [political] decision.’<sup>33</sup> But as late in the game as June 2, Clark was pointedly not invited to a discussion of the ground option at the White House, apparently because of expectations that he would lobby aggressively for a ground campaign.<sup>34</sup>

“Congress was not keen to engage in a ground war. In April, it had voted 249 to 180 to prohibit funding for ground forces unless Clinton put it up to a vote at some future juncture.<sup>35</sup> Polls from the same month showed that a majority of the American public would not support a ground operation if casualties were significant.<sup>36</sup> These were serious considerations for a president that had no military record, and who did not enjoy the warmest of relations with the Pentagon.

“There were risks, of course. A genuine threat to go in on the ground might cost us a significant amount of international support. Many of our NATO allies—Greece, Italy, and Germany in particular—were struggling to maintain support for the air campaign. In Greece, the bombing was opposed by 97 percent of the population;<sup>37</sup> it was hard to imagine that Athens would sign off on an escalation to a ground campaign.

“At the same time,” Gable said, “Berger said that they were going to win the war at all costs. And when you think about it, plinking away with air power over the course of a long winter while refugees are dying of exposure is not the sort of image that any president would want on the Newshour—or in the history books, for that matter. And if you’re Milosevic and you’re not sure what’s in the cards, don’t you want to assume the worst? If the Russians support a UN resolution that authorizes force, then you’re really up the Danube without a paddle. It’s hard to say either way.”

McCauley thanked him and left. He wasn't a fan of having to interpret such an ambivalent situation for his superiors, but that was his job. He returned to his office, and got ready to run off a memo summarizing what he'd picked up on the two decisions.

### Notes

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# Colombia: Mission Impossible?

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## INTRODUCTION

**C**olombia is the fourth-largest country in South America, covering an area of 440,000 square miles, or about the size of Texas, New Mexico, and Arkansas combined. With a population of 42.8 million, it is Latin America's third most populous country after Brazil and Mexico. It is also Latin America's oldest democracy, governed by elected civilian officials for all but six years of military rule since its independence from Spain in 1810.<sup>1</sup> Colombia has historically had one of the most stable economies in Latin America, experiencing sustained economic growth from 1932 to 1997. During the 1980s the country averaged 3.5 percent annual increases in gross domestic product (GDP), and Colombia was the only major Latin American nation that did not have to restructure its foreign debt during what was then known as the "Latin American debt crisis."<sup>2</sup>

Colombia is also one of the largest producers of the world's cocaine and increasing percentages of the world's heroin. It is one of the most violent countries in Latin America. With over twenty thousand annual murders, Colombia has one of the world's highest murder rates.<sup>3</sup> The country has suffered through the hemisphere's longest running leftist guerrilla insurgency, one that is also probably the wealthiest in history thanks in part to drug profits estimated to range from \$400 million to over \$1 billion annually.<sup>4</sup> Opposing the guerrillas are illegal paramilitary groups estimated to be responsible for roughly 70 percent of extrajudicial killings in the country, and a Colombian military assessed to be able to control at most 60 percent of the countryside.<sup>5</sup> Despite these problems, Colombia managed to improve its economy over the last ten years. The estimated unemployment rate at the end of 2005 stood at 10.4 percent, down from 15.2 percent in December of 2002.<sup>6</sup> By 2006, unemployment had dropped to an estimated 11.1 percent.<sup>7</sup>

For President Bush, who promised in his campaign to: "look south, not just as an afterthought but as a fundamental commitment of my presidency," what he sees in Colombia can only be the source of deep concern.<sup>8</sup>

## BACKGROUND

Colombia's political divisions can be traced back to the nation's formation. Followers of Colombia's "founding fathers," Simon Bolivar, the first elected president, and Francisco Santander, first vice president, evolved into rival political parties, the Conservative and Liberal parties, respectively. Throughout most of the country's history, these parties contended



for power, sometimes violently, most notably during the period 1948–1957, known as *La Violencia* [the violence], when as many as three hundred thousand Colombians perished in a bloody civil war.<sup>9</sup> A political power-sharing arrangement known as “the National Front” restored order in 1957, but the legacy of *La Violencia* is alive in Colombia today in the form of armed resistance groups and illegal paramilitary forces that grew out of the numerous militias that participated in the earlier carnage.

The largest armed resistance group in Colombia today is the Revolutionary Armed Forces of Colombia, known by their Spanish acronym, the FARC. The FARC’s leader, Manuel *Tirofijo* [“Sureshot”] Marulanda, has been described as “the world’s oldest living guerrilla.” Nearly eighty years old, Marulanda claims to have formed a small militia with fourteen cousins and brothers in 1949. In 1964 Marulanda emerged as the leader of a coalition of small peasant guerrilla groups that adopted their current name in 1966 and have been continuously under arms ever since. Marulanda did join government-sponsored peace talks in 1984 and later endorsed FARC participation in a left-wing political party *Unión Patriótica* (UP) in the late 1980s. When up to thirty-five hundred UP candidates were murdered by right-wing paramilitaries during violence in the 1989–90 electoral season, mistrust of government peace overtures was instilled in the FARC leadership.<sup>10</sup> While the FARC espouses a Marxist political agenda, many observers claim they are merely organized criminals. In recent years, income from kidnappings, extortion, and drugs has made the FARC possibly the richest guerrilla force in history, enabling purchase of large quantities of arms on the world market. From modest beginnings with as few as three hundred fifty fighters, the FARC now claims as many as twelve thousand combatants. They operate virtually throughout the country, but mostly in rural areas beyond reliable government control. Their largest concentrations are in the southern departments [states] where most of Colombia’s coca is grown and processed. In recent years, the FARC has become a significant target of the U.S. Drug Enforcement Agency and law enforcement officials who believe the FARC is responsible for a large portion of cocaine sales in the United States. To this end, in March of 2006 fifty leaders of the FARC were indicted in the United States for their alleged role in narcotics trafficking in the United States and various human rights violations in Colombia. This was an effort to seriously disrupt FARC narcotics operations and at the time signified the largest indictment in U.S. history involving narcotics trafficking.<sup>11</sup>

The other major guerrilla group is the National Liberation Army, known by their Spanish acronym, the ELN. Formed in 1964 in the north-central department of Santander by radicalized students and Catholic priests, the group follows a Cuban model of guerrilla warfare. This group was nearly eliminated in the late 1960s by the Colombian government, but reemerged in the 1980s under the leadership of Father Manuel Pérez. Although Pérez died from natural causes in 1998, the group remains a potent force. With their proximity to Colombia’s oil fields, a good portion of the ELN’s income is derived from extortion of the major oil companies, and their “signature” terror tactic is blowing up oil pipelines. More than 2.6 million barrels of crude oil have been spilled as a result of these attacks, more than eleven times what was lost in the Exxon Valdez disaster. The attacks represented a serious

economic loss for both the companies and the regional governments, who derive the vast majority of their budgets from oil royalties, and produced what some called an “ecological disaster.”<sup>12</sup> Pipeline attacks declined from a high of 170 attacks in 2001 to 47 in 2004 due in large part to an increase in pipeline security by the Colombian military assisted by U.S. training, intelligence and private contractors. Prior to 2002, the United States had no direct involvement in the protection of Colombia’s oil pipelines and limited its involvement to the war against drugs. With the advent of the global war on terror, Congress lifted previous restrictions on counterinsurgency aid to help Colombia’s fight of rebel organizations as well as to provide aid in the protection of Colombia’s oil pipelines.<sup>13</sup> While this did serve to lessen attacks from 2002 to 2004, 2005 saw an increase to 117 attacks on pipeline infrastructure perhaps in part due to a surge in exploratory wells.<sup>14</sup>

One of the big reasons for FARC/ELN strength and persistence is the drug trade. As cocaine became the U.S. “drug of choice” in the late 1970s, Colombia virtually “cornered the market” for processing and transshipment of the world’s cocaine supply. With effective coca eradication programs in Peru and Bolivia in the mid-to-late-1990s, coca cultivation also moved to Colombia. The FARC seized the opportunity to “tax” the cocaine producers, and according to the U.S. Drug Enforcement Agency, is now directly involved in production and trafficking. It is estimated that at least two thirds of the FARC “fronts” [small localized bands of guerrillas] and one third of the ELN fronts derive income from the drug trade.<sup>15</sup> Ironically, this symbiotic relationship between guerrilla and trafficker may have been enhanced by effective U.S.-Colombian government action in the war on drugs. With the killing of notorious drug kingpin Pablo Escobar in December 1993, and subsequent dismantling of the Cali and Medellín cartels, the Colombian drug industry adapted by decentralizing into hundreds of smaller, loosely connected “mini-cartels.” This made effective targeting and law enforcement more difficult, while facilitating interaction with the rebel resistance groups and Colombia’s other illegal army, the paramilitaries.<sup>16</sup>

The lineage of the illegal “self-defense” forces (as they refer to themselves) or paramilitaries/“paras” (as most U.S. sources name them) can be traced to *La Violencia*, but their current form and functions have been influenced more by recent government counterinsurgency and narco-trafficking. From 1964 to 1987, armed civil defense forces were permitted under Colombian law as an adjunct to the army’s antiguerrilla campaign. Although they were outlawed in 1987, they were openly tolerated until the mid-1990s.

They continue to receive support and tolerance from Colombia’s military, according to both the U.S. State Department and numerous human rights groups. Although former President Pastrana called them “a bigger problem than the FARC,” the human rights groups viewed such pronouncements with suspicion, since the paramilitaries seem to directly support the government battle with the guerrillas.<sup>17</sup> But both narcotics and legitimate businessmen are also contributors to the paras. The rise of the drug cartels was accompanied by purchase of large tracts of land by the drug kingpins. Along with cattlemen, large farmers, and major industries, the drug cartels began forming private armies to protect their holdings. These “paras” now number up to eight thousand and are attempting

to obtain political recognition as a legitimate organization called the United Self-Defense Forces of Colombia, or AUC. At the time, AUC's leader, Carlos Castaño, admitted "taxing" the drug industry for income and said: "the guerrillas are military objects whether they be civilian or uniformed. I know this violates international humanitarian law, but the guerrillas violate humanitarian law all the time."<sup>18</sup> The "signature tactic" of the paras is the "village massacre," where forces occupy a village and suspected relatives or supporters of the guerrillas are publicly slaughtered.<sup>19</sup> Despite this, demobilizations efforts did move forward when current Colombian President, Alvaro Uribe signed the "Justice and Peace Law." The U.S. State Department reported over 14,000 AUC members had demobilized in 2005 under the auspices of this new law which provides some immunity for those who agree to give up their arms and membership in the paramilitary.<sup>20</sup> Many humanitarian groups have voiced outrage in this decision claiming numerous violators of human rights will walk away with nothing more than a slap on the wrist.

The final player in the Colombian carnage is, of course, the military itself. The government security establishment is composed of an army (146,000), a national police force (120,000), an air force (10,000), and a navy (5,000). Despite universal conscription, Colombian law exempts anyone with a high-school education from serving in a combat unit, so the burden of the counterinsurgency campaign has fallen on the lower strata of Colombian society. This provision, the need to defend fixed installations, and the sheer size of the country leave few soldiers to prosecute the counterinsurgency. In 1996–98, the Colombian army suffered highly publicized and embarrassing defeats by the FARC, although more recent campaigns have been successful. The army has long been accused of human rights abuses, but in recent years these claims have decreased dramatically. Traditionally, the Colombian National Police (CNP) were responsible for combating the drug trade, but the army is now assuming a larger, cooperative role in this task as well.<sup>21</sup> Most observers believe that the Colombian security establishment will need substantial assistance, reform, and training if it is to attain control over the countryside and effectively counter the rebels, traffickers, and paramilitaries. As a result, in 2002 President Uribe imposed a significant tax to generate revenue for the expansion of Colombian military forces. It is estimated that the size of the Colombian security establishment had grown to nearly 347,000 by the end of 2005. The force structure consists of 15 army brigades, seven mountain brigades, 54 police squadrons and several thousand foot soldiers.<sup>22</sup>

The war in Colombia can also be seen as a problem for the entire Andean region, and Colombia's eastern neighbor is perhaps most problematic. Venezuela, a founding member of OPEC, boasts the largest petroleum reserves outside the Middle East.<sup>23</sup> Hugo Chávez, a former army officer and unsuccessful coup leader, was elected president of Venezuela in December 1998, again for consecutive six-year terms in 2000 and 2006.<sup>24</sup> He led the effort within OPEC to reduce production to increase oil prices. Venezuela's reduction in production led to relinquishing its status as the largest U.S. petroleum supplier, slipping to its current fourth place behind Canada, Saudi Arabia, and Mexico.<sup>25</sup> Chávez has also "gutted congressional power, dismantled the judiciary, increased the military's role and reduced the power of provincial and local officials."<sup>26</sup>

Chávez' stated desire is to form a new "axis of power" with other nations in the region to counter U.S. influence.<sup>27</sup> He has met with leftist rebels from both the FARC and ELN, and the ELN maintains an office in Caracas.<sup>28</sup> Additionally, his expressions of sympathy for antigovernment forces in Bolivia and Ecuador briefly cooled relations with those nations until leftist presidents were recently elected in both countries.<sup>29</sup> After taking office, Chávez publicly advocated an end to Cuba's isolation and hosted a state visit for Castro.<sup>30</sup> He also negotiated an oil-for-medical-services deal with Cuba, helping to ease the U.S. trade embargo, and was the first international head of state to break the international isolation of Saddam Hussein when he visited the Iraqi leader in August 2000.<sup>31</sup>

Panama's situation is also of concern. The lightly armed Panamanian national police, a legacy of U.S. Operation Just Cause, are no match for heavily armed guerrillas or narco-traffickers. The southern province of Darién has historically been an area of friction, but has recently become more stable. However, smuggling of arms and drugs between Colombia and Panama remains problematic and the region is still an operating area for the FARC and base for drug shipments. Both U.S. and Panamanian officials agree that defending the canal from a determined FARC attack would be problematic, but view that necessity as unlikely, since the current situation is favorable for the guerrillas. If the Colombian government were successful in putting extreme pressure on the FARC within Colombia, there is no assurance that the current calculus regarding the canal would remain benign.<sup>32</sup>

Ecuador is in a similar situation to Panama, and every bit as vulnerable to spillover. Ecuador has the lowest per-capita income of any of Colombia's contiguous neighbors and is in closest proximity to the primary coca growing area in southern Colombia. There have been six Ecuadorian presidents in the past seven years, the current president having won the popular vote in November of 2006. The military is only marginally in control of the country's northern regions, and FARC, narco-traffickers, and Colombian paramilitaries routinely cross the border. The United States currently has a small air base in Manta on Ecuador's northwestern coast as a forward operating area for AWACS surveillance aircraft that were displaced from Howard AFB, Panama, in 1999. That location could be threatened if the conflict in Colombia moves south. As one mayor of a northern village puts it: "If Colombia is going to be another Vietnam . . . Ecuador is going to become the Cambodia of this war."<sup>33</sup> This base has proven to be a vital component in the ongoing drug war as it is estimated that aircraft operating out of Manta are responsible for about 60 percent of all drugs interdicted. However, the future of this base is in jeopardy. The current leftist President Rafael Correa has publicly criticized the Bush administration and stated that the agreement with the United States allowing operations out of Manta will not be renewed in 2009.<sup>34</sup>

Colombia's other neighbors are also potential concerns. The coca eradication successes in Peru and Bolivia are by no means irreversible, and both countries have other internal concerns of their own. Peru seems to be holding off leftist influence with the recent election of Alan Garcia who won against a nationalist candidate backed by Hugo Chavez.<sup>35</sup> Bolivia's former President Banzer, architect of Bolivia's coca eradication success, resigned in August

of 2001 due to poor health, with his vice president to fill the remainder of his term until elections in 2002.<sup>36</sup> Bolivia also took a hard turn to the left with the election of Evo Morales in 2006, a well known ally of Chavez.<sup>37</sup> Brazil is not yet directly threatened by the Colombian war, but the geography of the 1,020-mile border with Colombia makes control of that area problematic. In September 2000, the Brazilian government began a three-year program termed Operation Cobra, increasing military presence and surveillance in the region to avoid spillover effects.<sup>38</sup> This program has continued to operate and in 2005, the United States provided equipment in support of intelligence centers supporting Operation Cobra efforts.<sup>39</sup>

Beyond the state and regional dimensions of the Colombian conundrum, there are hemispheric and global aspects as well. In 1997 at a Summit of the Americas, President Clinton joined the other Western Hemisphere heads of state in calling for a Free Trade Area of the Americas (FTAA) to be established by 2005. President Bush has consistently voiced his strong support of this initiative, which would create the largest free-trade area in the world, encompassing thirty-four countries and 800 million people.<sup>40</sup> Progress in this arena has not been easy with FTAA negotiations stalling in 2004 and have yet to be ratified with the United States as of February 2007.<sup>41</sup>

Colombia's internal terrain and access to both the Atlantic and Pacific oceans makes the country the ideal production and shipment location for cocaine. The United States is still the world's largest user of cocaine, but Europe is developing a taste for the drug at an alarming rate.<sup>42</sup> European cocaine seizures have more than quadrupled in the past decade, and the Office of National Drug Control Policy (ONDCP) estimates that nearly half of Colombia's cocaine is now destined for destinations other than the United States.<sup>43</sup> Thus, Colombia is a serious concern at state, regional, hemispheric, and global levels.

#### **THE ROAD TO *PLAN COLOMBIA***

The U.S. "war" on drugs, originally proclaimed by President Reagan twenty years ago, over the years has increasingly become more like a shooting war in Colombia. A key milestone in the war occurred on 13 July 2000, when President Clinton signed Public Law 106-246. The law, actually the Military Construction Appropriations Act, 2001, contained a large emergency supplemental that was virtually certain to pass in an election year. A portion of the emergency supplemental became known as "Plan Colombia," and provided \$1.3 billion funding for counter-narcotics operations, mostly in Colombia, for FY 2000 and 2001. Depending on the account one chooses to accept, the law was either: 1) the response to a reasoned plea from a respected foreign leader; 2) the skillful manipulation of process by administration policy entrepreneurs; 3) a policy "forced" on a reluctant president by an activist Congress; or 4) an administration initiative to close one last vulnerability in preparation for a presidential election. The truth of the matter is that it was probably all of the above.

U.S. counternarcotics strategy has always had a "supply reduction" component. During the first five years of the Clinton administration, overall funding for national drug control

rose slightly from roughly \$12 billion for FY 1993 to \$15 billion in FY 1997, but the interdiction and international portions of the budget experienced a slight decline (\$2.5 billion to just over \$2 billion).<sup>44</sup> When the rate of twelve- to seventeen-year-old drug use nearly doubled from 5 to 10 percent during the same period, the administration came under attack from a number of critics, who argued the president was overemphasizing domestic law enforcement versus a more balanced program.<sup>45</sup> Among the most vocal critics was Speaker Dennis Hastert, who had chaired an informal group of Republicans termed the “anti-drug task force.” A 25 March 1998 “Issue Brief” published by the House Republican Conference alleged: “The Administration’s response and inattention to this growing national crisis, and the resulting explosion of drug use across the nation, is frightening.”<sup>46</sup> The administration could argue that total illicit drug use by 13.6 million Americans in 1998 was far below the 1979 peak of 25.4 million, but the apparent deterioration in teenage use figures was an unquestionable liability.<sup>47</sup> One congressional staffer later claimed: “Congress compelled the president to submit a meaningful supplemental aid package.”<sup>48</sup>

During the mid-to-late 1990s, the political situation in Colombia also took a disturbing turn. Liberal Party candidate Ernesto Samper was elected president in 1994, and in early 1996 allegations surfaced that the Cali drug cartel had contributed \$6 million to his campaign (among his accusers was Andrés Pastrana, the unsuccessful Conservative Party presidential candidate, who reportedly gave the U.S. Embassy tape recordings of Samper talking with the wife of a drug dealer). Samper was formally charged in February 1996, and President Clinton decertified Colombia as cooperating with counternarcotics efforts. This decertification, which was repeated in 1997, barred Colombia from receiving U.S. foreign aid (but not counternarcotics assistance, so total U.S. funds to Colombia actually *increased* from approximately \$50 million to \$150 million from FY 1996–98).<sup>49</sup> The Colombian Congress absolved Samper in June 1996, but the State Department revoked his visa to travel to the United States in July 1996.<sup>50</sup> While U.S. engagement with Colombia continued, it would take a change in Colombian administrations before any new dramatic initiatives were politically possible.

In 1998, Conservative Party candidate Andrés Pastrana, running on a “peace platform,” won the Colombian presidency. In July 1998, before his inauguration, Pastrana met with FARC and ELN officials and also traveled to Washington to meet with President Clinton and Secretary of State Albright. On 7 August 1998, Pastrana took office; just two days before, the Colombian Army had suffered its worst defeat at the hands of the FARC, losing 150 soldiers to the rebels. The country was also well into its first recession in over fifty years, a recession that would blossom into a 4.3 percent contraction of GDP for 1999.<sup>51</sup> On 6 November 1998, Pastrana agreed to withdraw government forces for ninety days from an area roughly the size of Switzerland in southern Colombia (termed the *despeje* or demilitarized zone, see Figure 1). This created an area in which FARC guerrillas were ostensibly free to assemble while peace talks were being held. Peace talks did not begin until 7 January 1999, and continued with numerous suspensions and resumptions, but little real progress. The deadline for reoccupying the *despeje* had been extended several times and expired in November 2001.<sup>52</sup>

**Figure 1:** Republic of Colombia

Source: BBC News: <http://news.bbc.co.uk/2/hi/americas/1760826.stm>



Pastrana accepted the departure of the defense minister but convinced the officers to remain, promising to increase military pressure on the guerrillas. When the FARC launched a multifront attack with four thousand rebels from the *despeje* in July 1999, the situation in Colombia seemed to be spiraling out of control.<sup>54</sup>

These events spurred an administration policy review by a National Security Council “ExCom” for Colombia. It was at this point that Clinton drug czar, retired general Barry McCaffrey, took the initiative, proposing an additional \$1 billion of funding for Colombia. Not all administration officials were happy with such a grandiose effort, but McCaffrey’s proposal hit at a good time.<sup>55</sup> The economy was booming and budget surplus projections were growing. Congressional Republicans had been criticizing the administration for being “soft on drugs,” and a presidential election was looming just over a year away. The public was not overly concerned with drugs, *per se*, but crime was still running as the number-one noneconomic problem, and the connection between drugs and crime was an easy one to make. Not all administration officials were opposed to increased aid to Colombia. Rand Beers, the assistant secretary of state, International Narcotics and Law Enforcement Affairs (INL), had long argued for increased funding for the Andean region.

In mid-August 1999, Undersecretary of State Thomas Pickering and Beers traveled to Colombia to caution Pastrana that he risked weakening U.S. support if he made any more concessions to the guerrillas. Conversely, if a comprehensive plan could be crafted, the United States might be willing to provide considerably more financial support.<sup>56</sup> For President Pastrana, it was an offer he couldn’t refuse. According to one source, the actual plan was authored by Pastrana’s Chief of Staff Jamie Ruiz, and was completed in a week in English. Ruiz was educated in Kansas and has an American wife, so the use of English is at least plausible, but the fact that the plan was first available in English led both U.S. and

For Pastrana, who had tied the reputation of his administration to the peace negotiations, every suspension of negotiations was a threat to his political credibility (for instance, in August 2000 after negotiation setbacks and FARC attacks, Pastrana’s popularity slipped to 23 percent; it rebounded to 52 percent in February 2001 when talks were resumed).<sup>53</sup> Additionally, Pastrana grew increasingly at odds with his military, who had never favored the creation of the *despeje* in the first place. Things came to a head in May 1999, when Defense Minister Rodrigo Lloreda and two dozen top officers tendered their resignations.

Colombian media to speculate that Pastrana's *Plan Colombia* (see Appendix) was really a U.S. plan forced on a reluctant supplicant.<sup>57</sup> In all, the plan called for spending \$7.5 billion over six years. Four billion dollars were to be provided by Colombia, with the other \$3.5 billion to come from the international community.

The comprehensive breadth of *Plan Colombia* allowed different constituents to view the plan in the way they most preferred. For Colombians, the emphasis on peace and security was attractive, the counternarcotics strategy resonated within the United States, and the peace and social development aspects found a favorable hearing in Europe.<sup>58</sup> While European and international sources were asked to contribute to the plan, actual funding was slow in coming, with Spain ultimately pledging \$100 million, Norway \$70 million, and Japan \$20 million. The European Union (EU) pledged \$332 million in 2000 (including the Spanish contribution).<sup>59</sup> In April 2001, the EU pledged an additional \$304 million. All of the international contributions are earmarked for peace initiatives and social development programs.<sup>60</sup>

Pastrana announced his plan in a speech at the United Nations on 23 September 1999. The plan drew eager endorsement from the Clinton administration, State Department spokesman James Rubin saying:

We applaud the GOC's strategy as an ambitious, but realistic package of mutually reinforcing policies to revive Colombia's drug-ravaged economy, reinforce the democratic pillars of society, advance its peace process, and eliminate "sanctuaries" for narcotics producers and their agents. The U.S. Government will carefully review Colombia's request for international assistance and, in consultation with the Congress, develop proposals on how the U.S. can best assist the GOC.<sup>61</sup>

The United States quickly became an enthusiastic partner in Pastrana's *Plan Colombia*. The plan may not have been actually written by the United States, but the initial direction of the plan was heavily influenced by U.S. policy and politics.

The implementation strategy for the first two years of the plan, *Plan Colombia: Interagency Action Plan*, was a joint U.S.-Colombian effort in which members of the departments of State, Justice, Defense, Commerce, ONDCP, and U.S. Agency for International Development (USAID) participated.<sup>62</sup> This document "operationalized" the initial steps in Plan Colombia and set the key initial strategy of a "push to the south." The southern strategy consisted of CNP, supported by specially trained units of the Colombian Army (COLAR), conducting intensive coca eradication efforts in the southern departments of Putamayo and Caqueta. These eradication efforts were primarily conducted through aerial fumigation with the chemical glyphosate, marketed in the United States as "Roundup." The major U.S. contributions to the plan were the training of three specialized counternarcotics (CN) battalions, provision of helicopters for mobility of these battalions and the CNP (sixteen Blackhawks and fifty-seven Hueys), and direct, contracted support to the aerial fumigation program.<sup>63</sup> While all of Pastrana's reform and social development initiatives were funded to some extent by P.L. 106-246, over 70 percent of the money was devoted to the COLAR and



CNP counternarcotics efforts.<sup>64</sup> All of the U.S. Plan Colombia efforts, however, are carefully crafted to reflect CN and avoid the appearance of direct counterinsurgency (CI), even though the southern departments are the areas of heaviest FARC concentration.

Colombia may be one of the few places in the world where the U.S. State Department does the “fighting” and the Defense Department does the “talking.” U.S. military trainers are specifically prohibited from engaging in combat or situations where combat is imminent. State Department contractors, on the other hand, pilot the sprayers and covering helicopters that do the coca fumigation and occasionally come under fire from narco-traffickers and/or guerrillas. DynCorp began supporting these missions in 1994, and signed a five-year, \$200 million contract with the State Department for the fumigation effort. In addition, Military Professional Resources, Inc. (MPRI) signed a one year \$6 million contract with SOUTHCOM in 2000 to provide military advice and training to the Colombians.<sup>65</sup> This “contracting out” of war raised concern in some circles, but it also reduced risk to the policy. Anne Patterson, the U.S. Ambassador to Colombia at the time stated: “I’m under no illusion what it would mean to have an American shot down here.”<sup>66</sup>

Thus, the counternarcotics thrust of the plan answered a political need in the United States, but also must have been attractive to the COLAR, which was at odds with Pastrana’s peace overtures. The COLAR was more interested in the CI problem, and while the U.S. assistance is specifically prohibited from use for direct CI support, the southern push strategy into Putamayo and Caqueta establishes COLAR presence directly adjacent the FARC *despeje*. The stated relationship between CN and CI operations is that success in the drug war will reduce funds available to the insurgents. Some observers have pointed out that the guerrillas are likely to have built up a sufficient “war chest,” and thus disruption of drug income would have minimal immediate effect on the insurgency. But increased army control of the southern departments would presumably have a desirable counterinsurgency effect.<sup>67</sup> The southern push strategy had thus been termed as “CI disguised as CN.”<sup>68</sup> Even the Clinton administration proponents seemed unclear. Testifying in 1999 before the Senate Caucus on International Narcotics Control, Rand Beers stated: “We have no intention of becoming involved in Colombia’s counterinsurgency, but we do recognize that given the extensive links between Colombia’s guerrilla groups and the narcotics trade, that counternarcotics forces will come into contact with the guerrillas and must be provided with the means to defend themselves.”<sup>69</sup> At this point, chairman Senator Charles Grassley (R-IA) threw up his hands and complained: “We are left with the appearance of a policy of drift and dissembling.”<sup>70</sup> The CN versus CI issue was one of the central arguments of the Plan Colombia debate. Although the post-9/11 environment provided more leeway in U.S. involvement with CI, it continues as one of the most serious questions for U.S. policy in Colombia.

## **THE DEBATE**

President Clinton formally presented his proposal for Colombia to Congress on 11 January 2000.<sup>71</sup> Because Plan Colombia was cast in counternarcotics terms, it engaged the larger constituency of all those interested in U.S. drug policy. From legalization advocates, to increased treatment supporters, to those arguing for drug testing/treatment for inmates and

parolees, many saw Plan Colombia as an unwise diversion of funds and opposed the plan. They could point to the fact that with two million persons in jail, the United States has the highest per-capita prison population in the world (excepting Russia), so law enforcement does not seem to solve the problem. Moreover, many argued that the relatively small cost of producing drugs compared with the tremendous profits they generate dooms supply-reduction efforts to failure.<sup>72</sup>

Objections more specific to the actual plan also arose. Environmental groups such as the World Wildlife Fund cited the “potentially grave environmental impact” of aerial fumigation and compared it to the Agent Orange debacle of Vietnam. Even the United Nations Drug Control Program attacked the spraying as “inhumane” and “ineffective” (aerial eradication efforts in Colombia have been conducted from 1994 onward, and in that time, coca production *increased* dramatically, mostly due to displacement from Peru and Bolivia).<sup>73</sup> Additionally, estimates on cocaine production for 2005 rose significantly due to the discovery of growing areas that previously had not been surveyed.<sup>74</sup> Other countries in the region voiced concerns over “spillover” effects, and many observers asked publicly if the United States had the will to remain engaged for the extended period that was likely necessary.<sup>75</sup> The most strident and compelling objectors to Plan Colombia, however, raised the “human rights” flag and the specter of Vietnam.

The Vietnam analogy was inescapable, but Clinton administration officials denied the applicability. Former SOUTHCOM commander General Charles Wilhelm told senators:

The lieutenants and captains, like me, who struggled and suffered through Vietnam, have become today’s generals. I know that we will speak with one voice in opposing any measures that would . . . risk a repeat . . . of the Vietnam experience. . . . I willingly place a 36-year professional military reputation on the line when I tell you categorically Colombia is not another Vietnam.<sup>76</sup>

The Vietnam analogy was compelling enough that the State Department felt it necessary to distribute a fact sheet entitled: “Why Colombia Is Not the ‘Next Vietnam.’” The paper made seven points including: U.S. troops would only train, not fight; that Colombia had a freely elected government; and that the FARC enjoyed support from fewer than 5 percent of the Colombian population.<sup>77</sup> If not Vietnam, then perhaps El Salvador or Guatemala? A RAND report at the time pointed out that in those two successful counterinsurgencies the guerrillas were at stalemate or defeated when they made peace, but that neither condition applies to the FARC/ELN, and argued that the United States should blend its CN focus with a more active CI role.<sup>78</sup> Another critic suggested that even Desert Storm was an appropriate analogy:

Colombia’s petroleum production today rivals Kuwait’s on the eve of the Gulf War. The United States imports more oil from Colombia and its neighbors Venezuela and Ecuador than from all Persian Gulf countries combined. . . . Stan Goff, a former U.S. Special Forces intelligence sergeant, retired in 1996 from the unit that trains Colombian anti-narcotics battalions [said] Plan Colombia’s purpose is “defending the operations of

Occidental, British Petroleum and Texas Petroleum and securing control of future Colombian fields.<sup>79</sup>

None of the references to past wars, nor the arguments for alternative drug policies, diverted the political juggernaut of the Colombia supplemental, but one interest did alter the plan as enacted.

Human rights organizations such as Human Rights Watch (HRW), Amnesty International (AI), and the Washington Office on Latin America (WOLA), teamed with Colombian human rights groups to stridently oppose the “militaristic approach” of Plan Colombia.<sup>80</sup> They found sympathetic allies in Congress especially Rep. Janice Schakowsky (D-IL), Rep. David Obey (D-WI) and Senators Wellstone (D-MN) and Leahy (D-VT).<sup>81</sup> Partially as a result of rights groups’ lobbying, a cap was put on U.S. military personnel at five hundred and American civilian contractors at three hundred in support of Plan Colombia. In addition, Senator Leahy managed to get six specific human rights certifications written into the law as conditions for release of the aid, and added language requiring:

The Secretary of State shall consult with internationally recognized human rights organizations regarding the Government of Colombia’s progress in meeting the conditions contained in paragraph (1), prior to issuing the certification required under paragraph (1).<sup>82</sup>

As part of the required consultation following passage of P.L.106-246, HRW, AI, and WOLA produced a detailed report documenting Colombian failure to meet the designated human rights conditions. This forced President Clinton to waive the conditions in the interest of national security (as allowed by the law) on 22 August 2000. In the August waiver justification, the president noted that an additional waiver would be required prior to obligation of FY 2001 funds.<sup>83</sup> The three rights groups prepared a similar detailed report for the anticipated January 2001 certification, but shortly before leaving office, Clinton administration lawyers determined no further certification was required.<sup>84</sup> The rights lobby remains an active and engaged force in Colombia policy, but as President Clinton left office, Plan Colombia was on track and the “push to the south” was beginning with an intensive aerial fumigation effort.

#### **ENTER PRESIDENT BUSH**

The new president, who had supported Plan Colombia during the campaign, did indeed seem to “look south” in the early days of his presidency. His first trip outside the United States was a visit to Mexico on 16 February 2001, and by the end of February, official delegations from Colombia, Ecuador, Chile, Brazil, and El Salvador were traveling to Washington to meet the president or his new Secretary of State Colin Powell.<sup>85</sup> In April 2001, the president attended the Summit of the Americas in Quebec, Canada, where he voiced support for both Plan Colombia and the FTAA proposal.

The president also talked of an “Andean Regional Initiative (ARI)” that answered some of the criticism that Plan Colombia was too focused on Colombia and too militaristic. The ARI proposal was for \$882 million in FY 2002 funding, roughly 45 percent going to Colombia and the rest to neighboring nations of Panama, Ecuador, Peru, Bolivia, Brazil, and

Venezuela (even at this level of aid, Colombia remained the third highest recipient of U.S. aid behind Israel and Egypt.) The requested funds were also nearly evenly divided between economic/social development and counternarcotics/security.<sup>86</sup> At an on-the-record State Department briefing of the plan, career civil servants who had also served in the previous administration characterized the policy as a continuation of a balanced strategy begun in 2000. The speakers frankly admitted that Plan Colombia had been weighted toward the military because policy makers had seen the opportunity to obtain the “big ticket” items (helicopters), and that the current, more balanced approach had been their intention all along.<sup>87</sup> There was also a slight change in tone concerning overall drug strategy.

In his senate confirmation hearing on 11 January 2001, Secretary of Defense Rumsfeld said, “I am one who believes that the drug problem is probably overwhelmingly a demand problem.”<sup>88</sup> In later congressional testimony, Secretary Powell echoed these sentiments, noting, “obviously the ultimate solution is demand reduction.”<sup>89</sup> The president himself, during the announcement of his nomination of John Walters as the new drug czar on 10 May 2001, spoke for active supply reduction but noted: “However, the most effective way to reduce the supply of drugs in America is to reduce the demand for drugs in America.”<sup>90</sup> The president’s requested \$19.2 billion for his drug control budget for FY 2002 is an overall increase over the previous year of \$1.1 billion, with the largest single increase being an additional \$1.6 billion for drug treatment.<sup>91</sup> But this new tone did not signal retrenchment from Plan Colombia.

The third of the CN battalions was declared ready by May 2001, and helicopter deliveries continued on schedule. The aerial fumigation program in Putamayo department proceeded apace, with some seventy-five thousand acres sprayed from December to February. There was no significant FARC reaction to the intensified government presence, some said because the illegal paramilitaries had moved into the region in advance of the government forces, acting as a virtual, if not coordinated, vanguard.<sup>92</sup> One police helicopter was shot down on 22 February 2001, and a State Department–contracted helicopter flown by a DynCorp American civilian came under fire during the successful rescue, but no Americans were injured.<sup>93</sup> Residents in northern Ecuador complained that the push south did have some spillover effects, with an estimated 2,100 Colombians fleeing into Ecuador and an increased presence of both FARC and paramilitary fighters.<sup>94</sup> There were also reports that the coca growers were simply moving their operations into neighboring Nariño department, but all in all, the first stages of Plan Colombia seemed to be proceeding smoothly.<sup>95</sup>

On 20 April 2001, the war on drugs claimed two innocent victims in neighboring Peru. American missionary Veronica Bowers and her seven-month old daughter were killed when a Peruvian Air Force plane, operating with a U.S. CIA aircraft, shot down their small private aircraft, mistaking it for a drug smuggler. The shutdown occurred on a routine “Joint Air Bridge Denial” mission, a program that had been in place since 1995 in both Peru and Colombia with no previous civilian casualties. Interception and shoot-down programs in both countries were immediately suspended, and an investigation was completed in August 2001.<sup>96</sup> As a result, additional safety measures were implemented

to clarify procedures and improve communications in order to avoid accidental shootdowns and the program was restarted in August 2003.<sup>97</sup>

There were also increasing complaints and protests of the aerial eradication program during the spring of 2001. Residents of areas being sprayed complained of health problems and destruction of legal cash crops. A Colombian nongovernmental organization (NGO), the Organization of Indian Peoples of the Colombian Amazon, gained a Colombian court-ordered halt to the spraying on 27 July 2001. The suspension was reviewed just days later and overturned, and spraying resumed on 31 July 2001.<sup>98</sup> The same day, however, six Colombian department governors and several Colombian legislators were in Washington lobbying Congress to halt the fumigation program. After meeting with the Colombians, Representative Schakowsky told reporters, “[the policy is] a very terrible thing we’re doing. I don’t think we would do it in the United States, and I don’t think we should do it in Colombia.”<sup>99</sup> However, then U.S. Ambassador to Colombia Patterson noted, “Fumigation is a key element under Plan Colombia. If there were a halt to aerial fumigation, there would be an immediate, probably devastating, impact of U.S. support for Plan Colombia.”<sup>100</sup> The State Department sought to defuse, and possibly delay, some of the controversy by requesting a study in Colombia of the effects of the chemical fumigant by the U.S. Environmental Protection Agency (EPA). The Center for Disease Control was also asked to participate in the study at the request of Senator Leahy. EPA officials let it be known they were not happy to be stepping out of their jurisdiction and into this politically charged issue. Leahy made it clear that, should the study reveal harmful effects, both aerial fumigation and the entirety of Plan Colombia would be called into question.<sup>101</sup> On September 4, 2002, the State Department delivered to Congress a full report on the effects of aerial fumigation and found that as used, the chemicals applied to illegal coca fields did not pose a significant or unreasonable threat to the human population or the environment.<sup>102</sup> Numerous studies followed criticizing the results of this study as inadequate. Additionally, in January of 2007, the Ecuadorian Government presented a formal protest to the Organization of American States Permanent Council concerning what they consider as indiscriminate spraying over its common border.<sup>103</sup> However, the backlash had not been enough to shut down aerial fumigation operations. Aerial eradication efforts have in fact steadily increased since the inception of Plan Colombia. In 2006 the Colombian National Police Anti-Narcotics Directorate, with support from the United States, sprayed over 171,000 hectares of illegal coca and poppy fields.<sup>104</sup> The debate on its effectiveness still rages today.

Meanwhile, on the peace front in 2001, not much progress was being made. There was a negotiated prisoner exchange with the FARC in which 359 low-ranking military and police prisoners were released. This did not indicate much of a softening of the FARC; in the same week rebel attacks claimed nineteen lives, and the rebels retained fifty officers in custody. Some observers even noted that the release of the prisoners merely served to free rebels for fighting who had previously been pulling guard duty.<sup>105</sup>

Talks with the ELN had shown some promise in early 2001, and President Pastrana was negotiating for an ELN safe zone in northern Colombia much like the FARC *despeje*. The proposal for another guerrilla safe haven was extremely unpopular with many factions in Colombia, especially the military. All the candidates for Colombia's presidential election in 2002 were calling for a tougher line against the rebels, and their poll numbers were much better than Pastrana's (Pastrana's term expired in August 2002, and he was not eligible for reelection by Colombian law). Residents in the proposed new safe area staged numerous protests against the measure, but the issue was made practically moot by the illegal paramilitary forces in the region, whose spring offensive made considerable gains against the ELN. Finally, on 7 August 2001, President Pastrana announced he was suspending peace talks with the ELN, citing doubts about "their commitment to peace." The State Department supported Pastrana's action.<sup>106</sup>

The paramilitaries did not pass spring of 2001 unscathed either. The Colombian government, sensitive to human rights groups' influence, had been arresting individual paras in record numbers. On 25 May 2001, in a series of raids on homes and offices of large landowners and cattlemen, the government sought to fight the AUC through their employers. Reportedly the police had hundreds of tape recordings of "respectable" citizens discussing protection contracts with the AUC militias, and the increased pressure led to the resignation of the AUC's self-proclaimed head, Carlos Castaño, in June of 2001. At the time, the AUC had not attacked government targets, but it was feared that the increased pressure may make active enemies of the eight thousand or so fighters the group claimed to have under arms.<sup>107</sup> However, Castaño mysteriously disappeared in April of 2004 after the AUC had entered peace negotiations with the Colombian government. His disappearance was coincident with his speaking out against the influence of narco-trafficking within the AUC causing an internal rift and stalling the movement toward demobilization.<sup>108</sup> In September of 2006, his death was confirmed when Castaño proved to be the victim of an assassination by a gunman allegedly hired by his brother.<sup>109</sup>

On 16 August 2001, President Pastrana signed legislation that represented "the first substantive reform of Colombian security law since 1965." The law had been strongly favored by the Defense Ministry and the Colombian military. One provision of the law allowed the military a freer hand in prosecuting the counterinsurgency, and it drew howls of protests from human rights groups. Senator Leahy warned that further payments of Plan Colombia funds could be threatened, and Senator Wellstone indicated that he would propose an amendment redirecting military aid when Congress reconvened in September of 2001. However, the State Department termed the law "much improved from the original version" and voiced confidence that Pastrana would interpret it to "maximize the safeguarding of human rights."<sup>110</sup>

In fact, in August of 2001 peace looked more and more remote. On 11 August, Colombian authorities arrested three members of the Irish Republican Army (IRA) as they attempted to depart Bogotá. The men had spent the previous five weeks in the FARC *despeje* and were believed to have been training the Colombians in bomb making using advanced

plastic explosives. At the time, some viewed the fruits of such training as a fundamental shift in FARC strategy to attack urban targets, and an intercepted radio transmission from a FARC commander reportedly revealed him saying, "We must hit the cities hard."<sup>111</sup> To opponents of the peace process and the ceding of the zone in the first place, the IRA arrests were further evidence that the peace process was a failure and that it was time to turn up the military heat on the FARC.

Barely a week after the IRA capture, it appeared the Colombian army was doing just that. COLAR sources reported that the army engaged a 1000-guerrilla strong FARC column that was moving out of the *despeje* to engage northern targets. Over the next week the strength of the rebel column was put at up to two thousand fighters, and the army voiced confidence that they could kill or capture most of them, with their engaged forces of six thousand Colombian troops (but not the Plan Colombia CN battalions, that are prohibited by terms of the agreement from taking part in CI). At the end of the month the fighting was still raging, and it was not clear that the army would be able to capture the entire rebel force.<sup>112</sup> In any case, the army voiced increased confidence that they can solve the CI problem militarily, which worried many observers and supporters of the peace negotiations. One observer complained, "We're now left with the dust of a vigorous policy that had prospects," and the UN special envoy to Colombia lamented, "there now seems to be a belief in military solutions, which means that people believe they can bring peace by going to war. That is one of the historic errors."<sup>113</sup>

This hard line stance against Colombia's armed groups continued with the election of Alvaro Uribe in 2002. The tough talking right wing leader's main focus for Colombia was to rid the country of the rebel groups who have dominated the landscape. In fact, his father was killed by members of the FARC some 20 years ago. Uribe, one of President Bush's strongest allies in South America, has been relatively successful in bringing a degree of security to Colombian citizens by forcing rebel forces out of populated areas and back into the hills and high country.<sup>114</sup> In addition to the military expansion Uribe implemented during his first term, he recently convinced the government to support a four year, \$3.7 billion upgrade to Colombian forces. This would allow for the purchase of additional fighter aircraft and helicopters as well as provide more soldiers and police to continue the fight against armed groups and drug traffickers.<sup>115</sup> The dramatic increase in military capability for security is the first step in Uribe's plan to implement what some have coined Plan Colombia II. This proposal is estimated to cost \$44 billion, relying on aid from the United States and European countries, over the next seven years to not only deal with drug trafficking, but also bolster social programs, human rights programs, judicial capacity, and international trade.<sup>116</sup>

With all the developments in Colombia from the inception of Plan Colombia and beyond, Washington was making some news of its own. On 21 August 2001, the Pentagon scheduled a friendly roundtable with selected media reporters designed to introduce the new Assistant Secretary of Defense for International Security Affairs (ASD ISA), Peter Rodman. Rodman noted that responsibility for Latin America had been shifted to ISA from

Special Operations and Low Intensity Conflict (SOLIC), so that we now “treat them as we would any other region of the world.” Rodman cited Colombia as one of his top three issues and said that there was a “formal review” going on with respect to Colombia, an issue about which there is “enormous congressional sensitivity.” Rodman summed up the statement by saying: “I think there’s a consensus that there’s an important American interest, but there is not necessarily a consensus about what the right way to serve that interest is.”<sup>117</sup>

Phillip Reeker, the State Department deputy spokesman at the time, responded to questions about Rodman’s remarks. Reeker discounted the “formal review” wording, noting that Colombian, and all policies, are under “constant review.” He also tried to minimize “consensus” point by stating: “[T]he Bush administration has a clear policy toward Colombia, which is to support democracy, combat narcotics trafficking, and support social and economic development.” At this same press briefing, Reeker announced that Undersecretary of State for Political Affairs Marc Grossman would lead an interagency delegation to Colombia.<sup>118</sup> Included in the delegation were representatives from the NSC, ONDCP, USAID, Department of Justice, and Department of Defense. The commander of SOUTHCOM, General Peter Pace, who was just nominated by the president for the vice chairman position, was included in the delegation. Several days later it was announced that Secretary Powell would visit Colombia on 11–12 September 2001, in conjunction with a planned trip to Peru.

Along with Mr. Reeker’s remarks, other observers had noted some confusion with Bush’s policy. Peter Hakim, president of Inter-American Dialogue, a D.C. think tank, said: “I’ve spoken in the past two weeks with at least six ambassadors [from Latin America] and the common complaint is, ‘We don’t know who to talk to. There’s no one with a broad sense of the issues.’” Part of the problem was that Bush nominees for the key positions of ONDCP (Walters) and Assistant Secretary of State for Inter-American Affairs Otto Reich were awaiting senate confirmation. At least in the Reich case, the confirmation was a protracted one (human rights groups posted objections on their Web sites citing Reich’s role in Central America in the Reagan administration).<sup>119</sup>

Currently, the United States remains in close cooperation with Colombia and the Uribe administration and has provided nearly \$4.7 billion in aid since the beginning of Plan Colombia. The Middle East and Afghanistan notwithstanding, Colombia remains one of the largest recipients of U.S. aid.<sup>120</sup> U.S. policy remains relatively unchanged: strengthen its democracy, promote human rights, increase economic development, and continue to address the threats of drug trafficking and terrorism. However, recent events have caused some U.S. lawmakers to call into question the legitimacy of the Colombian government. The Colombian Foreign Minister resigned in February of 2007 amid allegations of ties to paramilitary groups. Days before his resignation, the Foreign Minister’s brother and several high ranking members of the Uribe administration were arrested under the suspicion of aiding paramilitary operations.<sup>121</sup> This development comes at a particularly bad time for Uribe as he attempts to garner U.S. as well as international support for a follow on program to the original Plan Colombia. Uribe is steadfast in his support for his Foreign Minister much to the chagrin of several U.S. lawmakers who are concerned about the effects these



alleged links to the various paramilitaries have had or potentially could have on Uribe's administration.

These allegations have caused many in Congress to question future aid to Colombia. Rep. Sander Levin (D-Mich) stated recently,

Colombia Free Trade Agreement cannot pass the Congress, as constructed, and Plan Colombia is in more jeopardy because of these scandals, the infiltration of the paramilitary into the inner workings of the Colombian government. I voted for Plan Colombia, at least the first few times, but this is a very worrisome development.<sup>122</sup>

Similarly, Sen. Leahy once again voiced his displeasure with the Colombian policy in his statement,

This confirms the concerns that many have had for a long time, that the paramilitaries have infiltrated the economic and political establishment of Colombian society. It should give us some pause as to who we are dealing with.<sup>123</sup>

On the heels of this breaking news, President Bush wrapped up a 6 day Latin American trip in March of 2007 to rekindle relationships in the region which have been perceived as ignored since 9/11 and the wars in Iraq and Afghanistan. Supporting this perception are public opinion polls in Latin America indicating a steady decline in relations with the United States and Bush's overall performance every year since 2001.<sup>124</sup> Despite the stop-over in Bogota, considered the most dangerous on his trip, Bush arrived under heavy escort and pointed to the great strides in security that have been made over the last four years and pledged continued support. Additionally, Bush introduced new educational, housing and economic programs, as well as the June 2007 arrival of a U.S. Navy medical ship to provide health services to a dozen countries in the region.<sup>125</sup>

At present, the Bush administration supports the Uribe administration and points to the gains that have been made in recent years in Colombia regarding paramilitary demobilization and increases in security, stability and economic development. However, cocaine production continues to meet demand, and it appears that Colombian paramilitaries are still in operation trying to control this incredibly profitable activity. Moreover, the relationship between terrorists and drug traffickers is a major concern. The distinction between the two and how they are handled in the context of the Global War on Terror appears to be blurring with some foreign policy experts claiming that the United States has essentially merged its anti-drug and counterterrorism efforts.<sup>126</sup> Additionally, the influence of Chavez and his anti-American sentiment in the region seems to be gaining ground. How the Bush administration will respond to these developments will no doubt have an enormous impact on the future of the U.S./Latin American relationship and Plan Colombia, and potentially a profound impact on the continued prosecution of the Global War on Terror.

## **APPENDIX**

### **PLAN COLOMBIA SUMMARY<sup>106</sup>**

1. *An economic strategy* that generates employment and allows the country to have a viable counterbalancing economic force to narco-trafficking. Key components of the strategy are expansion of international trade, enhanced access to foreign markets, and free-trade agreements to attract domestic and foreign investment.

2. *A fiscal and financial strategy* that includes austerity and adjustment to boost economic activity and recover Colombian prestige in international financial markets.

3. *A peace strategy* that aims at a negotiated peace agreement with guerrillas, which should strengthen the rule of law and the fight against drugs.

4. *A national-defense strategy* to restructure and modernize the armed forces and police, so that they will be able to restore the rule of law and provide security in the country, to combat organized crime and armed groups and protect and promote human rights.

5. *A judicial and human rights strategy* to reaffirm the rule of law and ensure equal and impartial justice to all.

6. *A counternarcotics strategy* in partnership with other countries involved in some or all of the links in the drug chain: production, distribution, sale, consumption, asset laundering, precursor chemicals, and arms dealing.

7. *An alternative development strategy* that will promote agricultural schemes and other profitable economic activities for peasant farmers and their families. Alternative development will also consider economically feasible environmental protection activities.

8. A social-participation strategy to develop more accountability in local government, community involvement in anticorruption efforts, and pressure on the guerrillas and other groups to end kidnapping, violence, and internal displacement of individuals and communities.

9. *A human-development strategy* to guarantee adequate education and health, provide opportunities to every young Colombian, and help vulnerable groups in the society.

10. *An international-oriented strategy* to confirm the principles of shared responsibility, integrated action, and balanced treatment of the drug issue. The support of the international community is also vital to the success of the peace process provided it conforms to the terms of international law and is requested by the Colombian government.

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# The Steel Trap

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**D**uring the days prior to the 6 March 2002 decision, government agencies with a stake in the decision were not in complete agreement on the issue of steel tariffs. The *pro*-tariff group claimed the United States needed to protect the domestic steel industry with high tariffs on imported steel so the country would not have to rely on foreign steel imports to build its weapon systems—like aircraft carriers, planes, and tanks. They conjured up the image of an “OPEC of steel-producing countries” that might cut the supply of steel to the United States during a national security crisis. For those who remembered the OPEC oil embargo of the ’70s, it was indeed a scary thought. The *anti*-tariff groups claimed the “steel OPEC” argument was nonsense. They claimed the domestic steel industry produced more than enough steel to meet the national security requirements of the United States. They also argued that high tariffs on imported steel only raised the price of steel for domestic steel-consuming industries—like NAVSEA—and made the production costs skyrocket. They claimed the domestic steel industry was bloated and inefficient and that it was only a matter of time before the inevitable industry shakeout would occur that would force the domestic steel industry to downsize, modernize, and improve efficiency. They acknowledged this would be, in the short run, painful in terms of lost jobs; however, the result would be a more competitive, efficient domestic steel industry. The anti-tariff camp proclaimed this was exactly what the country and the defense industry needed—not higher steel prices and bloated, protected steel producers.

The Defense Department is a large stakeholder in the steel import tariff issue. When influential senators like Carl Levin (Dem-MI), chairman of the Senate Committee on Armed Services, say to thousands of union steel workers that the tariffs are necessary because “we go to war with what you make,” the Defense Department is involved whether it wants to be or not.<sup>1</sup> In fact, in August 2001, President Bush told a Pittsburgh audience of steelworkers that steel is a national security matter.<sup>2</sup> Pro-tariff and anti-tariff special interest groups were both waving the “national security banner” to support their respective arguments.

The U.S. International Trade Commission (ITC) is the federal agency tasked with providing trade expertise and advice to both the legislative and executive branches of government.<sup>3</sup> At the president’s request, the ITC investigated the “serious damage” claim made by the U.S. steel industry. Its conclusion was that the U.S. domestic steel industry *was* being harmed by the abundance of cheaper foreign imported steel. Their recommendation to the president was to place protective tariffs on imported steel for a period of three years. The



ITC can only *recommend* remedies to the president—he does not have to follow their recommendation.

The ITC offered several remedy options to the president, but the remedy chosen by President Bush was to raise the tariffs on imported steel by an average of 30 percent for periods of time ranging from 18 months to 3 years, depending on the specific steel product. Imported steel comes in many different shapes and forms, and not all imported steel was affected. Additionally, many countries were exempt from the tariff, including Mexico and Canada due to NAFTA agreements. One hundred developing countries were also exempted. The countries most affected by the tariffs, and consequently the angriest, were Japan, China, Taiwan, Brazil, South Korea, and the nations of the European Union (EU). The Europeans were worried for two reasons—first, they export a great deal of steel to the United States, particularly from Germany. The tariffs would undoubtedly hurt the German steel industry. Second, they feared the excess cheap steel on the global market would end up in Europe if high tariffs kept it out of the United States.

The ITC and the administration believed these protective actions were permitted under the section of the World Trade Organization (WTO) treaty that permits a member state—in this case the United States—that believes increased imports of a product—in this case steel—are a substantial cause of serious injury or threat of serious injury to that state’s industry—in this case the steel industry—to take action to protect the domestic industry for a designated period of time.<sup>4</sup> This “window of protection” created by the tariffs on foreign imports gives the threatened domestic industry some breathing room to transform into a more efficient, competitive operation. In other words, even though foreign steel companies were currently doing nothing illegal or unfair, the U.S. government could make the claim that large amounts of imported (cheaper) steel were causing serious damage to the domestic steel industry. The tariffs would make the imported steel more expensive than the domestic steel, resulting in, hopefully, higher sales and profits for the domestic steel industry. In fact, the big domestic steel producers had been screaming for tariff protection from imported steel for some time, claiming they needed time to reform and restructure the domestic steel industry in order to compete with the cheaper foreign steel.

The opponents of the tariffs included our international trading partners. Equally angered by the tariffs were the domestic U.S. consumers of steel, and the two groups joined together in a classic case of “strange bedfellows.” The consumers of steel—those U.S. industries that use steel in their manufacturing process, like the automobile and shipbuilding industry and the manufacturers of large appliances—were incensed with the new steel tariffs. They claimed the steel tariffs would drive up production costs and force an increase in the sale price of their products. This could lead to an industry slowdown and result in an even greater loss of jobs. Some studies indicated there are seven jobs in steel-consuming industries for every one job in the steel-producing industry. They claimed the president might save a few jobs in the steel industry, but would actually end up eliminating many more jobs in the steel-consuming industries—an unintended consequence.<sup>5</sup>

Our international trading partners were equally, if not more, enraged with the president's decision. The EU led the global steel community in protest against the president's decision. Simply put, the Europeans claimed the United States was wrong with respect to the U.S. steel industry being harmed by imported steel and said so in a complaint filed with the WTO. The EU claimed the ITC failed to adequately separate and subsequently analyze the multiple and diverse steel products imported by the United States. Additionally, the Europeans claimed many of the steel products protected by the Bush decision were already protected under previously adjudicated and separate antidumping protective measures, resulting in many products being protected twice by U.S. trade remedies—a case of trade remedy “double-dipping.”<sup>6</sup> (Dumping refers to the practice of a foreign producer selling a product in the United States at a price that is below that producer's sales price in the country of origin [the “home market”] or at a price that is lower than the cost of production.)

As the Europeans and our U.S. domestic steel-consumer industries pointed out, it was only the larger—and older—integrated steel mills in the United States that were adversely affected by foreign competition. These integrated mills, which manufacture steel using the older, less efficient smelting of iron ore and coking coal, were in big trouble. Not only were they less efficient, they were also burdened with enormous legacy financial commitments (retirement benefits and medical costs) to large populations of retired steel workers, a financial commitment many believe the steel industry will fail to meet. This financial “albatross” was preventing the merger of the large steel companies that was required to transform the industry. As you might guess, the stronger of two merging companies does not want to assume responsibility for extraordinary legacy debt commitments of the weaker company. Consequently, there had not been the required “weeding out” of inefficient noncompetitive steel mills in the United States. The Europeans were quick to point out the protective tariffs set by the Bush administration would only prolong the inevitable agony associated with the downsizing of the U.S. steel industry.<sup>7</sup>

The Europeans also took great pleasure in pointing to the smaller, successful steel “mini-mills” that had recently prospered in the United States. These mills were smaller and melted recycled steel scrap in electric-arc furnaces to produce steel products. They used mostly nonunion labor and had few costly, long-term financial obligations to their employees. Bottom line—they were efficient and could compete quite nicely with the international steel producers. While the mini-mills had not been screaming as loudly as the less efficient integrated steel mills for tariff protection, they did not protest much when President Bush placed tariffs on their international competition.<sup>8</sup>

It is an understatement to say the steel tariff was a divisive issue within the Bush administration. The agencies toed the party line once the president made the tariff decision—but it was anything but tranquillity in the weeks leading up to the 6 March decision. Moreover, once the steel unions and pro-tariff members of Congress began to link the welfare of the domestic steel industry to national security—particularly after 9/11—the issue was on everyone's front burner.

The National Security Council (NSC) asked the Commerce Department to conduct a “Section 232” study to determine the actual effects of imports of iron ore and steel on the national security of the United States. These 232 investigations are often done by Commerce when one or more government agency or congressional member believes a trade issue might have a detrimental effect on national security. The NSC wanted the facts without the political and emotional spin being applied by people on both sides of the steel tariff issue. Commerce consulted with the Defense Department, the Department of Labor, Department of State, Treasury, and Transportation as well as the Office of the United States Trade Representative and the International Trade Commission. This issue really did cross all agency boundaries.<sup>9</sup>

The 232 investigation results were revealing and perhaps surprising. It concluded that iron ore and steel are absolutely important to national security; however, the evidence did not support the theory that iron ore and steel imports were a threat to national security. Reading directly from the report: “*Although domestic manufacturers of iron ore and semi-finished steel clearly are enduring substantial economic hardship, there is no evidence that imports of these items fundamentally threaten to impair the capability of U.S. industry to produce the quantities of iron ore and semi-finished steel needed to satisfy national security requirements, a modest proportion of total U.S. consumption.*”<sup>10</sup> In fact, the Department of Defense essentially took the steam out of the “threat to national security” argument being used by the pro-tariff groups. DoD said the demand for steel for weapons systems was a small portion of the domestic industries’ output—less than 0.3 percent of the industry’s output by weight.<sup>11</sup> They said even after executing a two-Major Theater War (MTW) operation, the need to replenish the force would create a DoD demand for steel that would remain *small* relative to domestic output.<sup>12</sup> To ice the cake, the report quoted DoD in saying “the department has also found no evidence that there will be a spike in demand for steel by critical industries resulting from the events of September 11, 2001.”<sup>13</sup>

Other agencies involved in assuring the economic and diplomatic well-being of the United States—such as State, Treasury, Labor, and others—also pushed hard against the tariffs. The State Department was number one on the list. For obvious reasons, State was not thrilled with the prospect of irritating U.S. allies needed to support our war against terrorism—in fact, Secretary Powell voiced these exact concerns with the proposed tariffs.<sup>14</sup> State realized it had a “hot potato” when Prime Minister Tony Blair of Great Britain—one of our staunchest allies—not only wrote to President Bush, but also called him directly to express great concern that steel tariffs would be bad for the world economy, as well as for American consumers forced to pay more for steel products. He was concerned enough—at least for a short while—to place the steel tariff issue ahead of the war or terrorism.<sup>15</sup> While State opposed the tariffs for diplomatic reasons, most others opposing the tariffs did so for economic reasons. This group included such economic stalwarts as the head of the National Economic Council and White House Economic Advisor Lawrence B. Lindsey, Treasury Secretary Paul H. O’Neill, Chief Economic Advisor to the President R. Glenn Hubbard, as well as Chairman of the Federal Reserve Board Alan Greenspan. Lawrence Lindsey had long held the view that any government intervention in the markets should be limited. Moreover, Lindsey posed the classic economic argument: if other countries want to subsidize the

production of raw materials such as steel and sell them at or below cost, that translates into a subsidy for U.S. consumers and steel users. Raising tariffs in the United States makes U.S. manufacturers less competitive by increasing their prices.<sup>16</sup>

Treasury Secretary O'Neill was worried the United States might lose the lead as the world's foremost promoter of free trade if the tariffs were imposed. He was outspoken not only on the negative impact of the steel tariffs, but also on pending tariffs on Canadian soft lumber and the return to generous agricultural farming subsidies, also under consideration by Congress. O'Neill said these policies simply didn't square with an administration claiming to support free world trade. He was additionally worried, along with the Department of Labor, that the tariff would actually cause a loss of U.S. jobs in the steel-consuming industries.<sup>17</sup>

Alan Greenspan, chairman of the Federal Reserve Board, testified before the House Financial Service Committee that he too was concerned with the potential job losses in the steel-consuming industries if the tariffs were imposed. He was not particularly worried about the domestic steel industry because, he noted, the more efficient U.S. mini-mills were doing reasonably well and the amount of steel actually needed for defense purposes was extraordinarily small.<sup>18</sup>

While one might think the Labor Department would have strong views on the issue—considering the variety of job-loss/job-gain numbers being tossed around—it actually said very little. The fact is, no one was quite sure how many jobs would be “saved” or “lost” after the tariff implementation. However, most agreed that there would be a sizable pool of winners and losers as well as shifting jobs and incomes between industries, countries, and regions. The uncertainty of the impact of the tariffs, coupled with the political instinct of the Labor Department, tempered its opposition to a large degree.<sup>19</sup>

The International Monetary Fund (IMF) voiced strong opposition to the tariffs. Established in 1947, the IMF monitors and assists developing world economies with economic advice and development loans. While the IMF is an international government organization, the United States is the largest contributor and has enormous influence on its policies. The director of the IMF, Anne Krueger, an economist from Stanford University, claimed that by setting steel import tariffs, the United States would be in violation of the World Trade Organization commerce rules and would be violating the international trading rules the United States signed up to. She was quoted as saying the “[steel tariff] protection will at best delay a necessary restructuring of the U.S. steel industry.”<sup>20</sup>

The tariffs also had very powerful supporters. First and foremost, Secretary of Commerce Don Evans was a big supporter of the Bush decision. While initially skeptical of the tariffs, Secretary Evans became very much pro-tariff—for a variety of economic and political reasons. Secretary Evans was very concerned with the lost jobs in the steel industry and downplayed the “fears of inflation” (rising consumer prices) issue promoted by the Treasury Department and other White House economic advisers. Secretary Evans believed the higher steel costs brought on by the tariffs would raise the price of a car by just \$30. He also pointed out that the most popular imported steel product—slab steel ingots used to forge

steel products—would escape most of the import tariffs.<sup>21</sup> Secretary Evans and the Commerce Department were strong cheerleaders in support of the steel tariffs. The Commerce secretary, a savvy politician, understood the dilemma the president was in with the powerful steel unions and their congressional representatives, who were pushing hard for the protective tariffs.<sup>22</sup>

The U.S. Trade Representative, Robert Zoellick, was the president's point man in foreign trade negotiations. Zoellick also strongly supported the steel tariff. You might think he would oppose tariffs on the grounds that they tend to restrict free world trade. In this case, however, he was one of the first to point out to President Bush the mistakes made by former president Clinton in not doing more for the ailing steel industry prior to the 2000 election. Some say the inaction cost Al Gore the presidency, as West Virginia, a hard-hit steel-producing state, ended up voting for a nonincumbent Republican for the first time since 1928.<sup>23</sup>

Speaking of political factors, one would be remiss if one failed to discuss the importance of the president's top political adviser, Karl Rove. Political insiders saw him as the 800-pound gorilla pushing for tariffs. It is rare for a political adviser to take such a prominent role in foreign policy decisions. Reliable sources also state Secretary Powell was put off by Rove's influence with the president not only on the steel tariff decision but also on the Middle East, terrorism, and Latin American issues—the Vieques, Puerto Rico, issue in particular.<sup>24</sup> Rove is politically astute—his focus group meetings with labor groups, business groups, and congressional leaders on the steel tariff issue helped shape his advice to the president. For example, Rove discovered 31 steel companies had filed for bankruptcy protection in the previous three years—mostly the older integrated steel mills that smelt iron ore to produce steel. These bankrupt mills are located in swing states critical to the Republican Party in the November '02 midterm elections. These included the industrial states of West Virginia, Ohio, Pennsylvania, Illinois, Indiana, and Michigan. The Republicans needed to win these states to have any hope of winning control of the Senate and retaining control of the House. These states would also be critical to a Bush 2004 presidential campaign.<sup>25</sup>

As one might expect, both congressional Republicans and Democrats from the industrial states were very supportive of the steel tariffs. They did not hesitate to make mild, and not so mild, threats to the White House regarding their personal support for the president's legislative agenda if he had not implemented the tariffs. After all, there were thousands of voters in all these states who would experience great personal loss without the protective tariffs.

On the other side of the coin were the congressional representatives from the steel-consuming states who aligned with the “free traders” who believe in the economic theory of comparative advantage, where each country produces those things in which it is comparatively more efficient. If a particular country is very efficient at making steel, then we should buy our steel from that country and focus U.S. labor and resources on producing those things at which we are most efficient. It makes for good economic theory but lousy political policy. Nevertheless, congressional heavyweights such as senators John Breaux and Trent Lott joined forces with Speaker of the House Dennis Hastert to oppose the tariff.<sup>26</sup>

Despite the interagency and congressional squabbling, most, if not all, of the president's men fell in line with his decision to impose the steel tariffs. That said, the anti-tariff people had a bigger impact than initially thought. The Commerce Department's list of developing countries that would be exempt from the steel tariff grew to over 100 states. Additionally, thousands of waiver and exemption requests were reviewed, and the list of steel products exempt from the steel tariffs was constantly expanded. These steps resulted in a "watering down" of the tariffs to please the many domestic and international special interest groups that opposed the idea from the beginning, leading many to believe this was an expedient political decision versus a decision based on sound economic theory.

## **ADDENDUM**

During the twenty months after the steel tariffs were imposed, the steel industry underwent a great transformation. This remarkable change included bankruptcies that led to consolidations. Old plants, not used in years, were springing to life. The Benefit Guaranty Corporation (BGC) had been part of this change by greatly easing the burden on many steel corporations. Basically, the BGC was the government entity that took over failing company pension plans. Also, organized labor had cut payrolls. The mills themselves had introduced innovative manufacturing techniques and slashed staffs—sometimes by 50 percent. In short, U.S. steel was healthier than it had been in a long time. Given these improvements and continued international pressure, President Bush terminated the tariffs against foreign steel.

President Bush accepted significant political risk by ending the steel safeguard measures. The issue could have cost him the support of several rust-belt states in his 2004 re-election campaign, including Pennsylvania, West Virginia, and Ohio. Even the President's advisors believed this was one of the "diciest political calculations of his term." However, other analysts believed votes potentially lost in the rust-belt states would be made up in the southern and midwestern manufacturing states that used steel.

Internationally the tariffs had been little more than a disaster. Viewed as another unilateral international agreement designed and implemented by an isolationist administration, the steel tariffs set off international trade wars. European countries, angered by a perception of U.S. hypocrisy from an administration that proclaimed itself in favor of free trade, threatened to impose sanctions on citrus, motorcycles, farm machinery, textiles, shoes, and other American products. In late November 2003, the World Trade Organization ruled the Bush steel tariffs illegal, clearing the way for retaliatory European sanctions. Many in Washington argued this pending punishment contributed to the President's decision to cancel the tariffs.

Hoping to assuage voters in key states, Trade Representative Robert Zoellick told reporters that the tariffs had worked as planned. The President reinforced this message with his announcement, "I took action to give the industry a chance to adjust to the surge in foreign imports. . . . These safeguards have now achieved their purpose and a result of changed economic circumstances it is time to revoke them."

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# Between Iraq and a Hard Place: Future U.S. Policy with Iran

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The relationship between Iran and the United States has been in a state of tension for nearly forty years and the discovery of Iran's secret nuclear weapons program has raised those tensions to a higher level. It has not helped that the United States labeled Iran as a member of the "Axis of Evil" nor have the wars in Afghanistan and Iraq calmed those tensions. This case examines the myriad of influences weighing upon the Bush administration for the future U.S. policy towards Iran.

Iran has an incredibly deep history and a geopolitically commanding position. Owning half the shoreline of the Persian Gulf, Iran could potentially close the Straits of Hormuz and possesses beachfront extending into the Northern Arabian Sea. There are also, of course, substantial oil reserves, so necessary to global commerce and industry. These gifts of geology and geography guarantee Iran's importance on the world stage. Furthermore, long before there was the state of Iran, which came into being in 1935, there was a strong sense of common identity stemming from the days of the Persian Empire. Iranians are Persians, not Arabs, Hindus, or Indians. The Iranian brand of Islam—Shiism—is markedly different from Sunni Islam, and the majority of the world's Shiites live in Iran. However, although it has a long history of limited participatory democracy at lower levels of government, Iran never had a democratically elected national ruler until the 1980s. Prior to that, a succession of kings and shahs ruled Iran. For a brief period in the mid-1950s it seemed as if Iran was going to shift to democracy, but a CIA-led coup saved the shah. The shah remained in power until 1979 when the Ayatollah Khomeini returned to Iran from exile in France and was propelled to a position of national leadership. Upon assuming power the Ayatollah declared Iran to be an Islamic republic. This was the first time the Iranian clergy had directly assumed the reins of power, traditionally preferring to be the power behind the throne.<sup>1</sup>

Relations between the new Iranian republic and the United States soured almost at once. The Iranian hard-liners saw the United States as the cause of many of Iran's ills and as a political, military, and cultural threat. The United States had engineered a coup to keep the shah in power in the 1950s and had tacitly endorsed his use of extremely repressive tactics against his own people in the 1970s. Following the revolution, the United States not only refused to extradite the shah to Iran to face charges, but also provided him access to medical care in New York. Subsequent U.S. actions, such as freezing of Iranian governmental funds, failure to deliver already-paid-for military hardware, and backing Iraq during its eight-year war with Iran, made the Iranians feel more threatened. This feeling intensified in the late

1980s when the United States fought a quasi-war with Iran in the Persian Gulf. During this period, U.S. warships escorted tankers into Kuwait and several Iranian ships were attacked. One was sunk, a minelayer was captured, and several oil platforms were shelled. The fight was not altogether one-sided. The Iranians inflicted mine damage on one of the escorted tankers and the U.S. frigate *Samuel B. Roberts* (FFG-58). Most memorable of all during this period was the accidental downing of an Iranian airliner by the U.S. cruiser *Vincennes* (CG-49).<sup>2</sup>

For their part, Americans viewed the Iranians with equal distress and distrust. The fall of the shah took most U.S. political, military, and intelligence analysts by surprise. Ayatollah Khomeini appeared bent on returning Iran to preindustrial norms and was turning a former ally into an enemy. But most important of all from the U.S. point of view, the embassy hostage crisis proved Khomeini's Iran was a rogue nation, operating outside international law and practice. The embassy takeover rapidly became a defining image for most of the U.S. public. Neither the Iranians' nor the Americans' perceptions were entirely true, but both were deeply held.

Within the region the new Iranian theocracy was viewed with suspicion and fear, especially by the Saudis. The Saudis were afraid the Iranians would attempt to export radical Shiism. These fears proved to be well founded as Iranian support was given to Hezbollah and Shiite factions in Lebanon. Radical Shiites had also been connected to at least one major terrorist attack on the Grand Mosque in Mecca.<sup>3</sup>

In the twenty years following the return of the hostages, there had been no exchange of embassies or even of envoys. In short, there was no U.S.-Iranian relationship. Yet every U.S. president in this time period attempted to quietly encourage and support emerging moderate political elements in Iran. This resulted in an odd and delicate political dance between the two states. A major problem was every time U.S.-Iranian contacts became public knowledge, Iranian hard-liners would deny any such connections had been made, crack down on the moderates, and reaffirm Iranian antipathy toward the United States. Despite these setbacks, a discernible movement to moderation was apparent in Iran, especially among young Iranians to whom the rule of the shah was barely a memory. With moderation came the growth of a surprisingly free press, and although the *ulama* (the Shiite religious ruling elite) often closed individual media offices, public criticism of the hard-liners was never completely silenced.

Iranian efforts to outlaw international television broadcasts met with equal failure. Since 1996, al Jazeera has offered a popular contrast to the dreary state-run media outlets common in the Middle East. Although it was critical of the West and Israel on a daily basis, al Jazeera was also dismissive of unrepresentative and corrupt regional governments. Other media networks followed in al Jazeera's footsteps—Saudi MBC, Lebanese LBC-al Hayat, Hezbollah's al Manar, and Abu Dhabi TV.<sup>4</sup> The impact these alternative viewpoints had on Iranian public opinion and attitudes is uncertain, but some scholars believe the increasing influence of nonstate media is likely to further restrict the mullahs' room to maneuver in the future.

In the waning days of the Clinton administration, leaders desiring improved relations between the United States and Iran detected a small ray of hope. Iranian moderates, including Sayyid Hussein Khomeni, the grandson of the Ayatollah Khomeni, were becoming more prevalent and visible on the Iranian political landscape, and the United States responded by lifting the embargo on certain Iranian luxury goods, such as rugs and caviar.<sup>5</sup> It was hoped this tangible sign of support and political “thawing” would be reciprocated by continued improvement and contacts, which would eventually lead to a return to correct, if not cordial, relations between the two states. Although “thaw” might be too strong a word, there seemed to be at least some warming between the two countries. Yet, within Iran, hard-line conservative religious leaders continued to dominate the *ulama*.

The warming trend continued during the early days of the Bush administration. Trade between the two countries totaled in excess of \$200 million annually.<sup>6</sup> On 8 June 2001, Mohammed Khatami, a leading Iranian moderate, was reelected president of Iran, winning just under 77 percent of the vote, and pledged Iran would continue a policy of “détente” with the West. Among Khatami’s more encouraging statements was a call for Iranians to phrase their criticisms of the United States in rational terms and to do away with such incendiary rhetoric as “Death to the United States.”<sup>7</sup> Although Iranian hard-liners were dismayed at Khatami’s positions, many in Iran, especially students, responded positively.

Then came the attacks of 9/11. The United States made some very quiet arrangements regarding the global War on Terror with the Iranians and real progress was made. For example, Iran agreed to assist and return unharmed any U.S. aircrew that might be forced to land in Iran during the war with Afghanistan.<sup>8</sup> But, as had often been the case, the slightest disclosure of such talks brought swift denial from Tehran. Yet the agreement remained in effect. This was not all that surprising as the Iranians had long backed anti-Taliban Mujahadeen in Afghanistan.<sup>9</sup> Even the Iranian hard-liners did not oppose a “War on Terror,” as long as the war was conducted within a “rational framework”; one directed by the UN and not simply under the unilateral command of the United States.<sup>10</sup> The two states continued to edge closer in the usual pattern of fits and starts. All that changed when President Bush delivered his 29 January 2002 State of the Union Address and placed Iran with Iraq and North Korea in an “axis of evil.”<sup>11</sup>

Whatever progress was being made with the Iranians suffered a devastating setback. The Iranian government was clearly surprised by the president’s categorization. Outrage followed and the Iranian moderates were discredited.<sup>12</sup> The U.S. condemnation simply proved to the hard-liners that Americans were Iran’s enemies and never to be trusted. Combined with the U.S. strategy of unilateral preemption, the axis of evil speech caused many Iranians, especially the hard-liners, to begin to fear a U.S. preemptive attack on Iran. Although polls showed as many as two-thirds of Iranians still favored direct talks with the United States, moderates had little choice but to join in the anti-American rhetoric, leading George Tenet, director of the CIA, to state in February 2002 that the reform movement in Iran was losing momentum.<sup>13</sup> In Iran, student protestors who continued pressing for liberalization of Iranian policies were violently suppressed. President Bush may have inadvertently

made matters worse for these young Iranians when he “warned” the Iranian leadership not to abuse the human rights of the student protestors.<sup>14</sup> Shirn Ebadi, an Iranian human rights activist and winner of the 2003 Nobel Peace Prize, pointed out at her acceptance speech that the U.S. track record in regard to the human rights of al Qaeda detainees in Guantanamo made the president’s words sound hypocritical.<sup>15</sup>

Despite the setbacks and problems, U.S. diplomats and their Iranian counterparts in March 2003 were once again quietly meeting to discuss issues relating to Iraq and Afghanistan when news of these conversations was leaked in Washington.<sup>16</sup> Iranian hard-line clerics reacted in a predictably outraged manner and the talks came to a crashing halt. In the “hot and cold” cycle of U.S.-Iranian relations, the fall of 2003 was a cold spell.

One might question why President Bush had put the Iranians in the axis of evil. From a security point of view there were two major issues of significant concern. The first involved nuclear weapons. From the time of the shah, Iranians had been attempting to build and operate nuclear power plants. The shah had used U.S. experts and firms to help in these efforts; the ayatollahs, on the other hand, had turned to the Russians. When asked why an oil-rich state would need to pursue such an expensive program, the answer had been oil was a finite resource and diversifying energy sources was simply smart policy.<sup>17</sup> Being able to produce nuclear power also marked Iran as a significant economic and scientific power and was a source of national pride. These explanations failed to satisfy many within the Department of Defense, State Department, and the CIA (which had, as early as the Clinton administration, gone on record as saying that it was possible the Iranians had already developed a nuclear bomb).<sup>18</sup> Civilian watchdog groups, such as the Bulletin of Atomic Scientists, Federation of American Scientists, and the Carnegie Endowment for International Peace, were also skeptical. They claimed Iran was conducting weapons research and was actively pursuing the acquisition of nuclear weapons.<sup>19</sup> Iranian research into and production of cruise and ballistic missile technologies deepened these concerns.

Iran’s reaction to these concerns was to accuse the United States, Great Britain, and others of paranoia and hysteria.<sup>20</sup> Iranian leaders pointed out Iran was a signatory to the Non-Proliferation Treaty (NPT) and routine inspections by the International Atomic Energy Association (IAEA) had failed to turn up any evidence of a nuclear weapons program. Russian leaders agreed, stating the Iranian nuclear program was peaceful in nature and purpose.<sup>21</sup> For five years, as part of a 1995 secret agreement with the United States, the Russians had agreed not to provide nuclear technology to Iran. But by 2000, the Iranian offer was too tempting for Moscow to ignore. U.S. efforts to get the Russians to abandon the Iranian project were unsuccessful. Threats of economic sanctions against the Russians merely resulted in Russian-Iranian mutual defense consultations and renewed sales of Russian arms to Iran.<sup>22</sup> These sales were not as provocative as might be imagined as, at the same time, the Russians began to sell arms to other former military clients such as India. Rather than risk a rift with Russia, both the Clinton and Bush administrations had to be content with merely expressing grave concerns at the Russians’ actions. The departments of State, Defense, and CIA remained convinced the Iranians wanted nuclear weapons and the

Russians were aiding them. Presidential Press Spokesman Ari Fleischer made it clear that the United States had not ruled out the use of force as a way of solving the Iranian dilemma.<sup>23</sup> U.S. complaints focused on two sites in central Iran. In December 2002, the EU joined the United States in requesting Iran open these sites for verification and inspection purposes.

In May 2003, it seemed as if there might be a way out of the nuclear puzzle. The Russians invited the United States to join in the effort to build nuclear plants in Iran.<sup>24</sup> Not surprisingly, moderate Iranian leaders welcomed this request, while the hard-liners denounced it. In the end, the United States declined the invitation.

U.S. fears escalated sharply in June 2003 when the Iranians revealed to the president of the IAEA the presence of an enriched uranium facility and heavy water research reactor in central Iran.<sup>25</sup> The IAEA also discovered the Chinese had provided the Iranians with 1,800 kilograms of enriched uranium in the early 1990s and this transaction had not been reported to the IAEA.<sup>26</sup> The Iranians claimed their failure to report had been nothing more than an administrative oversight. Secretary of Defense Rumsfeld said it was proof of a weapons program, and subsequently President Bush stated the United States would not tolerate a nuclear-armed Iran.<sup>27</sup> The Russians suggested Iran sign additional IAEA protocols, but the Iranians refused to do so unless economic sanctions against them were lifted. World opinion split over the issue, with states such as Canada and Britain criticizing Iran while others, such as Malaysia, felt Iran had been open and cooperative with the IAEA.

By October 2003 the question of Iranian nuclear weapons research was reaching a potential decision point. The National Council of Resistance, an Iranian resistance group, declared they were providing information to the United States about Iranian nuclear programs.<sup>28</sup> The Israelis predicted Iran might be less than a year away from obtaining a nuclear device and hinted Israel might be forced to preempt these efforts if nothing more positive developed.<sup>29</sup> The IAEA gave the Iranians until 31 October 2003 to prove it was not working on a bomb. During this debate some voices in the United States began suggesting it was time for a regime change in Iran. In response, the Senate Foreign Relations Committee held hearings on Iran. Senator Richard Lugar (R-IN) argued for maintaining sanctions until the Iranians conclusively proved their nuclear programs conformed to the NPT and other appropriate agreements.<sup>30</sup>

Senators might find the topic of Iranian regime change fun to talk about, but the State Department, the Department of Defense, and the military services did not. State put pressure on Pakistan, which held the presidency of the IAEA, to further press Iran for compliance. President Khatami of Iran cautioned such pressure could precipitate the very problem the United States was hoping to avoid.<sup>31</sup> Defense, deeply involved in Afghanistan and Iraq, was quiet about Iran. This was in contrast to the early days of the war in Iraq when DOD spokesmen suggested Iran and Syria might “be next” if they aided or abetted the Iraqi war effort. Military sources were more forthcoming. As one high-ranking officer put it, “Change the Iranian regime? With what?”<sup>32</sup>

While the issue of Iranian nuclear weapons was probably the single largest bone of contention between the countries, the second major issue was related to the Global War on Terror. The Terror War had several facets to it that continued to cause friction between the United States and Iran. One of these involved Iranian support for Hezbollah.<sup>33</sup> Many countries, including the United States, had identified Hezbollah as a terrorist organization. Other countries, such as Syria and Iran, believed Hezbollah members were freedom fighters battling for the rights of Lebanese and Palestinians oppressed by the state of Israel. Whatever the definition, there was no denying Hezbollah had carried out a variety of attacks over the years in the Middle East.

Another terror-related issue involved al Qaeda personnel who had fled into Iran from Afghanistan. Although the Iranians admitted these people were in Iran, they refused to arrest or extradite them to the United States.<sup>34</sup> Among the more prominent members of the organization now living in Iran was Saad bin Laden, Osama's son.<sup>35</sup> Many intelligence analysts believed al Qaeda was using Iran as a safe haven and planning ground for future operations. The Iranian Revolutionary Guard, an armed organization outside the control of the Iranian president, was believed to be protecting the al Qaeda members in Iran.

On their part the Iranians were enraged and accused the United States of the deepest hypocrisy in the matter of the People's Mujahadeen (PM), an armed resistance group that had operated for years against Iran from bases in Iraq. Although the PM had been identified as a terrorist organization by the State Department, the United States negotiated a deal when U.S. forces closed on PM camps during the war in Iraq. The PM stayed in their camps and did not participate in hostilities. In return, they were allowed to keep their weapons and continue "training."<sup>36</sup> Iran desperately wanted the leadership of the PM and offered to exchange high-value al Qaeda personalities for those of the PM.<sup>37</sup> The United States declined this offer too.

A further complication involved U.S. concerns over Iranian efforts to gain an advantage in the predominately Shiite south of Iraq. These efforts manifested themselves in a variety of ways. For example, there was the Badr Brigade.<sup>38</sup> Trained by Iranian Revolutionary Guards and controlled by the Ayatollah Muhammad Bakr Al-Hakim, the 10,000-strong brigade had been conducting a guerrilla war against Iraq for more than twenty years. During the war the United States made it plain that they expected the Badr Brigade to remain on their side of the Iranian border. Al-Hakim, perhaps the leading Iraqi Shiite cleric in exile prior to his assassination in August 2003, kept his fighters in check. He instructed his supporters in southern Iraq to offer no opposition to the Americans. These orders are apparently still being obeyed. While this has resulted in a relatively peaceful occupation, with attendant greater speed of recovery, American diplomats and analysts remain worried. Al-Hakim made it clear that he believed the United States abandoned the Shiites after Gulf War One and was not to be trusted.<sup>39</sup> As a result, many in the occupation force and the State Department are convinced that Al-Hakim merely pushed cooperation as the quickest way to get occupation forces out of Iraq so the Shiites could chart their own political destiny.

Not surprisingly, internal U.S. attitudes and approaches were somewhat consistent with U.S. international efforts. There were congressional leaders, such as Arlen Specter (R-PA) and Joseph Biden (D-DL), who favored engaging the Iranians diplomatically.<sup>40</sup> Others, such as Joseph Lieberman (D-CT) and Senator Brownback (R-KS), called for a regime change in Iran.<sup>41</sup> Other opponents of Iran, such as Barry Rosen, director of External Affairs at Columbia College and a former hostage, were furious when, in December 2001, the departments of State and Justice requested the District Court of Washington, D.C., to dismiss a lawsuit former hostages had brought against the government of Iran. Rosen claimed the Bush team was taking this action solely to build international support for the War on Terror.<sup>42</sup> The administration claimed its actions were dictated by an agreement made by President Carter in 1981. In return for an Iranian promise not to try the hostages as spies and execute them, Carter agreed to unfreeze \$7.9 billion in Iranian assets and deny the hostages the right to sue Iran. The hostages sued anyway, citing the 1996 Antiterrorism Act as justification. The House and Senate agreed with Rosen. This left the president in the difficult position of trying to block a claim Congress had found to be legitimate. Eventually the presiding judge decided the presidential agreement took precedence and denied the claim.<sup>43</sup> The case is currently being appealed.

Iran was also a sticky topic for some U.S. businesses. The case of Halliburton was a prime example. In February 2000, Halliburton opened an office in Iran through a subsidiary company operating out of Dubai, thus avoiding a U.S. law prohibiting U.S. companies to deal with Iran. During the Clinton years, the leadership of Halliburton, including CEO Dick Cheney, repeatedly urged the U.S. government to end sanctions on Iran and allow U.S. firms to compete for lucrative Iranian contracts.<sup>44</sup> Cheney claimed this would help improve relations between the two countries. By 2003, now Vice President Cheney was among those who successfully pressured Halliburton stockholders to suspend operations in Iran.

Think tanks also got into the act. While there was general agreement a regime change and greater liberalization in Iran would be in U.S. interests, how to effect those changes was a matter of debate. Generally speaking, more liberal voices, such as Representative Jane Harman (D-CA), favored a policy of proactive engagement while their conservative counterparts, including U.S. Undersecretary of State John Bolton, did not rule out a greater use of covert, clandestine, or even overt military actions to create the desired conditions on the ground.<sup>45</sup>

All these actions played out on the battlefield of public opinion. In 2000, a poll conducted by the U.S. Foreign Policy Association revealed 72 percent of Americans were in favor of discontinuing sanctions against Iran and 80 percent wanted to upgrade relations between the two countries.<sup>46</sup> By July of 2003, 80 percent of those polled continued to favor diplomatic engagement as the preferred strategy to use with Iran and 62 percent felt the UN should take the lead in such efforts.<sup>47</sup> However, the same poll showed 65 percent favored taking military action against Iran in order to prevent the Iranians from developing nuclear weapons and 50 percent would support such action even if the UN opposed it.<sup>48</sup>

At the same time, polls showed the president's popularity was declining. However, a dwindling majority of Americans continued to support his policies toward Iraq. In the case



of the \$87.7 billion the president had requested to rebuild Iraq, only a slim majority of the American public supported the administration.<sup>49</sup> These declines in popularity emboldened the democratic presidential candidates in challenging the president. When retired army general Wesley Clark announced his candidacy for president, the attacks intensified. Facing increasing external political attacks on one hand, President Bush also faced increasing apparent strife among his closest advisors.

When President Bush initially came to power both he and most Washington analysts called his inner circle of advisors a “policy dream team.” By 2003, significant battle lines or ideological cleavages were visible among the team members and administration efforts to explain these away as healthy disagreements and commendable diverse approaches were sounding less and less believable.<sup>50</sup> Secretary of Defense Donald Rumsfeld was increasingly seen as beleaguered and losing influence. The same was true for some of his key assistants, such as Paul Wolfowitz. In contrast, the star of National Security Advisor Condeleeza Rice was seen as in the ascendant, as was that of Secretary of State Colin Powell, with whom Rice often consulted. Points of conflict had included U.S. policy toward North Korea, Iraq, the Middle East, NATO, and Iran. By 2003, analysts and government insiders said administration battle lines usually pitted Rice and Powell against Rumsfeld and Vice President Cheney. It was clear the administration was committed to waging a successful war on terror, by all means, including the use of force. The Bush team was going to fight terror in whatever form it took, whether as a disperse network of nonstate actors such as al Qaeda or as a more traditional opponent such as Syria or Iran. In contrast to Vice President Cheney and Secretary Rumsfeld, Powell, Rice, and George Tenet of the CIA saw themselves as more “pragmatic,” arguing some form of détente with states such as Syria, North Korea, and Iran was possible with the right combination of carrots and sticks. As reports of the in-house rift became more numerous and detailed, the president demanded his advisors stop discussing such matters with the press.<sup>51</sup> This effort failed to halt the leaks.

Other members of the NSC staff claimed infighting among the president’s senior advisors had resulted in significant levels of frustration at lower levels and was negatively impacting attempts to create a viable foreign policy.<sup>52</sup> In the case of Iran, in October of 2003, after two years of trying to craft a coherent policy, the presidential directive establishing that policy remained unsigned despite several meetings scheduled by Rice to complete the document.

Although military officers predictably insisted on anonymity, there was no shortage of senior officers on the joint and service staffs who laughed openly at the suggestion that the United States could force a regime change in Iran. The occupation of Iraq, peace operations in Kosovo, and tensions along the Korean peninsula had depleted the U.S. strategic reserve to only three army brigades and the Marine Corps. As of October 2003, the Marine Corps which had been withdrawn from Iraq had been ordered to return.<sup>53</sup> This time the Marines would be going to the Sunni triangle where, on the average, one American soldier was being killed every day. A sign that the administration had become very sensitive to these deaths was evidenced by a change in policy that prevented any broadcast or photography of U.S. remains returning from Iraq.<sup>54</sup> Where the press had once been invited to see flag-

draped coffins, each symbolic of U.S. heroism and sacrifice, they were now excluded. Bluntly put, military officers argued that unless current taskings changed, there were insufficient U.S. ground forces to impose a military regime change on Iran. There were, however, other military options. If, for example, the existence and location of Iranian nuclear weapons facilities could be proven, there were a variety of preemptive options available in the military arsenal.

Mid-rank State Department personnel groaned, rather than laughed, at the notion of taking forcible action against Iran.<sup>55</sup> These diplomats pointed to the severe international strains the war in Iraq had produced and the continuing lack of proof of Iraqi weapons of mass destruction. Future unilateral, preemptive moves by the United States without iron-clad proof would add additional stress and possibly fracture such institutions as NATO and the UN. Both State and the military services agreed with the CIA that a nuclear-armed Iran posed an enormous complication in the region and a potential threat to the United States, but argued this issue was not yet ripe to be settled by force.

In January 2004 a delegation of Congressional staffers planned to travel to Geneva to meet with representatives of the Revolutionary Government in the first real government-to-government contact since 1979. Senator Arlen Specter (R-PA) had arranged the trip in question with the full knowledge, if not support, of the White House.<sup>56</sup> In December 2003 when Iran had agreed to more intrusive and unannounced inspections of its nuclear program by the IAEA, there had been a slight chill in the U.S.-Iran relationship. Sen. Specter had met with the Iranian Foreign Minister, followed shortly thereafter by Sen. Joseph Biden (D-Del) and Rep. Robert Ney (R-OH) hosting a Washington dinner party for the Iranian Ambassador to the United Nations. Unlike past contacts in the “on-again, off-again” relationship with post-Shah Iran, these meetings were public, and had not been met with denunciations from hard-line Iranian clerics. The general thaw in relations coincided with disaster relief aid provided by the U.S. and other western countries following a horrific earthquake in Bam, although the Iranians dismissed an American overture for a delegation to visit Iran following the earthquake. By the middle of February, as a result of fallout from the electoral turmoil in Iran, the Congressional staffer trip was cancelled.

While Senator Specter was coordinating the first government-to-government meeting, President Bush continued his efforts to isolate Iran in the world community that began with his 2002 State of the Union declaration that Iran was a member of the Axis of Evil. In his January 2003 State of the Union Address, President Bush went further in declaring Iran one “of the world’s most dangerous regimes.” Furthermore, he made it clear that the United States would not allow Iran to continue its pursuit of nuclear weapons.

The ruling clerics’ ongoing struggle with the reformist parties in Iran reached new heights in February 2004. The Guardian Council, seeking to reestablish the conservative majority in parliament they had lost four years prior, disqualified more than a third of the 8,200 candidates seeking office in the upcoming elections. In response, at least four vice presidents and 24 government ministers tendered their resignations. President Khatami did not accept any of the resignations, but hinted that he too might resign in protest. On

January 28 the provincial governors unanimously banded together and announced they would not allow polls to open unless the disqualified candidates were reinstated. Following the lead of the governors, Iran's largest group of pro-reform students called for a boycott of the elections. By Sunday, February 1st 117 of the 290 members of the Iranian Parliament resigned in protest of the Guardian Council's actions. In response to the unprecedented pressure, the Council reinstated 700 candidates, but was steadfast in maintaining that those remaining on the "blacklist" (including 80 sitting members of parliament) were not qualified for office. Election results surprised no one; a majority of voters boycotted the elections and conservative candidates claimed a majority of seats in the Parliament. President Khatami's "reform" government had been handed a harsh defeat.

In March 2004 the *London Financial Times* reported on a "grand bargain" that had been communicated to the United States through a "Swiss channel." Senior Iranian officials had reportedly offered to "address US concerns on nuclear weapons, terrorism and Israel," in return for establishing normal diplomatic relations. The Bush administration had been unable to respond to the offer because of deep divisions between administration policy-makers.

The combination of the optimistic tone of the December 2003 IAEA report and Iranian concessions kept the nuclear weapons issue out of the UN Security Council, but renewed calls for UN action began to surface in mid 2004. At issue was a legalistic argument over what constituted uranium "enrichment," with the Iranians claiming that they could continue work on their facilities as long as their centrifuges remained inactive. In February UN inspectors reported finding evidence that Iran had produced nuclear fuel that would be suitable for atomic weapons. Iranian intransigence was further highlighted by the "full and open" accounting provided by Libya after that country's dramatic announcement that it was ridding itself of all weapons of mass destruction. Despite harsh criticism from Germany, France, and Britain, in April Iran announced its intention to restart Uranium enrichment.

The United States also remained wary of Iranian intentions in Iraq, especially with regard to the Shiite majority in the South. Ayatollah Al-Sistani, an Iranian-born religious leader thought to be the most powerful cleric in Iraq, continued to voice criticism of the CPA's plans for installing an interim Iraqi government. As Muqtad al-Sadr moved from harsh rhetoric to open rebellion with his al-Mahdi militia, Iran actually sent a delegation to Najaf to assist in negotiating a settlement.

The ongoing war in Iraq dominated the political discourse during the 2004 United States presidential elections with Iran and North Korea in close second. In open defiance of the UN and the IAEA Iran refused to allow full inspections of its nuclear facilities and publicly acknowledged that it had begun enriching uranium. By the end of the year, and after many declarations of noncompliance with protocols by the IAEA Iran again agreed to suspend all enrichment activities. The December IAEA report again cited progress on the part of Iran while still questioning its full compliance with earlier agreements. Many in the international community were skeptical of Iran, pointing out that this was yet another effort to stall for time. For its part, the United States renewed economic sanctions on 14 companies

suspected of providing dual-use technology to Iran. The end of 2004 came with pessimism replacing the optimism present at the beginning of the year.

If 2004 was seen as a bad year in the efforts to persuade Iran to cease its pursuit of nuclear weapons, 2005 would bring even more distressing news. Early in the year the EU began negotiations to convince Iran to agree to restrictions on its nuclear program in exchange for technological and financial incentives. By June 2005 the ultra conservatives swept into power behind their presidential candidate, Mahmoud Ahmadinejad. The political discourse took an immediate turn for the worse as the new president immediately called for the elimination of the “Zionist” state and repeatedly pledged to continue Iran’s peaceful nuclear research. In mid August the IAEA determined that Iran had removed the seals at the Isfahan nuclear plant. In September the IAEA Board of Governors declared that Iran was in non-compliance with the Non-Proliferation Treaty.<sup>57</sup> In January 2006 Iran reported that it was continuing enrichment activity at the Natanz research facility. The actions of Iran throughout 2005 only served to convince the Bush administration that Iran fully intended to acquire nuclear weapons. As he had done in past years, President Bush used his 2006 State of the Union address to again demand that Iran abandon its nuclear weapons program.

The 31 August 2006 deadline issued by the United Nations Security Council for Iran to halt its efforts to enrich uranium passed without compliance. For the next four months members of the Security Council worked to draft a resolution that all members could support (or at least refrain from opposing). On 23 December the Security Council passed UNSCR 1737 “placing Iran in the small category of states under Security Council sanctions, and sending Iran an unambiguous message that there are serious repercussions to its continued disregard of its obligations and defiance of this important body.”<sup>58</sup> The resolution required all member states to suspend all activity with Iran that could further their nuclear ambitions and to freeze the assets of all individuals, businesses, and states found to be involved with Iran’s “sensitive nuclear activities.”

The concern of the United States that Iran would try to undermine efforts in Iraq seemed to come true in 2006. The insurgency and sectarian violence rose to new levels between Sunni and Shiite militias. Evidence pointed to Iraq and Syria supporting Shi’ite militias in Iraq. Casualties for the United States peaked at over 100 for the months of October and December.

The war in Iraq was again the dominate theme in U. S. politics in 2006. Largely arguing that they “were not President Bush,” the Democratic Party won the majority of seats in both houses of Congress for the first time in more than a decade. Immediately following the election Secretary of Defense Rumsfeld tendered his resignation. President Bush nominated, and the Senate quickly confirmed, Robert Gates as the new head of the Department of Defense. Following Rumsfeld’s departure General Abizaid, Commander of USCENTCOM, and General Schoomaker, Army Chief of Staff, announced their retirements.

The sudden departure of three senior officials charged with the conduct of the war in Iraq provided the administration an opportunity to reevaluate policy and strategy. In December 2006 the Iraq Study Group (ISG) commissioned by President Bush released its recommendations for how to achieve victory in Iraq. Concluding “of all the neighboring states Iran has the most leverage in Iraq” the ISG encouraged the current administration to engage in a “diplomatic dialogue without preconditions” with Iran to influence the events in Iraq. How the White House received the report and how the authors intended their recommendations to be taken were completely at odds. Almost simultaneously President Bush stated at a press conference that while he took the commission’s recommendations seriously, he “did not think their intent was the report be taken as all or nothing” while commission co-chairs Baker and Hamilton were testifying before congress that they hoped the “strategy would not be seen as a fruit salad where you can take some of this and some of that.” The United States military and its coalition partners are still battling an aggressive and adaptive insurgency in Iraq. President Bush has ordered more than 20,000 additional troops to Iraq in the coming months to help stabilize a rapidly deteriorating situation. At the same time the new 110th Congress debates whether to support the President’s new strategy or to defy it.

The United States stands at the beginning of 2007 with a new Secretary of Defense, Army General David Petraeus unanimously confirmed as the new leader of United States troops in Iraq, and Admiral Fallon nominated to lead CENTCOM. Could it be, as columnist Ralph Peters argues, that Admiral Fallon is the logical choice if Iran is next in line for military action?<sup>59</sup> Is there anything left to deal with Iran? What options are available to the President to achieve his policy objectives of stopping the Iranian pursuit of nuclear weapons, gaining Tehran’s consent to IAEA inspections and, at the same time, avoiding further conflict?

## APPENDIX

### IRAN

#### A Chronology of Key Events<sup>60</sup>

**1907** Introduction of constitution, which limits the royal absolutism of past dynasties that ruled Persia over the previous five centuries.

**1921** 22 February—Military commander Reza Khan seizes power.

**1923** Reza Khan becomes prime minister.

**1925** 12 December—Parliament, in a constituent assembly, votes to vest the crown of Iran in Reza Shah Pahlavi.

**1926** 25 April—The coronation takes place and the Pahlavi era begins. Mohammad Reza, the shah's eldest son, is proclaimed Crown Prince.

**1935** Formerly known as Persia, the country adopts Iran as its official name.

#### Shah installed

**1941** The shah's pro-Axis allegiance in World War II leads to the Anglo-Russian occupation of Iran and the deposition of the shah in favor of his son, Mohammad Reza Pahlavi.

**1950** Ali Razmara becomes prime minister and is assassinated less than nine months later. He is succeeded by the nationalist Mohammad Mossadeq.

**1951** April—Parliament votes to nationalize the oil industry. The Anglo-Iranian Oil Company is unable to continue operations, and as a result Britain boycotts the purchase of Iranian oil. A power struggle between the shah and Mossadeq ensues.

**1953** 22 August—With the help of western backing, mainly due to oil interests in the country, the shah overthrows Mossadeq in a

coup d'état staged by General Fazlollah Zahedi.

#### Campaign to modernize

**1963** 26 January—The shah embarks on a campaign to modernize and westernize the country. He launches the "White Revolution," a program of land reform and social and economic modernization. During the late 1960s the shah becomes increasingly dependent on the Secret Police (SAVAK) in controlling those opposition movements critical of his reforms.

**1978** September—The shah's policies alienate the clergy, and his authoritarian rule leads to riots, strikes, and mass demonstrations. Martial law is imposed.

#### Shah exiled, Khomeini returns

**1979** 16 January—As the political situation deteriorates, the shah and his family are forced into exile.

1 February—The Islamic fundamentalist Ayatollah Ruhollah Khomeini returns to Iran following 14 years of exile in Iraq and France for opposing the regime.

1 April—The Islamic Republic of Iran is proclaimed following a referendum.

4 November—Islamic militants take fifty-two Americans hostage inside the U.S. embassy in Tehran. They demand the extradition of the shah, in the United States at the time for medical treatment, to face trial in Iran.

**1980** 25 January—Abolhasan Bani-Sadr is elected the first president of the Islamic Republic. His government begins work on a major nationalization program.

27 July—The exiled shah dies of cancer in Egypt.

#### **Iran-Iraq war**

**1980** 22 September—Iraq invades Iran following border skirmishes and a dispute over the Shatt al-Arab waterway. This marks the beginning of a war that will last eight years.

**1981** 20 January—The American hostages are released, ending 444 days in captivity.

22 June—Bani-Sadr is dismissed; he later flees to France.

**1985** After the United States and the Soviet Union halt arms supplies, the United States attempts to win the release of hostages in Lebanon by offering secret arms deals; this would later become known as the Iran-Contra affair.

**1988** 3 July—290 passengers and the crew of an Iran Air Airbus are mistakenly shot down by the USS *Vincennes*.

#### **Ceasefire**

**1988** 20 July—Iraq accepts a cease-fire agreement with Iran following negotiations in Geneva under the aegis of the UN.

**1989** 14 February—Ayatollah Khomeini issues a religious edict (fatwa) ordering Muslims to kill British author Salman Rushdie for his novel, *The Satanic Verses*, considered blasphemous to Islam.

3 June—Ayatollah Khomeini dies. On 4 June, President Khamene'i is appointed as new supreme leader.

17 August—Ali Akbar Hashemi-Rafsanjani is sworn in as the new president.

3 November—The United States releases \$567 million of frozen Iranian assets.

#### **Major earthquake kills thousands**

**1990** 21 June—A major earthquake strikes Iran, killing approximately 40,000 people.

Iran remains neutral following Iraq's invasion of Kuwait, denouncing both Baghdad's conquest of Kuwait and any long-term presence of U.S. forces in the region.

11 September—Iraq and Iran resume diplomatic relations.

#### **United States imposes sanctions**

**1995** The United States imposes oil and trade sanctions against Iran for alleged sponsorship of "terrorism," seeking to acquire nuclear arms and hostility to the Middle East process. Iran denies the charges.

**1997** 23 May—Mohammad Khatami wins the presidential election by a landslide with 70 percent of the vote, which is a clear victory over the conservative ruling elite.

**1998** September—Iraq deploys thousands of troops on its border with Afghanistan after the Taliban admits killing eight Iranian diplomats and a journalist in Mazar-e Sharif.

#### **Student protests**

**1999** July—Pro-democracy students at Tehran University hold a demonstration following the closure of the reformist newspaper *Salam*. Clashes with the security forces lead to six days of rioting and the arrest of over 1,000 students.

**2000** 18 February—Liberals and supporters of Khatami win 170 of the 290 seats in the Majlis elections held February, thus gaining control of parliament previously dominated by the conservatives since the 1979 Islamic revolution. Hardliners win only 44 seats. An additional 65 seats will be decided in run-offs.

23 April—The judiciary, following the adoption of a new press law, bans the publication of sixteen reformist newspapers.

27 May—Inauguration of the Sixth Parliament.

1 August—Senior clerics issue a religious decree, or fatwa, allowing women to lead religious congregations of women worshippers.

**2001** April—Iran and Saudi Arabia sign major security accord to combat terrorism, drug trafficking and organized crime.

**Khatami's second term**

**2001** 8 June—President Khatami is re-elected for a second term after winning just under 77 percent of the vote.

8 August—President Mohammad Khatami is sworn in for his second term in office.

**2002** January—U.S. President George Bush describes Iraq, Iran, and North Korea as an "axis of evil." He warns that the proliferation of long-range missiles being developed in these countries is as great a danger to the United States as terrorism. The speech causes outrage in Iran and is condemned by reformists and conservatives alike.

September—Russian technicians begin construction of Iran's first nuclear reactor at Bushehr despite strong objections from United States.

**2003** February—Military aircraft crashes in southeast of country, killing all 275 people on board. It is Iran's worst air disaster.

June—Thousands attend student-led protests in Tehran against clerical establishment.

August—Diplomatic crisis with UK over arrest of former Iranian ambassador to Argentina, sought by Buenos Aires on warrant alleging complicity in 1994 Jewish center bombing.

September—UN nuclear watchdog gives Tehran weeks to prove that it is not pursuing atomic weapons program.

October—Iran declares, ten days before the October 31 deadline, that it will stop enriching uranium and will welcome French, Russian, and German inspectors to see whatever they want. Shirin Ebadi becomes Iran's first Nobel Peace Prize winner; the lawyer and human rights campaigner became Iran's first female judge in 1975 but was forced to resign after 1979 revolution.

November—Iran says it is suspending its uranium enrichment program and will allow tougher UN inspections of its nuclear facilities. IAEA report says Iran has admitted producing high-grade plutonium for peaceful purposes, but concludes there is no evidence of a nuclear weapons program.



December—Forty thousand people are killed in an earthquake in southeast Iran; the city of Bam is devastated.

#### **Conservative resurgence**

**2004** February—Conservatives gain control of parliament in controversial elections. Thousands of reformist candidates were disqualified by the hard-line Council of Guardians that heads the polls.

**2005** January—President Bush uses the State of the Union Address to reiterate that Iran “remains the world’s primary state sponsor of terror—pursuing nuclear weapons while depriving its people of the freedom they seek and deserve.” At the same time he assures the Iranian people that “as you stand for your own liberty, America stands with you.”

June—Mahmoud Ahmadinejad, Tehran’s ultra-conservative mayor, wins a run-off vote in presidential elections, defeating cleric and former president Akbar Hashemi Rafsanjani.

#### **Nuclear crisis**

**2005** August–September—Tehran says it has resumed uranium conversion at its Isfahan plant and insists the program is for peaceful purposes. IAEA finds Iran in violation of the nuclear Non-Proliferation Treaty.

**2006** January—Iran breaks IAEA seals at its Natanz nuclear research facility. President Bush again uses the State of the Union Address to call upon Iran to cease its pursuit of nuclear weapons.

**2006** Bomb attacks in the southern city of Ahvaz—the scene of sporadic unrest in recent months—kill eight people and injure more than 40.

February—IAEA votes to report Iran to the UN Security Council over its nuclear activities. Iran resumes uranium enrichment at Natanz.

March—Earthquakes kill scores of people and render thousands homeless in Lorestan province.

April—Iran says it has succeeded in enriching uranium at its Natanz facility.

31 August—UN Security Council deadline for Iran to halt its work on nuclear fuel passes. IAEA says Tehran has failed to suspend the program.

November—President Bush continues for one year the “National Emergency with Respect to Iran,” first instituted by President Carter in 1979 and continued by every president since.

December—Iran hosts a controversial conference on the Holocaust, at which the delegates include Holocaust deniers. The White House condemns the conference as an “affront to the entire civilized world.”

The UN Security Council votes to impose sanctions on Iran’s trade in sensitive nuclear materials and technology. Iran condemns the resolution and vows to speed up uranium enrichment work.

## Notes

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# The Case of North Korea

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In the spring of 2007 efforts to advance U.S. interests in regard to the Democratic Republic of Korea (DPRK) was, at least in the public eye, partially eclipsed by the ongoing U.S. occupation of Iraq and worsening relations with the Islamic Republic of Iran. Contributing to this diversion of attention was a perception that after years of confrontation and stalemate, relations between the United States and North Korea were at last improving. Yet, within the beltway, any optimism about the Korean situation was extremely guarded. The stakes involved were potentially among the highest in any U.S. diplomatic efforts, and the long history of U.S.-Korean relations was replete with periods that seemed to promise much, but failed to live up to expectations.

North Korea has long commanded U.S. attention because it possesses the deadly combination of nuclear weapons, an all-but-failed economy, and an unpredictable, some would even say irrational, regime. The North Korean government is often described as brutally repressive, suspicious to the point of paranoia, and Stalinist. North Korea's leader, Kim Jong-Il, has compiled a human rights record so dismal the United Nations Human Rights Commission routinely identifies North Korea as a major violator.<sup>1</sup> There is also substantial agreement that the Kim regime is driven by one primary motivation—the desire to remain in power and maintain control over the country.

But there are also serious questions about the degree of sanity involved in North Korean decision making. For example, in 1978 North Korean agents acting under orders from Kim Jong-Il kidnapped a South Korean actress and her husband, a noted film director, to make movies for the North. After five years of forced filmmaking, the couple was allowed to travel to Vienna for an international film festival, where they immediately defected to the U.S. embassy.<sup>2</sup>

Nor were film directors and actresses the only people to be kidnapped by the North Koreans. Hundreds of South Koreans and dozens of Japanese citizens were abducted by the Kim regime.<sup>3</sup> As far as can be determined, these individuals were not agents of their respective governments, but simply average people. Some of them, kidnapped as children, have been held for decades. Supposedly, some of these individuals were kidnapped to serve as language teachers; others, as a source for false identities.<sup>4</sup>

North Korean foreign policy is often equally hard to understand. Sudden reversals of position, denials of previously boasted capabilities, and threats of imminent war are frequently encountered. The North Koreans have, at times, negotiated for days on end over

the most trivial of matters. Yet, on other occasions, they have walked out as a meeting has begun. The insularity of the regime and the inherent difficulties in penetrating North Korean security have resulted in a substantial lack of knowledge of the intricacies and inner working of the Kim Jong-Il regime. It could be argued these conditions favor the North Koreans. Despite, or perhaps because of, being unpredictable and difficult, DPRK representatives have been successful in getting at least some political concessions and humanitarian assistance.

It would be tempting to simply dismiss the North Koreans as being trapped in a Cold War paradigm.<sup>5</sup> The United States could easily leave Kim Jung-Il to his isolated worldview were it not for four critical factors. The first of these is the North Korean military, which numbers more than a million strong.<sup>6</sup> More than 12,000 North Korean artillery pieces are emplaced in the vicinity of the Demilitarized Zone (DMZ), as is the bulk of the country's armed forces.<sup>7</sup> Artillery alone could in all likelihood flatten the southern capital of Seoul within 24–48 hours of war being initiated. Additionally, analysts agree any hostilities on the peninsula would likely involve the use of chemical and biological weapons by the North. While there have been numerous discussions concerning the training and readiness of North Korea's forces, the simple fact of their large numbers and proximity to the South Korean border gives U.S. and allied planners ample cause for concern.<sup>8</sup>

A second factor increasing anxiety over North Korea still further is the precarious state of the North Korean economy and the possibility that this might lead to rash military adventures. The DPRK economy is plainly defunct. Famine is so chronic that many North Korean children are believed to have suffered physical stunting and permanent mental harm from lack of nutrition.<sup>9</sup> By 2004 it was estimated that more than three million North Koreans had starved to death since 1995.<sup>10</sup> In March 2007, Pyongyang uncharacteristically revealed the country was facing a food shortfall of more than one million tons and urgent help was required as more than half the country's population required some form of food aid.<sup>11</sup> Food shortages in North Korea are nothing new and the United States, along with regional and European countries, often supplies North Korea with food aid.<sup>12</sup> The underlying calculus for this humanitarian effort has been simple. Providing the North Koreans humanitarian assistance could ensure the Kim Jong-Il regime does not reach the point where it would choose to invade the South to gain the tiniest chance of survival, rather than face a slow and certain national death through starvation and economic privation. However, in recent years, the Japanese and others have considered restricting food aid in order to force North Korea to return to negotiations.

Only slightly less problematic to the United States are the methods by which the North Koreans, desperate for hard currency, manage to generate what income they can.<sup>13</sup> Unable to compete with the manufacturing giants around them, the North Koreans now trade in three primary commodities. These are conventional weapons, notably ballistic missiles, counterfeit money, and illegal narcotics.<sup>14</sup> All of these represent potential threats to U.S. and global interests.

The line-up of regional actors involved in issues with North Korea also impact U.S. planning, options, and perceptions. South Korea is by far the most prominent of these and generates significant inputs that affect U.S. decision making. Japan, located well within the missile envelope of North Korean ballistic weapons, is the most powerful U.S. ally in the northern Pacific. Additionally the Japanese economy remains deeply entwined with that of the United States. Not surprisingly, the Japanese believe the United States should not make any movements in the region without involving and consulting Japan.<sup>15</sup> Chinese interests are also important to consider, especially as it is generally acknowledged China is the only international actor that might be able to ameliorate North Korea's behavior. A shared land border with North Korea gives the Russians a certain amount of leverage—as do ongoing efforts to maintain positive relations between Moscow and Washington.

However, the fourth and decidedly greatest factor affecting U.S. decision making is the manufacture and possession of nuclear weapons by North Korea. Not only is this a diplomatic and security problem of the highest degree but it also affects all other aspects of the U.S.-Korea relationship.

The immediate roots of the problem reach back to 1992. North Korea, which had possessed nuclear power for several years, was then at loggerheads with the International Atomic Energy Agency. The argument centered on North Korea's refusal to allow IAEA inspectors to visit two nuclear waste storage facilities.<sup>16</sup> IAEA efforts to gain North Korean cooperation failed. On 12 March 1993, North Korean leaders turned the confrontation into a crisis when they announced a pending DPRK withdrawal from the nonproliferation treaty (NPT).<sup>17</sup> This threat was taken very seriously as CIA analysts suggested the North Koreans could have already constructed two nuclear weapons.<sup>18</sup>

The Clinton administration's initial reaction was to consider strongly a preemptive military strike against North Korean nuclear facilities as the best means of addressing the problem.<sup>19</sup> In the end several factors mitigated against this course of action. The first was a belief that North Koreans would react to a preemptive U.S. attack with an all-out attack on the South. Casualties could reach as high as 500,000.<sup>20</sup> Second, regional allies would strongly object to the United States carrying out such actions unilaterally. Third, prevailing winds could easily blow radioactive contaminants over Japan and possibly the United States.

Economic sanctions were another option. The Clinton administration felt appropriate UN sanctions might coerce the North Koreans into compliance. The DPRK reacted to the merest hint of sanctions violently, and threatened war if any such sanctions were imposed.

The situation seemed increasingly desperate until June 1994, when former president Jimmy Carter flew to Pyongyang to discuss the situation with the North Koreans. He returned with an agreement to resume talks. A month later, following the death of his father, Kim Il-Sung, Kim Jong-Il (the father of the North Korean nuclear Yongbyon complex) became president of North Korea.

A solution, known as the "Agreed Framework," was reached in October 1994. The North Koreans would shut down their Yongbyon nuclear facility and cease plutonium (an essential



bomb component) production. North Korea would remain a signatory to the NPT. In return the South Koreans and Japanese would provide the North with two light water reactors that could not be weaponized. In order to help the DPRK meet its energy needs the United States pledged to provide 500,000 tons of diesel fuel each year the new reactors were under construction. The agreement also contained additional measures aimed at normalizing relations between the United States and the DPRK. Secretary of State Madeleine Albright and President Clinton thought the agreement a diplomatic triumph.<sup>21</sup>

Unfortunately for the administration the Republican-controlled Congress did not share this opinion. The Agreed Framework ran into trouble from the start. The first elements to fall were the diplomatic initiatives aimed at normalizing relations between the North Koreans and the United States. Congressional critics denounced the framework as nothing less than appeasement and a reward to North Korea for “bad behavior.”<sup>22</sup> Getting Congress to approve the funding for Korean oil would be problematic at best. Feeling certain that renegeing on the fuel deal would drive the North Koreans back into the nuclear weapons business, the Clinton administration took the required money from the Defense Department.<sup>23</sup> Oil shipments were often late. The North Koreans grumbled that the Americans were not upholding their portion of the agreement, but they did not restart their reactor, even when progress of the light water reactors was also slow.<sup>24</sup>

In 1998 the next major development occurred when Kim Dae Jung, the recently elected president of South Korea, announced a new “Sunshine Policy” toward the North. Basically, the South would assume that Kim Jong-Il wanted to modernize the North Korean economy and a policy of engagement and openness would be successful. Initially, it seemed that President Kim Dae Jung had discovered a winning combination.<sup>25</sup>

But North Korean actions soon ratcheted up concerns and tensions once more. On 31 August 1998, during a test flight, a DPRK Tae Po Dong missile crossed over the main Japanese island of Honshu before splashing into the Pacific Ocean. President Clinton was embarrassed. The Japanese were frightened and began to demand missile defense assistance. The U.S. Congress mandated a White House review of Korean policy, and former Defense secretary William Perry was given the job.<sup>26</sup> After careful study Perry confirmed the existing U.S. strategic calculus still held.<sup>27</sup> Although eliminating North Korea’s nuclear capability was a vital U.S. interest, Perry believed using military means to achieve the goal would spark a second Korean War. The United States had a full range of military plans ready to be used, but between the twin certainties of very high casualties in the event of war and President Kim Dae Jung’s refusal to condone or support such an act, the status quo continued.

Having stressed the Americans in 1998, the North Koreans backed off the pressure in 1999. The DPRK pledged to freeze all missile tests and President Clinton eased some nearly fifty-year-old economic sanctions.<sup>28</sup>

By the fall and winter of 2000 the success of the Sunshine Policy reached its zenith. North and South Korean athletes paraded as one group in the Olympic Games. Senator Jesse Helms called for the removal of all U.S. troops from the Korean peninsula. Kim Dae Jung

was awarded the Nobel Peace Prize, and President Clinton believed a negotiated end to North Korea's missile program was within reach.<sup>29</sup>

At first the new Bush administration seemed ready to use the same approach with North Korea as had the Clinton team.<sup>30</sup> But there were major differences in the new administration, which were revealed during a March 2001 summit meeting between President Bush and his South Korean counterpart. President Bush made it clear the United States would not continue talks with the DPRK and was setting aside any policy of engagement. All Korean initiatives were "on hold" until a full review of Korean policy could be conducted.<sup>31</sup> As would become clear later, the new president's opinion of Kim Jung-Il was part of the reason for the shift. President Bush "loathed" Kim Jung-Il, describing his dislike as "visceral."<sup>32</sup> Vice President Cheney was more circumspect, referring to the North Korean premier as "an irresponsible leader who doesn't take care of his people at all."<sup>33</sup>

Although a comprehensive policy review by a new administration might have been predictable, President Bush's decision shocked the South Koreans and enraged the DPRK leadership. In June 2001 Pyongyang threatened to renew missile testing if the United States did not normalize relations.<sup>34</sup> Such threats only stiffened U.S. resolve. Within a month the Tae Po Dong testing was back in business.

Despite the provocation, the Bush administration did not overreact to the new DPRK missile tests. Rather, it finished its policy review and then agreed to resume talks with North Korea.<sup>35</sup> This time, Washington had new conditions. The talks would be broader in scope, including discussions of reductions in conventional military forces as well as nuclear issues. Furthermore, the North Koreans were expected to start cooperating with the IAEA at once.

Then came the terrorist attacks of 11 September 2001 and, in an instant, what had previously been unthinkable to many people, was made all too manifest. In the post-9/11 world no security scenario seemed outlandish or impossible. The subsequent spate of anthrax attacks along the U.S. East Coast simply underscored the point. Fears that a rogue nation such as North Korea might sell ballistic missiles and nuclear weapons to enemies of the United States suddenly seemed very reasonable. Everyone agreed that the casualties associated with a nuclear or WMD attack on the United States would make the deaths of 11 September pale in comparison. The U.S.-DPRK relationship, shaky enough to begin with, took a new plunge after President Bush included the Kim Jong-Il regime on the "Axis of Evil."<sup>36</sup>

Some of the criticism aimed at the Bush team evaporated in February 2002. The Central Intelligence Agency completed an investigation of several years and announced that in violation of the spirit of the Agreed Framework, North Korea had been secretly running a uranium enrichment program. Caught red-handed, Pyongyang admitted the existence of this program but refused to stop.<sup>37</sup> By the end of November, the United States and South Korea had cut off all fuel shipments to the DPRK and the North Koreans had restarted the reactor at Yongbyon. In rapid succession all IAEA inspectors were expelled and, in January 2003, Pyongyang announced North Korea was withdrawing from the NPT.<sup>38</sup>

Thus began a long and complicated confrontation. The DPRK initially insisted on bilateral direct talks with the Americans. The Bush administration refused to have any talks that were not multilateral and began pressuring the Chinese for political support.<sup>39</sup> The North Koreans dug in their heels. North Korean fighter jets started to intercept U.S. monitoring aircraft, and DPRK leaders announced they would no longer participate in the armistice talks that had been going on since the end of the Korean War. In return the United States repeated a demand for multilateral talks and insisted on a complete dismantling of North Korea's nuclear weapons programs.

Regional powers grew more nervous. There was unease over apparent disagreements between the South Koreans and the Americans. Fears of the Bush administration's acting preemptively had dramatically increased in the fall of 2002 when the United States had gone to war in Afghanistan.<sup>40</sup> Success in Afghanistan and the subsequent invasion of Iraq did nothing to quiet these concerns. Nor did statements from such friends of the administration as Richard Perle, who said that Iran and North Korea should take away one lesson from current military operations: "you're next."<sup>41</sup> For a time it seemed as if Perle's approach might have some merit. Libya and Iran both became far more open and cooperative regarding their nuclear capabilities and intentions. In both cases, fear of possible U.S. military action was said to be a component of the decision-making process.

However, Perle's comments reflected a division within the Bush administration. The division had been in existence since the first days of taking office, although significant efforts were made to downplay its existence.<sup>42</sup> On one side were Secretary of Defense Rumsfeld, Deputy Secretary of Defense Paul Wolfowitz, and others in the Department of Defense. Vice President Cheney usually found himself in agreement with these men, as did presidential political advisor Karl Rove. These individuals favored following a policy of unilateral coercive diplomacy. They argued success in Iraq gave the president truly positive momentum. It was time to capitalize on that fact. On the other side of the divide was Secretary of State Colin Powell. Powell was in favor of using conventional diplomacy to gain regional support. Such an approach, he believed, would be most likely to gain the cooperation of Japan, China, South Korea, and Russia. A UN Security Council Resolution prohibiting the export of nuclear materials by North Korea would also be helpful.<sup>43</sup>

As the war in Iraq continued to drag on, advocates for unilateral action lost ground. Most of the Army, the Marine Corps, and significant numbers of U.S. military reservists were busy in Iraq. Troops were even being sent to Iraq from Korea. The loss of political clout for Secretary Rumsfeld appears to have accelerated when National Security Advisor Condoleezza Rice embraced the Powell approach. With greater frequency, discussions about Korea took place not at NSC meetings, but more informally between the president, Rice, and Powell.

On the other hand, things were looking up for Secretary Powell and NSA Rice. China agreed to host trilateral talks with the United States and North Korea. Powell and Rice were in favor of these talks, where Secretary Rumsfeld preferred to work with China to find a way to bring down the government of Kim Jong-Il.<sup>44</sup> The president agreed with Powell. Although

Russia, Japan, and South Korea would not be present, the United States had prevailed in saying no to direct bilateral talks. In doing so, there was an implicit acknowledgment of China's significant influence in the greater region, and tacit support for Chinese efforts to produce a nuclear-free Korean peninsula and Beijing's ability to influence Kim Jong-Il. The president endorsed Secretary Powell's choice of Assistant Secretary of State Jim Kelly to lead the U.S. diplomatic team. This ran counter to Secretary Rumsfeld's recommendation that the job should go to John R. Bolton, a more conservative and hard-line member of the State Department. Bolton, who had dealt with North Korea in the past, was especially disliked by the DPRK.<sup>45</sup>

The talks did not go well. After two days the North Koreans announced that they had begun reprocessing spent fuel rods and resumed their nuclear weapons program. Then they walked out of the negotiations and did not return until August. Once again the talks went nowhere and concluded without progress.

In June, 2004 a third round of multilateral talks began but quickly stalled. The Chinese pressed the North Koreans to return to the table. South Korea (by this time taking a far more friendly approach to the United States), Japan, and Russia all reiterated that they wanted to be part of the next round. In February, 2005 North Korea claimed to have constructed nuclear weapons for its self-defense. Finally, in July, 2005, the fourth round of the "six-party" talks began. Although too small to be properly called concessions, there were changes in Washington of which the DPRK approved and made note. One of the things that pleased Pyongyang the most was President Bush's referring to Kim Jong-Il as "Mr. Kim."<sup>46</sup> The United States also pledged not to invade North Korea. These talks moved further than any since 1994. There was agreement in principle that North Korea should receive aid and fuel shipments in return for giving up its nuclear weapons. However, the DPRK insisted on having a peaceful nuclear power program. Once again, the negotiation process seemed to stop.

The latest round of six-party talks began in February 2007. Once again the North Koreans were unpredictable. Kim's representatives agreed to close its main nuclear reactor and abandon its nuclear programs in return for fuel aid. In addition the United States would take steps to remove North Korea from the State Department's list of state sponsors of terrorism and begin bilateral talks with the expectation these talks would lead to full diplomatic relations. Japan also agreed to pursue bilateral talks with Pyongyang, and all parties agreed to provide humanitarian aid to North Korea.

Japan has not been content to trust solely on diplomacy. Tokyo has pressed for and received missile defense assets and commitments from the United States. These include a "permanent" Aegis missile defense presence. There has even been some discussion that Japan might pursue its own nuclear deterrent if the Korean program cannot be stopped.<sup>47</sup> The Japanese have also made it clear that they expect the return of Japanese citizens kidnapped by North Korea to remain part of the agenda.<sup>48</sup>

Concern about the threat posed by Korea's nuclear capability remains high among U.S. analysts, especially those "inside the beltway."<sup>49</sup> This concern has not been reflected by the U.S. public at large, which has yet to focus on North Korea as a major issue. There are many possible reasons for this apparent lack of attention. Korea is far away and, despite the potential to be a salesman of nuclear material to rogue actors and terrorists, is quiet for now. Few Congressional leaders are speaking out on the issue. Media coverage has been spotty. It was intense during the missile exercise and during the period the delegates met in Beijing. Also the ongoing war in Iraq continues to dominate center stage in U.S. foreign affairs. However, these observations do not hold true for the people and congressional delegates of Hawaii and Alaska, which are within the theoretical range of Korean ballistic missiles.<sup>50</sup>

North Korea did briefly gain prominence in international headlines in April 2004 when a massive train explosion killed hundreds of North Koreans and injured many more. Surprisingly, North Korea accepted unusual amounts of foreign aid following this tragedy. There was speculation that the explosion might actually have been an assassination attempt aimed at Kim Jong-Il, but no conclusive proof of this theory has been presented in the public domain.<sup>51</sup> What has been documented in the years following the explosion is the progressively more widespread failure of North Korea's rail and road infrastructure.

Despite the apparent success of the most recent round of the six-party talks, there are several reasons to suggest celebrations may be premature. One is clearly historical: the North Koreans have a history of cheating. The second reason is rooted in security concerns. The possession of nuclear weapons by North Korea greatly complicates U.S. and South Korean military planning. Most traditional security analysts would argue that under such conditions, a state in possession of nuclear weapons would be unlikely sell or surrender them, although some countries, such as Ukraine, have done exactly that. Third is Pyongyang's willingness to try, albeit clumsily, to influence U.S. elections. This occurred in 2005 when North Korean leaders said they believed Senator Kerry would be a better president than George W. Bush.<sup>52</sup> It is doubtful Kerry supporters were pleased to get this particular endorsement. It may be that the Kim regime will slow down or stop the negotiations if they can strike a better deal with new U.S. leaders. A fourth reason involves President Bush's inner circle of advisors. Although many of the neoconservative members of the first administration are gone, the vice president is not. Recently he successfully opposed a recommendation made by Secretary of State Rice and Secretary of Defense Gates to close the detention camp in Guantanamo Bay, Cuba. This victory may indicate that Secretary Rice's influence is not as strong as has been supposed.

To some degree, Congress is also involved in this issue. In July 2004, the U.S. House of Representatives passed a bill entitled the "North Korean Human Rights Act." The bill calls for providing support to a growing number of North Korean refugees in China and supporting improved human rights in China itself. During the discussion of U.S. intentions Assistant Secretary of State James Kelly stated that removal of the DPRK's nuclear weapons and

ballistic missile programs would not be enough to result in normalized relations with the United States. There would also have to be an improvement in the area of human rights.<sup>53</sup>

Several options present themselves to U.S. leaders. One is to assume this time North Korean intentions are honorable and the diplomatic solution will prevail. There is clearly a willingness on the part of important regional actors to successfully conclude the multilateral discussions. China, perhaps more than any other actor, has the most to gain if these efforts are successful. As well as reducing tension on the Korean peninsula, some actors, especially China, desire to keep the Japanese from overcoming their long-standing nuclear reluctance and joining the nuclear community. By the same token South Korea also has the mechanical and technical know-how to manufacture nuclear weapons. Thus, an Asian nuclear arms race is not so far-fetched an idea, and Beijing would understandably wish to avoid it. A successful resolution would increase China's reputation and international standing.

Diplomatic efforts could also be affected by a growing EU presence in North Korea. Led by Germany, several European leaders have come to the conclusion that the best way to deal with isolated and paranoid states is to engage them. Germany opened a cultural center in Pyongyang in June 2004. Describing the center as "one step below an embassy," the local director stated the Koreans have been completely welcoming of his efforts.<sup>54</sup> North Korea's dismal human rights record may also complicate diplomatic efforts.

But perhaps the biggest question involving diplomatic efforts revolves around the reason the North Koreans acquired nuclear weapons in the first place. If these programs are nothing more than elaborate economic bargaining chips, diplomatic efforts may be successful. This may not be the case if the weapons are seen as symbols of personal prestige by Kim Jong-Il, or if they are viewed as a necessary deterrent to provide security to North Korea. It is doubtful whether the United States can accurately answer these questions at the current time.

On the other side of the spectrum of violence remains the option of a preemptive strike on North Korean nuclear facilities. Many of these installations are extremely vulnerable to attack.<sup>55</sup> But other components, especially any weapons that may have already been manufactured, are likely to have been dispersed and concealed.<sup>56</sup> In the case of the Yongbyon reactors, there is the chance a military strike would result in postattack radioactive contamination. And there still remains the likelihood that any attack would spark an all-out war on the part of the North Koreans. Not only is the U.S. Army poorly positioned to deal with such an event, recent polls indicate a growing fear of a draft on the part of the American public and a surprising number of draft-age adults that would refuse to serve if they were drafted.<sup>57</sup> Such attitudes indicate there may be little support for additional U.S.-initiated military activities anywhere at the current time.

Relying on conventional forces to deter, contain, and interdict North Korean activities is also an option. But the U.S. military is stretched thin when it comes to the Navy and the Air Force, and these services seem robust when compared to the current state of the Army and the demands of Iraq and Afghanistan. Past reductions of U.S. ground forces on the Korean peninsula clearly have negative implications for this potential course of action.<sup>58</sup>

As of now there remain an undetermined number of nuclear devices in North Korea. The DPRK continues, as far as is known, to conduct research on ballistic missiles. The North Korean economy is still a basket case, and there are all too many potential customers who would be happy to purchase a DPRK nuclear weapon. The specter of mass famine and pestilence continues to stalk the land.<sup>59</sup> And so, while things are looking up, the Korean issue has not yet been resolved.

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# Marine One

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DOUGLAS E. MASON

**W**hile President Dwight Eisenhower was vacationing at his “summer White House” in Newport, Rhode Island, during September 1957, his immediate presence was requested at the White House in Washington, D.C. Despairing of the hour-long ferry ride from Newport to Quonset and the ensuing motorcade from the pier to Air Force One, the President questioned whether faster transportation was available. Shortly after an aide informed him that a helicopter was on standby in Rhode Island, Eisenhower made the first presidential helicopter flight in a Marine Corps UH-34 Seahorse—reaching the airfield at Quonset 7 minutes after takeoff from Ft. Adams. The helicopter belonged to a Marine squadron known as HMX-1, and within days of the first historic flight, the president’s naval aide directed HMX-1 to examine the feasibility of landing on the south lawn of the White House.<sup>1</sup> Not long after, HMX-1 and Army helicopters began regular missions to ferry the president from the White House to Air Force One at Andrews Air Force Base. The flights soon became routine, and Marine “white-top” helicopters have been ubiquitous backdrops to presidential travel ever since.

HMX-1 (H-Helicopter, M-Marine, X-Experimental) was established by the Marine Corps in 1947 to test military applications for the new rotary-wing technology developed during World War II. Specifically, the Marine Corps was looking for ways to avoid the bloodletting it had suffered during amphibious frontal assaults in the Pacific theater. In 1948 HO3S-1s from HMX-1 delivered sixty-six Marines to a designated landing zone during an amphibious exercise at Camp Lejeune.<sup>2</sup> Two years later, the Marine Corps sent helicopters with the Marine brigade into the Pusan perimeter, where they were used to transport general officers, conduct limited resupply, evacuate wounded, and rescue downed pilots. By the end of the Korean War both the Army and the Marine Corps were conducting rudimentary heliborne assaults.<sup>3</sup> Even as they were establishing numerous regular helicopter squadrons, Marine leaders decided to keep HMX-1 as a test bed for new rotary-wing platforms and associated avionics and communications equipment. HMX-1 would further provide aircraft support for entry-level officer training at the Basic School. To meet the testing and training missions, HMX-1 was permanently stationed close to the warfighting development, equipment acquisition, and officer training commands located at Marine Corps Base Quantico in northern Virginia.

The squadron’s charter for rotary-wing experimentation proved to be a perfect match for the emerging presidential lift mission. HMX-1 was able to procure aircraft that were not standard to Marine Corps aviation, and soon found a workhorse platform in the Sikorsky

H-3, which was redesignated the VH-3 for the presidential lift mission. The squadron also maintained Boeing CH-46 and Sikorsky CH-53 aircraft in support of their testing and training missions. The squadron was eventually split into a “green” side (to support Marine Corps missions) and a “white” side (to support the presidential mission). In order to meet increased demand for VIP transport, HMX added the Sikorsky H-60 Blackhawk to the white-top fleet in the late 1980s. This increased demand was due to an expansion of the executive branch transport mission: in 1976 HMX-1 was designated the sole provider of presidential rotary-wing support, both overseas and within the continental United States, and assumed formal responsibility for transporting the vice president, cabinet members, and foreign dignitaries “as directed by the White House Military Office.”<sup>4</sup> The current white-top fleet includes eleven VH3-Ds and eight VH-60s—all manufactured by Sikorsky. Indeed, Sikorsky-made aircraft have comprised the entire white-top fleet since the inception of the presidential lift mission.<sup>5</sup>

While Sikorsky cornered the market on platforms used for presidential lift, the decades after the Korean War saw the emergence of three major domestic manufacturers of military helicopters. In addition to the H-3 and later the H-60 Blackhawk, Sikorsky built the CH-53 Sea Stallion heavy-lift helicopters for the Navy and Marine Corps. The Boeing aircraft company of Seattle, Washington, secured its industry position with the Army’s workhorse CH-47 Chinook, a smaller Navy and Marine version dubbed the CH-46 Sea Knight, and ultimately the AH-64 Apache. Finally, Bell Helicopter of Texas designed and produced two of the most recognizable helicopters of the twentieth century—the UH-1 Iroquois and the AH-1 Cobra.

With the venerable VH-3D airframes approaching 30 years of service life, the Department of the Navy had begun planning to replace the white-top fleet around 2012. As with many other initiatives, however, the events of 11 September 2001 changed the assumptions surrounding the acquisition of new HMX helicopters. With the post-9/11 requirement for more sophisticated defensive systems, advanced avionics, and command and control (C2) packages, replacing the fleet was accelerated, with fielding scheduled to begin in 2008.<sup>6</sup> Thus, the administration would be selecting a successor helicopter that President Bush would never fly in as chief executive.

The contract for a new presidential helicopter was small by Department of Defense standards—\$1.7 billion for twenty-three helicopters. In a stagnant but increasingly competitive market, however, the stakes were tremendous. The sheer prestige of regularly carrying the president of the United States is significant—whichever company won the contract would get free advertising every time an HMX helicopter landed on the White House lawn. Additionally, defense analysts suggested that the winner of the presidential helicopter contract would have an advantage in an upcoming competition for Air Force and Coast Guard search and rescue (SAR) helicopters—a procurement contract worth an estimated \$6 billion.<sup>7</sup>

To complicate matters, the Pentagon seemed to be tightening its belt on existing acquisition programs. In 2003 the Army’s Crusader self-propelled artillery program was the first major item to be killed. In 2004 the Secretary of Defense also canceled the Army’s Comanche helicopter program—a \$39 billion body blow to the Boeing/Sikorsky team

that was developing the stealthy reconnaissance platform. The president's 2006 budget even reduced the buy of the Air Force's coveted F-22 fighter from 280 to 179. As a result of mergers and consolidations in the defense industry, each programmatic alteration had a ripple effect on the parent companies, causing them to seek new partnerships—and new markets.

Sikorsky, a subsidiary of United Technologies Corporation (the eleventh largest defense contractor in the world), perhaps felt the greatest urgency to land the Marine One contract. After all, Sikorsky helicopters had been flying the president since 1957. Sikorsky white-top helicopters in HMX-1 had amassed an incredible safety record—273,500 flight hours without a class “A” mishap during a presidential lift mission.<sup>8</sup> Sikorsky's entry into the competition would be the VH-92, a variant of the S-92 that Sikorsky was already building and marketing with international partners. Taiwan was providing major parts of the cockpit, Brazil was providing the fuel system and landing gear, the People's Republic of China was providing the tail fin and stabilizer, and Japan was providing the main cabin section.<sup>9</sup> In what some have called a sales ploy, while maintaining its team for international sales of the S-92, Sikorsky dumped its international partners for the Marine One competition—touting an “all-American” contracting team.<sup>10</sup>

Sikorsky is based in Connecticut, a state that had voted for John Kerry in the 2004 presidential elections. Of the members of Connecticut's congressional delegation that were representing Sikorsky's interests in the capitol, senators Dodd and Lieberman and Representative Delauro were Democrats, while representatives Shays and Simmons hailed from the Republican Party. Senator Lieberman was perhaps best known as Al Gore's running mate against George Bush in the 2000 presidential elections, although he had emerged in the intervening years as one of the few Democrats who supported President Bush's efforts in Iraq. Representatives Simmons and Delauro held seats on the powerful House Armed Services and House Appropriations committees.

Sikorsky's strategy was based primarily on its long history with presidential helicopters and their “all-America” concept. Rep. Simmons and Teamsters president James Hoffa jointly wrote a newspaper editorial subtitled, “The President should use an American helicopter.” In a trade ad, Sikorsky stated, “Flying the President is an Honor. And for us, a Tradition. [The VH-92] is the only one certified to the FAA's most rigorous safety standards . . . [and] uses an existing all-American infrastructure that operates in complete presidential security.” To further strengthen its campaign, Sikorsky hired retired Marine Col. Fred Geier, a former HMX commander, as a consultant.<sup>11</sup>

Sikorsky's greatest concern was that its main rival turned out to be Lockheed Martin—the world's largest defense contractor. The three major domestic helicopter manufacturers, Sikorsky, Bell, and Boeing, had enjoyed relative balance in the helicopter market, a balance that Lockheed Martin threatened to topple. As one Sikorsky spokesman noted, “there is no way Sikorsky can match Lockheed in terms of big political guns.”<sup>12</sup> Lockheed Martin was fronting a consortium that included Agusta Westland—a joint British and Italian firm (itself a subsidiary of the Italian company Finmeccanica). Texas-based Bell Helicopter's market concerns were eliminated when it joined the Lockheed Martin team. Lockheed's entry would be

the US-101, a variant of the EH-101 already in service with the Italian and British militaries, and more notably already providing transport for the Italian prime minister and the pope.

In a strange twist that underscores the interconnectedness of the aviation industry, Sikorsky had a stake in Westland Helicopters from 1986 to 1994. The *Hartford Courant* reported that Sikorsky was haunted by the fact it “quietly sent high level engineers and executives to England to help refine and market a machine known as the EH-101 that the Brits were building with Italian partners.” It is also interesting that Sikorsky’s purchase of a stake in Westland was greeted with consternation in Great Britain, where analysts and government officials felt that the European aerospace industry was under assault by American industry. Prime Minister Thatcher’s defense minister quit in the media firestorm generated by the debate. In 1991 Agusta and Westland hired IBM to manage systems integration for the EH-101. Lockheed Martin later bought that same systems integration division, which is located in Oswego, New York.<sup>13</sup>

If Sikorsky could count on support from members of the Connecticut congressional delegation, Lockheed Martin’s team had the New York state delegation, Texas representatives, and international leaders. Lockheed Martin’s and Agusta Westland’s lobbying efforts were intense. British prime minister Tony Blair and Italian prime minister Berlusconi both pushed the US-101 in correspondence and private conversations with President George Bush.<sup>14</sup> The fact that Great Britain and Italy were arguably the two most important and steadfast members of President Bush’s “coalition of the willing” in Iraq was not lost on defense analysts. New York politicians welcomed the potential influx of work into Oswego with a Lockheed victory. Rep. Boehlert (R-NY) suggested as many as 750 high-tech jobs could be created.<sup>15</sup> The junior senator from New York, Hillary Clinton, was no stranger to flying on presidential helicopters during her husband’s eight years in the White House. Following a familiarization flight on the US-101, she declared that the interior was a great improvement over the current fleet. Senator Charles Schumer (D-NY) personally contacted Secretary Rumsfeld and Secretary Powell “to get them to use their influence to secure Lockheed the contract.”<sup>16</sup> At the groundbreaking for the Oswego site where Lockheed Martin planned to build a new 176,000-square-foot manufacturing facility, Governor George Pataki announced, “the state of New York is proud to be a member of the team.” Not to be outdone, Virginia governor Mark Warner attended the groundbreaking for a new Agusta Westland headquarters in Reston, Virginia, and announced, “We’ll be praying for you.”<sup>17</sup> Interestingly, both of these groundbreaking ceremonies were held before the Marine One contract was awarded. For their part, Agusta Westland countered Sikorsky’s hiring of Geier by bringing in retired Marine brigadier general Guy Vanderlinden, a former white-top pilot, as a vice president.<sup>18</sup>

The rival helicopters offered some obvious differences in appearance and capability. The VH-92, which not surprisingly looked a little like a cross between a slimmed-down CH-53 and a stretched H-60, had two engines, compared to the three mounted on the US-101. The US-101 also boasted a larger interior and proven operational performance and safety.

Interestingly, the Marine Corps does not have the final say in selecting helicopters for HMX-1. The Navy purchases all Marine Corps aircraft, and Naval Air Systems Command

(NAVAIR) in Patuxent River, Maryland, manages Marine aviation acquisition programs. The actual decision authority does not even rest with a uniformed officer; instead, the civilian political appointee who stands at the top of the acquisition chain of command, the assistant secretary of the Navy for Research, Development and Acquisition (ASN RD&A), wields that authority. In practice, it's likely that NAVAIR gives great weight to Marine Corps preferences, and NAVAIR's formal briefs to ASN RD&A include a recommended alternative based on analysis of alternatives and operational test data.

After the stock markets closed on 28 January, the Navy announced its decision to purchase the Lockheed Martin/Agusta Westland/Bell US-101. This decision appeared to have all the hallmarks of rationality. ASN RD&A John Young claimed he felt no political pressure in making the decision. In what may have been a carefully worded statement, he announced that "no one at the White House ever contacted me." Regarding the multinational construct of the US-101 versus the "all-American" VH-92, Secretary Young maintained that the only factor that mattered was compliance with existing "buy-American" statutes, which mandated that at least 65 percent of the helicopter be built in the United States.<sup>19</sup> In a private debriefing conducted by the Navy, Sikorsky officials were told that the larger cabin and the added safety of the third engine in the US-101 were the major factors in the selection of the Lockheed Martin entry. Interestingly, the full selection criteria were not made public due to the security classifications surrounding the presidential helicopter fleet.<sup>20</sup>

For President Bush, the decision could be viewed as "win-win," or perhaps "lose-lose." No matter who won the competition, there would be some states that won jobs and some states that lost. By reaching out to European firms, he risked raising the ire of "buy-American" proponents; if Sikorsky had been selected, there was the risk of enflaming already-tense relationships with allies across the Atlantic. The *London Financial Times* reported that the Marine One competition was "keenly observed by EADS, the parent of Airbus, which wants to supply the U.S. air force with refueling tankers."<sup>21</sup>

Regardless of the statements of Assistant Secretary Young, the argument that the best helicopter won, and the apparent rationality of the decision, political opponents immediately cried foul over the selection of the US-101. Duncan Hunter (R-CA), the chairman of the House Armed Services Committee and the leading congressional proponent of tough "buy American" legislation, deplored the decision, stating, "It is difficult to understand why we would use U.S. tax dollars to fund the further development of foreign helicopter technology." Rep. Delauro (D-CT) announced that "made in America should mean something," and "the Defense Department has some explaining to do." Within days of the decision she introduced a bill in the House of Representatives that would force the Navy to buy presidential helicopters "that are wholly manufactured in the United States," although analysts predicted it was unlikely the legislation would ever be forwarded to committee for action. Senator Lieberman was equally vocal in deriding the decision as "outrageously wrong." Sikorsky, however, decided against filing a formal protest of the selection outcome.<sup>22</sup> There were also voices of moderation in Congress; Senator John McCain seemed to capture the mood of many lawmakers when he declared, "It's an

executive decision, and the President should be able to decide this [without Congress second-guessing the Navy's decision]."<sup>23</sup>

Despite the uproar over the decision to acquire the US-101, the result appears to be final and irrevocable. The newest "Oval Office in the sky" should join the fleet by 2008, as scheduled. The ramifications for the future of defense contracts and overseas partnerships, if any, have yet to be observed.

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# “We Have Some Planes”

## 11 September 2001

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RICHARD J. NORTON

### INTRODUCTION

**T**he morning of 11 September 2001 began one of the historic and terrible days in U.S. history. On that day the most famous urban skyline in the world changed forever, the most well-known symbol of U.S. military power and leadership was set ablaze, and the president and vice president sought safety in the skies or deep underground. Millions of U.S. citizens who had taken their safety and security for granted would never feel completely safe or secure again. Most of the attack had been captured on video, and the whole world was able to watch repeatedly as the United States suffered a blow of unprecedented scope and type.

The new insecurity was all the more jarring because anyone who, on 10 September 2001, argued the United States was safe could easily have defended that conclusion. To all appearances the country not only was exceptionally well guarded, but also possessed an active and robust capability to identify and engage potential opponents anywhere on the globe. More than a dozen federal agencies, executive departments, and military services, as well as local and state authorities, were devoted to protecting the United States and to discovering and neutralizing the country's enemies.<sup>1</sup> Leaders of these agencies had apparently taken care to ensure their organizations could work together as well as with allied states and key international bodies. National leaders were aware a terrorist threat existed and were seeking ways to neutralize or destroy al Qaeda and its leader, Osama bin-Laden.<sup>2</sup>

### HISTORICAL ROOTS: THE THREAT EMERGES

In a very real way, the roots of the 9/11 attacks can be traced to two historical events. The first was the invasion of Afghanistan by military forces of the Soviet Union in 1979. Afghan resistance groups, known as Mujahadeen, sprang up immediately, attracting support and recruits from other Muslim states. In 1980, then-twenty-three-year-old Osama bin-Laden traveled from his native Saudi Arabia to fight the Soviets. He saw some combat but rapidly became more useful as the architect of “the golden chain,” a source of fund-raising and recruiting.<sup>3</sup> The United States eventually determined assisting the Mujahadeen was in its best interests and funneled weapons, most notably Stinger anti-aircraft missiles, and financial support to the Muslim fighters. The war lasted nearly a decade, but by February 1988, the Soviets had retreated from Afghanistan.



Although the Russian decision to abandon the Afghan adventure was influenced by multiple factors, not the least of which was a badly decaying economy, bin-Laden had a different point of view. In his eyes, the Mujahadeen had militarily defeated one of the world's superpowers and driven it from Afghanistan. He was also convinced the organization he had built was too valuable to be allowed to dissolve after the fighting had stopped. The organization, renamed al Qaeda, would prepare Mujahadeen to fight anywhere in the world.<sup>4</sup>

One of bin-Laden's first allies was Hassan Turabi, the leading hard-line politician of Sudan. Turabi invited bin-Laden to join him in Khartoum. The relationship was mutually beneficial. Al Qaeda's money and fighters assisted Turabi in fighting a nasty civil war against Christian Sudanese in the south of the country. Bin-Laden found political safe haven and plenty of room for his training camps. While in Sudan, al Qaeda grew into a truly worldwide organization and established connections to groups in the United States.<sup>5</sup>

Saddam Hussein's invasion of Kuwait was the second historically important event in the evolution of al Qaeda. With the kingdom of Saudi Arabia facing a direct military threat, bin-Laden offered his Mujahadeen as a force capable of defeating the Iraqi invaders. Bin-Laden was dismayed and enraged when King Fahd not only refused the offer, but also turned to the United States and a coalition of predominantly western, non-Muslim countries to save Saudi Arabia.<sup>6</sup> In 1992, in the wake of the coalition victory over Saddam and the continued presence of U.S. forces in Saudi Arabia, al Qaeda issued its first fatwa. This religious edict called for jihad (i.e., armed struggle) to be waged against the western occupiers of Muslim lands. The United States was first on the list of offenders. Even at this relatively early date bin-Laden expressed the need to "kill the head of the snake."<sup>7</sup>

Al Qaeda claimed to have been active in Somalia during the U.S. intervention, allegedly providing both training and weaponry to the forces of various Somali warlords. After the departure of U.S. forces, al Qaeda claimed responsibility for shooting down two Blackhawk helicopters during the battle of Mogadishu. Al Qaeda also took partial credit for driving the United States out of Somalia.<sup>8</sup>

In 1993, in the wake of the February bombing attack on the World Trade Center, Khalid Sheikh Mohammed, an expatriate Pakistani, began to think about attacking the United States. Like bin-Laden, Khalid Sheikh Mohammed had a history of escalating involvement in terrorism. He had also fought as a Mujahadeen and was the uncle of one of the men involved in the 1993 World Trade Center bombing. Khalid Sheikh Mohammed believed the greatest bang for the terrorist buck would be realized through attacks on the U.S. economy. Accordingly, he moved New York City and the World Trade Center to the top of his initial target list.<sup>9</sup> Khalid Sheikh Mohammed refined his thinking during the next several months. Determining the use of bombs was too problematic; he considered striking at the towers with aircraft and concocted an incredibly audacious plan. Ten aircraft would hit targets on both U.S. coasts. An eleventh aircraft would land and provide a platform for Khalid Sheikh Mohammed to explain himself to the world. Bin-Laden, after being sent a copy of the plan and reviewing the proposal, rejected the idea as "too complicated."<sup>10</sup>

But all was not going bin-Laden's way. In 1994 he was evicted from Saudi Arabia, his Saudi citizenship revoked and his personal financial assets frozen. Bin-Laden left the kingdom for Sudan in 1995.<sup>11</sup> Recognizing bin-Laden as a threat, the United States put pressure on Sudan to deny al Qaeda safe haven. In May 1996, these efforts paid off and bin-Laden was expelled from Sudan. He moved to Afghanistan, where Taliban forces had just captured Kabul.<sup>12</sup> The arrangement was once again one of mutual benefit.

Bin-Laden and Khalid Sheik Mohammed first met face-to-face in 1996. Khalid Sheikh Mohammed used the opportunity to pitch a new version of his plan. He proposed striking the United States by flying aircraft into key buildings. Although this meeting may be considered the starting point of the 9/11 attacks, bin-Laden was noncommittal at the time.<sup>13</sup> Bin-Laden formally declared global war on the United States in February 1998. He and his second-in-command, Ayman al-Zawahiri, an Egyptian, published a fatwa in the name of the World Islamic Front. The fatwa called on every Muslim to murder U.S. citizens everywhere they were to be found. Bin-Laden made it clear there was to be no distinction made between combatants and noncombatants. In an interview with ABC he threatened that the battle would inevitably move to U.S. soil.<sup>14</sup>

Al Qaeda's next major action took place six months later when it subjected U.S. embassies in Kenya and Tanzania to coordinated and simultaneous bombing attacks. The explosions were the culmination of five years of planning.<sup>15</sup> These attacks convinced Khalid Sheikh Mohammed that bin-Laden was serious about attacking the United States. Accordingly, Khalid Sheikh Mohammed formally joined al Qaeda and entered into bin-Laden's trust and confidence. In late 1998 or early 1999, bin-Laden approved Khalid Sheikh Mohammed's plan. Within al Qaeda the mission was referred to as "the planes operation."<sup>16</sup> Initially, in addition to striking targets in the United States, the plan called for hijacking additional aircraft in East Asia and destroying them in flight.<sup>17</sup>

## **HISTORICAL BACKGROUND: U.S. SUCCESSES**

In the post-9/11 world, it is easy to forget how difficult the planes operation must have seemed to be to its proponents in 1999. For one thing the United States was not new to counterterrorism operations. While successful attacks had been carried out against U.S. citizens, Washington had also had its share of victories.

An earlier outbreak of anti-U.S. terror occurred in the mid-1980s, when President Ronald Reagan made combating this threat a top priority. National efforts were coordinated through a very senior interagency working group chaired by the Assistant to the President for National Security Affairs (APNSA), more commonly called the National Security Advisor (NSA).<sup>18</sup> Acting on the findings of a commission led by then-vice president George H. W. Bush, the Central Intelligence Agency (CIA) formed the Counterterrorism Center. The purpose of the program was to coordinate all CIA counterterrorism activities. An FBI agent was assigned to the center as a liaison officer.<sup>19</sup> Although not related directly to terrorism, the reorganization of the Department of Defense that stemmed from the Goldwater-Nichols

Act of 1986 was also seen as benefiting counterterror efforts as it reduced tension and increased cooperation among the services.<sup>20</sup>

The United States achieved several impressive field successes during this time period. Perhaps the most dramatic was the capture of terrorists who hijacked the Italian cruise liner *Achille Lauro*. The 1986 raid on Libya was widely credited with stopping a worldwide Libya-backed terror campaign, although the attack may have also prompted a reprisal strike against Pan American Flight 103, which was destroyed by a bomb over Lockerbie, Scotland, on 21 December 1988. After many years of painstaking work, the FBI uncovered evidence resulting in the 1991 indictment of two Libyan agents for the bombing. On 31 January 2001, after years of negotiations with the Libyan government and a lengthy trial, one of the two men was found not guilty. The other was convicted of murder and is currently serving a life sentence in Scotland. The so-called law enforcement approach to counterterrorism regarding the 1993 attack on the World Trade Center also yielded results. Good police work, primarily on the part of the FBI, resulted in the arrest of the attackers. The Justice Department built a strong criminal case, and the terrorists were tried and convicted. Lessons learned from the attack were used to improve U.S. capabilities to detect and prevent terror attacks. Chief among these improvements was the creation of a worldwide, real-time database of visa, law enforcement, and watch list information known as the TIPOFF list. The TIPOFF list was maintained and primarily used by the State Department.<sup>21</sup>

In the wake of the 1993 attack on the World Trade Center, the Clinton administration took a serious look at how the United States was organized to fight terrorism. The administration instituted a division of labor at the macro level. The FBI would be responsible, as it had been since the 1930s, for combating terrorism inside the United States. The CIA would fight terrorism on the international front. The National Security Agency (NSA) would conduct worldwide communications gathering efforts in support of other organizations.<sup>22</sup> Two years later the FBI successfully handled the 1995 bombing of the Murrah Federal Building in Oklahoma City. Terrorists Timothy McVeigh and Terry Nichols were rapidly arrested, prosecuted, and convicted.<sup>23</sup> McVeigh was executed and Nichols was sentenced to life imprisonment.

### **THE FBI AND THE DEPARTMENT OF JUSTICE**

Any effort to prevent or respond to terrorist actions inside the United States involves the FBI. Yet the bureau's successes may have led to organizational blindness regarding several structural weaknesses. For one thing, the bureau was extremely decentralized, split into fifty-six field offices. Each office was commanded by a special agent-in-charge (SAIC) who was authorized to set office priorities and apportion resources, including personnel, as needed.<sup>24</sup> Furthermore, success for an FBI agent was measured in terms of arrests, prosecutions, and convictions. Since work in counterintelligence and counterterrorism, being primarily preventive in nature, did not produce such results, these areas were not considered career-enhancing.<sup>25</sup>

Another structural flaw concerned the manner in which the FBI assigned responsibility for complex cases. The first field office to become involved with a case was designated the “office of origin” and would then be accorded operational authority for all related cases. As a result of this system, other field offices would sometimes be reluctant to commit assets to what was essentially another office’s case.<sup>26</sup> There were also problems involving the sharing of information between the FBI and the Department of Justice. In part, these procedures grew out of an FBI history of exceeding its authority during J. Edgar Hoover’s decades-long directorship. One of the controls imposed on the bureau and the Justice Department was the Federal Intelligence Surveillance Act of 1978. The act required the FBI to obtain court approval for any intelligence-related searches and surveillance carried out inside the United States. Over the years, the Justice Department interpreted the law as allowing criminal prosecutors to be briefed on, but have no control over, the collection of FISA information.<sup>27</sup>

In 1995, in an effort to facilitate sharing between the Justice Department’s criminal and intelligence divisions, Attorney General Janet Reno established departmental guidelines. The result, undoubtedly inadvertent, was the creation of what came to be known as “the wall.” The term referred to a perceived barrier separating criminal and intelligence information and preventing the sharing of such information. Over time, the Justice Department’s Office of Intelligence Policy and Review became the sole gatekeeper for passing intelligence information to the criminal division. Although the practice was originally intended to deal with information-sharing between agents and criminal prosecutors, custom extended it to any agent working with intelligence matters and anyone outside the intelligence field. By the time of the 11 September attacks FBI employees had developed the operative belief that no intelligence information could be shared with any criminal investigators. This belief extended to members of the CIA and NSA. As a result, sharing such information became the exception, rather than the norm.<sup>28</sup>

### **CENTRAL INTELLIGENCE AGENCY**

The CIA had internal issues that affected its performance of international counterterrorism. The tenure of William Casey as Director of Central Intelligence in the Reagan years had been stormy, and the CIA’s reputation had been damaged over such issues as the Iran-contra affair. In the 1990s, CIA leadership was reluctant to support national leaders who recommended taking aggressive action against al Qaeda.<sup>29</sup> The growth of twenty-four-hour news services also put pressure on the CIA. National leaders expected to learn about important developments before seeing them on CNN, and this expectation had become increasingly difficult for intelligence agencies to arrange. The CIA was also stung by a perceived failure to detect Pakistan’s nuclear capability. All these issues pointed to a Cold War structure—designed to discern an enemy superpower’s intentions and give strategic warning of war—that was less adaptable to the new post-Cold War environment.<sup>30</sup>

One of the things that had not changed in the agency was an abiding concern with internal security. The CIA had suffered several humiliating penetrations by Soviet agents during the Cold War, and CIA agent Aldrich Ames’s treason in the early 1990s was still a painful memory to many in the organization. As a result counterterrorism capabilities were often

hamstrung by extensive vetting procedures, a distrust of outside talent, and suspicions about new technologies such as the Internet. This problem was exacerbated by a lack of required homegrown talent with foreign-area expertise. For example, there were only six undergraduate degrees in Arabic awarded to U.S. citizens in 2002.<sup>31</sup> When combined with a fear of "the wall" that rivaled the FBI's, the result was a pronounced reluctance to share information with anyone outside of the CIA.<sup>32</sup>

### **OTHER ACTORS**

Several other agencies provided essential services in the task of protecting the United States from terrorist attack. These included the State Department, which was responsible for issuing travel visas to non-U.S. citizens wishing to visit or stay in the United States. The U.S. Marshals and the Drug Enforcement Agency (DEA) also had a role in the counterterror mission. These organizations had more than 8,000 operational personnel between them. The marshals were expert at finding fugitives within the United States and with working with local law enforcement. The DEA had a wide variety of intelligence sources that were frequently useful to CIA and FBI counterterror experts.<sup>33</sup>

The Immigration and Naturalization Service (INS) and U.S. Customs were also members of the counterterrorism community. The INS employed 9,000 border agents as well as 4,500 inspectors and 2,000 immigration special agents. However, during the years leading to the 11 September attacks the INS focused on the southern border between the United States and Mexico. Efforts to create counterterror procedures had failed in the 1980s and the early 1990s. In 1997, the INS finally established its National Security Unit, with Hamas and Hezbollah as its primary targets of interest. The unit recommended that CIA security checks should be completed before approving a person's naturalization request. This effort was unsuccessful.<sup>34</sup>

### **THE FEDERAL AVIATION ADMINISTRATION**

There was also the Federal Aviation Administration (FAA). The FAA's charter makes it responsible for regulation of safety and security issues for U.S. commercial aviation. There was, and is, a certain tension between these two duties. The agency tried to accomplish its mission by establishing and enforcing rules that civilian air carriers and airports had to follow. Before the 11 September attacks the FAA viewed sabotage as the primary threat facing U.S. aviation, and attack by man-portable shoulder-fired anti-aircraft weapons as the next most worrisome problem.<sup>35</sup> With these threats in mind, the FAA leadership had created a layered set of defenses at U.S. airports. The first layer was intelligence. The FAA had a forty-strong intelligence unit designed to identify both specific plots and general threats aimed at U.S. aviation. Once these were identified, the unit would help develop appropriate countermeasures. Unfortunately, while the unit had access to a veritable fire hose of information, none of it related to terrorists within the United States. In any case, much of the information remained in the unit. There was no review of daily intelligence by FAA officials, and what little intelligence information they did receive was heavily screened.<sup>36</sup>

The next layer of defense was passenger prescreening. The FAA ordered carriers not to fly individuals who were considered “direct threats.” But this list was a short one. On 11 September 2001 the list contained only twelve names. In contrast, other government watch lists ran into the thousands. Again, there were disconnects with the FAA leadership, some of whom admitted they did not know of such things as the State Department’s TIPOFF list. While the FAA had access to TIPOFF data, operators had found it “too difficult to use.”<sup>37</sup>

The third layer of defense consisted of checkpoint screening in airports. Metal detectors and X-ray machines formed the technological backbone of this layer, with trained operators providing the human element. That this layer of defense often failed was well known. The machines were relatively unsophisticated. The operators were not paid especially well, and the work was tedious and rarely appreciated by the flying public. Nor were the regulations especially tight. The FAA did not prohibit knives with blades less than three inches in length, and the airlines expressly permitted them. A 1993 proposal to ban all knives in the passenger compartment had been rejected. Although FAA regulations required “continuous and random hand searches” of carry-on luggage, this was not being done in 2001 unless a passenger tripped an alarm. All these practices were common knowledge to anyone who routinely flew in the United States.<sup>38</sup>

The last layer of defense was hardly a defense at all. This layer was located in the actual aircraft and consisted of procedures to be followed by the flight crew. The most basic assumption supporting these procedures was that the intent of a hijack was to take the plane somewhere and that suicide was not part of the plan. Thus, nonconfrontational, ever-vigilant cooperation was the preferred and taught behavior.<sup>39</sup> On balance, then, at the time of the 11 September attacks the leadership of the FAA was focused on efforts to create a “passengers’ bill of rights.” They were also, as usual, ready to attempt to improve carrier and airport efficiency, effectiveness, and customer satisfaction. There was no focus on terrorism.<sup>40</sup>

## **THE ROLE OF CONGRESS**

Given that so much of the national defense against terrorism centered on federal agencies and organizations, it is natural to ask to what extent Congress—which is charged with oversight of federal actions and agencies—was involved in the counterterror effort. Oversight of federal actions and agencies is one of the duties of Congress. The quick answer is that Congress played a surprisingly small role. In part this was due to how oversight over intelligence activities was conducted. The intelligence committees enjoyed only limited and nonexclusive oversight authority. The members of these committees served for a limited time. Because the information dealt with is highly secret and rarely, if ever, can be used to bring federal funding to home states and districts, there is a lack of both public watchdogs and political economic self-interest to spur the committees to action.<sup>41</sup> Consequently, Congress did not understand bin-Laden’s capabilities or the level of threat he posed to the United States. Also, Congress, like the agencies it was watching over, had not undergone any realignment after the end of the Cold War. Congressional staffs were focused on other hot topics, including immigration along the southwest border, the ability of the FBI to manage large technical projects, whether or not to impose sanctions on Pakistan, the Middle

East peace process, and, of course, the need to be re-elected. In short, Congress was not focused on terrorism either.<sup>42</sup>

### **THE UNITED STATES TARGETS AL QAEDA AND SURVIVES Y2K**

In 1998, following al Qaeda's attack on the U.S. embassies in East Africa, the U.S. government formed an National Security Council (NSC)-led interagency committee on terrorist financing. The committee rapidly recommended, and President Clinton endorsed, freezing any fiscal assets belonging to either bin-Laden or al Qaeda. As it turned out, neither bin-Laden nor his organization had much money inside the United States.<sup>43</sup> Although the FBI learned a great deal about the structure of al Qaeda, it was unable to disrupt its money flows.<sup>44</sup> There was also an indirect connection between terrorism and the efforts of the U.S. government to counter predicted worldwide computer failures generally referred to as "Y2K." Had the predicted systemic computer failures occurred, terrorists might have been able to take advantage of the confusion and carry out one or more attacks.<sup>45</sup> In the event, the new millennium arrived without a glitch, which provided further reassurances to leaders who believed the United States was well protected.

### **AL QAEDA MOVES FROM PLANNING TO PREPARATION; THE CLINTON ADMINISTRATION LOOKS TO ITS DEFENSES**

In the spring of 1999, Khalid Sheikh Mohammed and bin-Laden generated a target list for the planes operation. The first four operatives who would take part in the attack were handpicked by bin-Laden. These individuals were already in possession of U.S. travel visas. From the beginning travel issues complicated al Qaeda's planning. For example, getting U.S. visas was very difficult for Yemenis, as compared to Saudis. It was also decided to insert the attackers into the United States in waves. The first groups to enter would be the pilots who would need training. The men who would actually capture the aircraft, often referred to as the muscle or muscle men, would enter the United States much later.<sup>46</sup>

In July, President Clinton added the Taliban to the list of organizations and individuals whose assets were to be frozen. The United States seized \$251 million in Taliban assets. Although small by some measures, this was a much greater financial setback than that dealt to bin-Laden earlier in the year.<sup>47</sup> Counterterrorist expert Richard Clarke wanted still more to be done. Clarke, a senior member of the NSC staff in charge of counterterrorism, had achieved an unprecedented level of positional power and influence. His interagency working group, the Counterterrorism Security Group, was by design junior to the Deputies Committee but achieved the status of a parallel deputies committee, with Clarke in some ways acting as if he were the Deputy Assistant (Counterterror) to the NSA. Thus, when Clarke spoke, people listened. His power was not welcomed by everyone in Washington. For example, Secretary of Defense William Cohen made it clear he wanted no flag or general officer speaking to Clarke without the secretary's knowledge. In the words of General Hugh Shelton, then chairman of the Joint Chiefs of Staff, "Clarke's been over at the NSC so long that he thinks he owns counterterrorism—and knows more about the subject than anyone in government. He likes to talk, drops a lot of names and thinks highly of himself. But

in many ways he's not very practical."<sup>48</sup> But there were also limits to Clarke's power. Although a senior member of the NSC staff, he had very few people actually working for him. He could recommend, but not order, changes to national policies, procedures, and organizations. Furthermore, his power was dependent on the amount of leeway and support he received from the Assistant to the President for National Security Affairs. Clarke, like many people in similar positions in government, had to rely on his ability to influence others rather than command them. Thus, personal diplomacy and tact, the ability to reason and persuade, the ability to debate and at times compromise, were essential tools. Unfortunately for Clarke, he was not always adept with these tools.

In an effort to improve counterterror capabilities, Clarke argued for the establishment of an all-source terrorist financing intelligence center at the Treasury Department. Resistance to the idea was significant. The CIA, FBI, Justice Department, and Treasury Department were unwilling to commit the resources such a center would require. At the time, Treasury's main efforts were focused on stopping drug-related currency flows. Stopping terrorist financing was not mentioned in the Treasury's national strategy for money laundering until after the attacks of 9/11.

#### **MEANWHILE, IN AFGHANISTAN**

The first four hijackers were trained in an elite al Qaeda facility in Afghanistan during the fall of 1999. The camp's purpose was to train operatives who had been assigned only the most important missions. Each man had been personally selected by bin-Laden. Following this portion of their training, the men were sent to a safe house in Karachi, Pakistan. Here they were taught about Western culture, took language classes, learned the use of computer flight simulators, and spent time watching films about hijackings.<sup>49</sup> Before the year was over, the hijackers were already casing different types of aircraft and airport security. One of the lessons they learned was that box cutters were allowed on aircraft.<sup>50</sup>

In December 1999, Jordanian intelligence forces uncovered an extensive al Qaeda terrorist plot. The information was quickly shared with CIA Director George Tenet. Tenet subsequently warned the NSC. Richard Clarke recommended the United States respond, both delivering an ultimatum to bin-Laden and also attacking al Qaeda training facilities in Afghanistan during the last week of January 2000. This recommendation was not acted upon.<sup>51</sup> But although no bombs were falling, the United States was far from idle. The State Department formally warned the Taliban they would be held responsible for any future al Qaeda attacks. General Anthony Zinni, USMC, commanding U.S. Central Command, visited General Pervez Musharraf of Pakistan. Serving as the president's envoy, Zinni told Musharraf to "take whatever action was needed to solve the bin-Laden problem."<sup>52</sup> Despite this encouragement, Musharraf took no action against al Qaeda or bin-Laden on account of the enormous internal political difficulties such actions would raise. Islamist radicalism was on the rise in Pakistan and enjoyed influence in its military establishment and especially the intelligence services, which made regime security a critical concern for Musharraf.



The CIA followed a different path. Working in conjunction with at least twenty other foreign security agencies, the agency set out to detain or watch bin-Laden's associates. To further this effort, President Clinton signed a Memorandum of Notification that authorized the CIA to use third-party assets to detain bin-Laden's lieutenants without subsequent transfer to the United States. The CIA and the State Department also issued worldwide threat advisories at this time.<sup>53</sup>

On 14 December 1999, Ahmed Rasan, an Algerian-born terrorist, was arrested carrying explosives into the United States from Canada. Although the full details of his mission were not learned until 2001, authorities discovered the plan was to use the explosives to detonate a bomb in the Los Angeles airport (LAX) on 1 January 2000.<sup>54</sup> As additional information was obtained, U.S. authorities quickly determined at least one additional contact in the United States was involved in the plot. In response to this information Richard Clarke's small group of principal presidential advisors met more often. The FBI increased its number of requests for wiretaps. Local police were advised to be even more vigilant in their counterterrorist activities. The Justice Department went to a higher state of alert. Clarke became increasingly convinced terrorist sleeper cells were operating in the United States.<sup>55</sup>

In reality the Rasan plot was only loosely affiliated with al Qaeda. While Rasan was attempting to bomb LAX, bin-Laden was focused on two separate missions. One was an effort to attack a U.S. warship in Aden. The second was the planes operation. On 3 January 2000 an attempt was made to conduct a suicide bombing against the guided missile destroyer USS *The Sullivans* while the ship was in Aden. The ship was spared when the attackers miscalculated and overloaded the boat they intended to detonate alongside the target.<sup>56</sup> However, the terrorists managed to salvage their materials without alerting the United States.<sup>57</sup>

### THE NEW MILLENNIUM ARRIVES

In the first weeks of January 2000, the planes operation also was nearly detected and disrupted. Khalid Sheikh Mohammed took his four operators to what amounted to a major terror planning meeting in Kuala Lumpur. The National Security Agency made a communications intercept indicating a pending meeting of operational al Qaeda cadres in Kuala Lumpur.<sup>58</sup> The information was passed to the CIA, and at least one suspect was rapidly identified and tracked to Malaysia. The CIA's Counterterrorism Center shared this information with the FBI and the NSC. U.S. and Malaysian surveillance teams initially observed the suspects, but subsequently lost them in Kuala Lumpur.<sup>59</sup> When this happened, the suspects' names were placed on a Thai watch list. The Malaysians were able to obtain photographs of the attendees, two of whom participated in the 11 September attacks.<sup>60</sup>

The reliance on Malaysian agents pointed out two problems facing the CIA in the field. The first was that unless Washington was willing to risk potentially painful and serious international incidents, local intelligence agencies had to be aware of the U.S. operation. Second, following the conclusion of the Cold War, the CIA had allowed its human intelligence (HUMINT) capabilities to diminish.<sup>61</sup>

The photographs were sent to CIA headquarters in Langley, Virginia, where they were identified. The two men who would participate in the 11 September attacks were Khalid al Mihdhar and Salem al Hazmi. The CIA had previously known of the men's affiliation with al Qaeda, but did not consider the affiliation to be "exceptional." Information concerning their attendance at the Kuala Lumpur meeting was not provided to other agencies.<sup>62</sup> The CIA was aware the State Department had issued al-Hazmi a visa to the United States in April 1999. They also possessed a copy of Mihdhar's passport, complete with multiple U.S. entry visas. Despite this knowledge, the CIA placed neither name on the State Department's TIPOFF list, or on any of the disparate watch lists maintained at the time by the FBI, the U.S. Customs Service, or INS.<sup>63</sup>

This meeting was a missed opportunity. Important future al Qaeda operations were discussed in Malaysia. Additionally, money used to finance the eventual attack on the USS *Cole* was delivered to the attack director during this meeting. The CIA, however, did not learn of this as they were unable to get listening devices in position to monitor the conversations.<sup>64</sup>

#### **AL QAEDA'S PREPARATIONS CONTINUE: THE UNITED STATES IS PENETRATED**

On 15 January 2000, the first al Qaeda pilots arrived in the United States, entering through LAX.<sup>65</sup> To this day, some U.S. leaders believe these men received assistance from members of the Saudi espionage service.<sup>66</sup> Shortly after these pilots arrived in the United States, bin-Laden canceled plans to hijack additional aircraft in Asia. The reason for the decision was the perceived degree of difficulty in coordinating simultaneous attacks in North America and the Far East.<sup>67</sup>

In January bin-Laden recruited the second group of aircrew terrorists. Although made up of different nationalities, all were students in Germany and known to each other. This group included Egyptian-born Mohammed Atta, whom bin-Laden selected to be in tactical command of the operation.<sup>68</sup> After initial training in Afghanistan, Atta and his team returned to Germany, where they adopted a low-key, nonfundamentalist lifestyle and began researching flight training in the United States. They also began what might be termed long-range reconnaissance. Atta contacted thirty different U.S. flight schools for information on their training programs.<sup>69</sup> At the same time, every member of Atta's group applied for new passports, presumably to erase any visual link to Pakistan. Once passports were obtained, the men applied for visas to the United States. One request was refused, based on the fear of the holder's potential to try and remain in the United States as an undocumented alien.<sup>70</sup>

It should be noted that the plotters were not master spies, nor was al Qaeda the *sine qua non* of clandestine organizations. Several potential weak spots materialized during the preparation phase. One of these concerned the use of couriers due to al Qaeda leaders' fear of the U.S. and other countries' abilities to intercept electronic communications. A second potential vulnerability involved money. The cost of the planes operation is estimated to have been \$400,000 to \$500,000. These funds were moved and banked in routine ways and, had anyone been seriously looking, susceptible to discovery. However, despite the earlier creation of a U.S. interagency working group to examine and combat terrorist financing, al

Qaeda's funding stream for the planes operation simply disappeared in a much larger ocean of global money movement.<sup>71</sup>

### **THE ENEMY IS AMONG US**

In March 2000, CIA officers in Kuala Lumpur asked Bangkok for any information the Thai government had on Hazmi and Mihdhar, who had been placed on the watch list in January. The answer revealed that one of the two men had vanished from sight, but the other had left Asia and flown to Los Angeles.<sup>72</sup> This information was not shared with anyone outside the CIA's counterterrorism unit. The men were not registered with the State Department's watch list and the FBI was not informed.<sup>73</sup> Hazmi and Mihdhar had been in the United States since 15 January 2000. Two weeks after arriving in Los Angeles the men relocated to San Diego.<sup>74</sup> While there is no proof the men were helped by an al Qaeda cell, many of the members of the 9/11 commission and Senator Graham believe such assistance was provided.<sup>75</sup> While in San Diego, the men pretended to be Saudi students. They used their own names and submerged themselves in the greater Muslim community of southern California. They made friends, some of whom were clearly bin-Laden sympathizers. They moved at least once in San Diego and for a time lived in a house owned by an FBI informant, who claimed he saw nothing suspicious about the men's activities. They had little or no aptitude for English and were extremely poor students in flight school. Mihdhar grew discouraged and flew home to Yemen. By the fall of 2000, Hazmi had also given up flight training and was simply waiting for reinforcements.

As noted, the al Qaeda operatives lived openly under their own names and displayed very little of what the CIA would term tradecraft. This pattern would be consistently displayed by all of the hijackers. At times, the absence of security precautions might have endangered their mission. On four occasions, members of the group, including leader Atta, were pulled over for traffic violations and issued tickets. Another close call involved the break-in and burglary of one of the attackers' apartments. The victim contacted police and filled out a crime report. In each instance, factual biographical data was given to the local authorities.<sup>76</sup>

In Washington the general feeling among the members of the NSC staff was that while the millennium alert had been successful, it had been a close-run thing. Richard Clarke was still not satisfied and pressed for an after-action review. He believed that not only had al Qaeda not been compromised, but also it had established sleeper cells inside the United States. Clarke informed the NSC more attacks were "a certainty."<sup>77</sup> His warnings evidently had an effect. By 10 March 2000, the Principals Committee agreed to increase funding to the CIA in order to accelerate efforts to attrite al Qaeda. It was also agreed to implement a crackdown on U.S. sources of funding for terrorist organizations and to tighten immigration controls.<sup>78</sup>

Clarke and his small staff also saw a significant opportunity to increase cooperation on border security. They wanted an interagency center that would target individuals illegally in the United States and exert tighter control over student visas. Clarke also pushed for the assignment of more immigration agents to the FBI's Joint Terrorism Task Forces and the

activation of a special court that would allow the use of classified information in immigration-related cases.<sup>79</sup> Another of Clarke's initiatives centered on U.S. passports. He wanted the State Department to make it tougher for a terrorist to acquire or use a stolen or forged passport. There was also a recommendation to work with the UN and other members of the international community to raise global standards for travel documents.<sup>80</sup> Clarke also wanted a dramatic upgrade of border crossings and pushed for the development of a method to deal with migrants who intentionally destroyed their identifying documents in order to prevent their return to their country of origin.<sup>81</sup>

Clarke did not find a responsive audience. The disparate agencies that would be affected by the changes were slow to react and even slower to increase cooperation with each other. Each had funding concerns and some of the changes would be expensive to implement. These agencies did not operate in a vacuum. Much of any additional expenditure would have to be scrutinized or approved by congressional committees.<sup>82</sup> Despite this resistance, initiation of many of the recommended changes had just started when the September attacks occurred.

#### **THE "GERMAN PILOTS" ARRIVE**

In May 2000, Marwan al Shehi, the first of al Qaeda's "German" pilots, arrived in the United States. Operation leader Mohammed Atta arrived on 2 June. Pilot Ziad Jarrah entered on 27 June. The fourth member, Ramzi Binalshibh, attempted to enter the United States several times, but visa issues prevented him from doing so. The three pilots who did enter the United States took up residence in Florida and began attending flight school. Like their West Coast counterparts, tradecraft was not a strong suit with this group. They paid for their schooling with money wired from Saudi Arabia. With the exception of Jarrah, who earned a private pilot's license in July, all had trouble in flight school. Jarrah had a girlfriend in Germany and remained in contact with her throughout the period. Overall they exchanged thousands of phone calls and e-mails. In fall 2000, Jarrah flew to Germany to see her and did not return until 29 October.<sup>83</sup>

In Washington, the money that had been approved for the CIA came at a good time. The counterterrorism unit was about to go into the red. The bin-Laden unit alone was 140 percent over budget.<sup>84</sup> But the windfall led to arguments between CIA director Tenet and Richard Clarke of the NSC staff. Tenet wanted to apply the money to improve the CIA overall. He especially wanted to restore capabilities that had been lost or degraded since the end of the Cold War. Tenet believed fixing the CIA in general would have a direct payoff in thwarting bin-Laden. Clarke did not buy Tenet's reasoning. He wanted to see the money go directly to the bin-Laden unit.<sup>85</sup> Eventually the Office of Management and Budget became involved. In reviewing the situation they sided with Clarke. Their review showed the CIA had not increased spending on counterterrorism.<sup>86</sup>

Bin-Laden and senior al Qaeda leaders spent the summer recruiting what has become known as the "muscle hijackers." These were the men who would be responsible for physically seizing the aircraft. Yet they were not physically imposing, ranging in height from 5'5"

to 5'7". All were unmarried, most were unemployed, and few had more than a high school education. Twelve of the thirteen were Saudis. They spent the summer training in Afghanistan. There they studied how to conduct a hijacking, disarm air marshals, handle explosives, and storm the cockpit of an airliner. After this portion of the training was over the men were moved to a safe house in Kashmir and then to Dubai, from which they would enter the United States. During the final phase of the training, the men learned how to handle everyday aspects of Western life.<sup>87</sup>

#### **ATTACK ON THE *COLE***

On 12 October 2000 the guided missile destroyer USS *Cole* was successfully attacked and nearly sunk by a suicide bomb attack. Seventeen servicemen and women died. This operation was personally supervised by bin-Laden.<sup>88</sup> In turn, he expected a rapid and violent U.S. reaction to the attack. He immediately went on the move in Afghanistan and ordered senior members of the al Qaeda leadership to disperse to keep U.S. forces from killing them all in one attack.<sup>89</sup> U.S. security officials immediately suspected that bin-Laden had a role in the attack. The FBI, CIA, and Naval Criminal Investigative Service (NCIS) all sent teams to Yemen at once. Gaining the cooperation of the Yemenis, who rapidly took some suspects into custody, was not easy. In rapid succession the DCI, the secretary of state, and the president all contacted their Yemeni counterparts. Eventually the Yemenis produced strong evidence linking al Qaeda to the attack.<sup>90</sup> Al Qaeda's recruiting efforts boomed in the wake of the attack. Bin-Laden directed that a video of the attack be made and widely distributed. Portions of the show were aired on Al Jazeera and other Middle Eastern media outlets. This use of the media also helped al Qaeda's recruiting.<sup>91</sup>

In Washington some bitter exchanges occurred among senior administration officials. Richard Clarke was often involved. In one instance he upbraided DCI Tenet so "sharply" that Tenet literally walked out of a principals meeting.<sup>92</sup> Operational changes were also visible in the aftermath of the *Cole* bombing. The CIA expanded the scope of its operations against al Qaeda. The State Department received presidential permission to try another round of direct discussions with the Taliban's deputy foreign minister in an effort to get bin-Laden expelled from Afghanistan.<sup>93</sup> President Clinton has since stated he was willing to authorize further military attacks in Afghanistan or deliver an ultimatum to the Taliban only if the FBI would have publicly identified bin-Laden as the prime culprit. But this the bureau would not do. Sandy Berger said the farthest the FBI and CIA would go in assigning blame for the bombing was to say they had strong suspicions al Qaeda was responsible for the attack.<sup>94</sup>

Sometime in late October of 2000, the White House stopped keeping paper copies of deliberations involving al Qaeda; all briefings became strictly oral.<sup>95</sup> By 15 November Richard Clarke was certain al Qaeda was to blame for the *Cole* attack, although other government agencies were not as certain. General Tommy Franks, the newly appointed commander of US Central Command, was ordered to reexamine military options.<sup>96</sup> By 15 November Sandy Berger wanted an ultimatum delivered to the Taliban, but none was issued. Given the lack of definitive identification of bin-Laden as the perpetrator of the *Cole*

bombing, the president claimed it would be irresponsible for him to invade a country.<sup>97</sup> Richard Clarke believed that although the Defense and State Departments had reservations about the use of force in Afghanistan, the real reason for the lack of more muscular action was the failure of the CIA and FBI to reach a firm conclusion regarding the involvement of bin-Laden in the attack.<sup>98</sup> Tenet, however, insisted that he was never pressured for a definitive finding by anyone in the administration. In fact he had a totally different view on how such determinations were made. Tenet believed the CIA was required to lay all of the pertinent facts in front of the president and the NSC. It was up to them to decide whether action was warranted and what form that action should take.<sup>99</sup> As to bin-Laden's culpability, the CIA was using the term "preliminary judgment." This was done intentionally, but not to prevent the nation's executive leadership from attacking targets in Afghanistan. Rather, the concern among senior CIA officials was to avoid tying the government's hands in a legal sense, should the issue ever arise in a court of law. Nevertheless, most senior U.S. leaders felt hamstrung by the CIA's terminology, in that acting on such information could give rise to charges the administration had acted before final blame could be determined.<sup>100</sup>

### **IN WASHINGTON, A TIME OF TRANSITION**

Another issue the Clinton administration had to deal with in the last months of 2000 was the task of turning over the government to the incoming Bush team. The CIA and the NSC staff were busy reviewing the briefings and recommendations on countering al Qaeda that they would be making to the new national leaders. The CIA plan, known as the "Blue Sky Memo," featured supporting the Northern Alliance; increasing support to Uzbekistan as an ally in fighting terror; and assisting other anti-Taliban groups and proxies. Above all, the briefers wanted to make the point that no single bullet was going to solve the problem and a multifaceted policy was needed.<sup>101</sup>

The Clinton administration was not briefed on "Blue Sky," in part because it was focused on turning over the White House. During this period Richard Clarke and his team came up with their own plan for taking on al Qaeda, titled "Strategy for Eliminating the Threat from Jihadist Networks of al Qida [sic]: Status and Prospects."<sup>102</sup> Clarke envisioned rolling back al Qaeda over several years. In addition to an active CIA role, Clarke wanted military action to destroy al Qaeda and Taliban command-and-control assets and infrastructure. The paper also expressed concerns about the presence of al Qaeda operatives already in the United States.<sup>103</sup>

While the Clinton administration prepared for transition, terrorist Hani Hanjour entered the country and joined his fellow operative Hazmi in San Diego. Of all the terrorists, Hanjour was perhaps the most culturally acclimated to the United States. He had lived in the United States in 1991 when he studied English in Arizona after working in Afghanistan as a relief worker in the late 1980s. Hanjour returned to the United States in 1996 after being rejected by flight schools in Saudi Arabia. He started pilot training at several U.S. schools, but never finished the course of instruction, returning to the kingdom in late 1996. Finally, in 1997, Hanjour returned to Arizona, via Florida, and completed his training. In April 1999 he earned his commercial pilot's license. He flew back to Saudi Arabia, where his

request to work in Saudi civil aviation was again denied. He found his way to Afghanistan and al Qaeda in the spring of 2000. As soon as Hanjour was identified as a pilot, he was assigned to the planes operation.<sup>104</sup> Once Hanjour linked up with Hazmi, the pair moved to Arizona to resume flight training. While in Arizona, Hazmi remained in phone contact with friends in San Diego.<sup>105</sup>

During December the remainder of the pilots earned their pilots' licenses. None had particularly distinguished themselves as exceptional students. However, by the end of the year all were simulating flights on large jets.<sup>106</sup>

### **THE BUSH ADMINISTRATION TAKES CHARGE**

After eight years of being out of office, the Republicans were back. Surprisingly, the new president kept several of the Clinton team on the job. These included DCI George Tenet and, in line with customary practice, FBI director Louis Freeh. Richard Clarke and the bulk of his analysts were also retained. Keeping an NSC staffer such as Clarke, especially one who had acquired a reputation for being difficult, was highly unusual.<sup>107</sup> Clarke therefore construed his retention as ensuring he would still be an important actor in the formulation of national counterterror policy. He lost little time in informing other leaders he was staying on the job.<sup>108</sup>

President Bush himself and every key member of his team received briefings on terrorism. Clarke told President Bush that "some Americans would die from terrorism in the next four years."<sup>109</sup> When President Bush asked if the CIA could kill bin-Laden, George Tenet answered by saying that such an assassination would have an effect on al Qaeda, but would not end the threat. In response to another question, Tenet assured the president the CIA had all the authority it needed to carry out its counterterrorism role.<sup>110</sup> Sandy Berger told Condoleezza Rice that al Qaeda and bin-Laden would take up more of her time than anything else. As is the custom, the outgoing president sat and discussed key issues with the incoming chief executive. Both men have slightly different recollections of this meeting. President Clinton recalls specifically mentioning bin-Laden to President Bush. President Bush does not recall bin-Laden being discussed at all, but rather remembers President Clinton was focused on North Korea and Israel-Palestine.<sup>111</sup> At the end of the process Clarke felt the new administration faced a steep learning curve.<sup>112</sup> However, it was clear creating and maintaining successful counterterror capabilities remained on the list of presidential priorities.

### **KEEPING THE PRESIDENT INFORMED**

In any presidential administration, as, for that matter, in any large organization, managing the dissemination of critical information to the highest levels of leadership is a vital function. In the case of the president this is especially important. Time is the chief executive's most valuable commodity and there are only so many things on which he can be personally fully briefed. Yet the country expects the president to be aware of every important threat, challenge, and opportunity facing the United States.

Significant threats to the interests of the United States are reported to the Commander in Chief every day as part of the President's Daily Briefing (PDB). The NSA, the secretary of defense, and the secretary of state are privy to this report, as is the vice president. The contents of this briefing are highly classified. The briefing is normally given by the director or assistant director of the CIA.<sup>113</sup> Between 20 January 2001 and 10 September 2001, more than forty individual items related to bin-Laden were briefed to the president.<sup>114</sup> While this number may seem significant, it is important to remember that the forty items were but a tiny fraction of all the reports given to the president in this time frame and that the items were spread out over a nearly eight-month period. After the PDB, the next most senior intelligence briefing product is the Senior Executive Intelligence Brief (SEIB). The SEIB covers the same material as does the PDB, but in less detail. The attorney general, FBI director, and Richard Clarke all received the SEIB. However, these individuals did not see internal, undissemminated information from the FBI, CIA, or NSA.<sup>115</sup>

### NEW FACES, NEW WAYS

Of course, the new administration made changes. Procedurally, presidential briefings were less formal, but NSA Rice was almost always in attendance.<sup>116</sup> Unlike with the Clinton administration, not only was more information vetted through the Deputies Committee, but the Committee was expected to take on and resolve tough questions. Only those issues that could not be resolved were to be passed up to the Principals Committee.<sup>117</sup> Clark's Interagency Committee, which had achieved the status of a parallel Deputies Committee, was relegated back to being a mere interagency working group (IWG). Clarke saw this as a de facto demotion and was disappointed in both his reduction of status and loss of ability to influence the most senior presidential advisors.<sup>118</sup>

Nevertheless, Clarke lost no time in pushing his agenda. Within a few days of the inauguration, Clarke tried to get Rice and President Bush to give terrorism a very high priority and to treat al Qaeda as a first-order threat as opposed to a regional concern. Rice did not immediately put any of these recommendations into action. In fact, while much work was done on the issues Clarke had identified, the first time a principals meeting was held on al Qaeda was 4 September 2001.<sup>119</sup>

In January 2001, however, how to respond to the attack on the *Cole* was still a very active issue. Richard Clarke continued to press for action, as long as it was measured and well planned. Neither Secretary of Defense Rumsfeld nor his deputy, Paul Wolfowitz, appeared in favor of using cruise missile attacks as a response. However, Clarke was so insistent on this matter that he bypassed normal administrative channels and sent a memorandum directly to Vice President Dick Cheney. Clarke suggested that Cheney press the CIA to determine exactly what additional information was needed to declare al Qaeda responsible for the attack on the *Cole*.<sup>120</sup>

The search for answers to the *Cole* turned up a potentially vital piece of information that may have been useful in detecting the planes operation. The CIA uncovered evidence linking prospective hijacker Mihdhar to an al Qaeda leader who helped direct the *Cole* attack



and learned that Mihdhar had attended the meeting in Kuala Lumpur. However, the CIA never passed this information to the FBI. Had the FBI been aware of the connection and known that Mihdhar possessed a U.S. visa, it might have located him within the United States, where he was living under his own name.<sup>121</sup>

### **IN THE PENTAGON AND THE HOOVER BUILDING, NEW HANDS TOOK THE WHEEL**

Of course, terrorism was but one topic clamoring for attention in the new administration. Within the Department of Defense, Rumsfeld was focused on transforming the armed services and “building a 21st century military.” He did not press for action against al Qaeda in response to the attack on the *Cole*, feeling too much time had passed. Deputy Secretary of Defense Paul Wolfowitz agreed, describing the issue as “stale.”<sup>122</sup> Based on actions, as distinct from rhetoric, getting up to speed on terrorism was not high on the SECDEF’s actual agenda. Within the Defense department, counterterrorism was the responsibility of the assistant secretary of defense for Special Operations and Low Intensity Conflict (ASD (SOLIC)). Secretary Rumsfeld did not receive a briefing from the outgoing ASD (SOLIC) as part of the transition process. Furthermore, he did not find a replacement ASD (SOLIC) until after the 9/11 attacks.<sup>123</sup>

Other evidence suggests the defense secretary had other priorities. For example, even after a draft Presidential Decision Directive (PDD) directing DoD to plan military campaigns against al Qaeda and the Taliban was in circulation, Secretary Rumsfeld did not initiate any such planning until after the September attacks. In short, the Defense Department’s priorities were aimed at other concerns.<sup>124</sup>

Like Rumsfeld, both Louis Freeh, the departing director of the FBI, and Robert Mueller, the incoming director, also did not seem to have counterterrorism on their list of organizational priorities. Neither man pushed for it. Within the Justice Department, requests to increase counterterrorism funding—with the exception of monies needed to improve the Bureau’s WMD incident response capability—were denied by Attorney General John Ashcroft. He also made it clear that there would be no change in policy regarding sharing information between the FBI’s and Justice Department’s criminal divisions. “The wall” remained standing. Overall, there was a sense that the Justice Department wanted the FBI to get back to “investigative basics.”

### **TIME FOR THE TALIBAN?**

In March 2001, Condoleezza Rice asked the CIA to prepare a new set of authorizations for covert action in Afghanistan. The idea had originated with Richard Clarke and was linked to increasing support for the Northern Alliance. Under DCI Tenet’s direction, two documents designed to give the agency maximum leeway were created. Once the documents were completed, Tenet then argued that the administration was doing things backwards. A policy review and determination should precede the authorization, he said, not vice versa.<sup>125</sup>

Clarke's recommendations went to a partial meeting of the Deputies Committee on 7 March 2001. Stephen Hadley, the deputy assistant national security advisor, felt the time was right for a new Presidential Decision Directive on terrorism. Clarke reacted with mixed emotions. On one hand he feared al Qaeda would be categorized as a regional threat, vice a global menace. He also lamented the time it would take the administration to review the existing counterterror policy. On the other hand, Clarke understood the review presented an opportunity to recognize the "changing nature of terrorism."<sup>126</sup>

### **THREAT WARNINGS INCREASE AND AL QAEDA'S MUSCLE TEAMS DEPLOY**

The number of warnings of terrorist threats and planned attacks generated by the U.S. intelligence community rose to an all-time high in the spring of 2001.<sup>127</sup> On 13 April the FBI ordered its offices to assume a posture of increased alert. Al Qaeda was reported to be planning attacks, but there was no indication that these attacks would take place in the United States and no specific actions were either suggested or required by FBI headquarters.<sup>128</sup>

In late April, the muscle hijackers began to arrive. Each used his own name. The first two entered at Dulles airport. Each group carried an infusion of funds to keep the operation going.<sup>129</sup> Once in the United States, these men, like the pilots, kept a low profile. Most joined local gyms or health clubs.<sup>130</sup> All but one of the "muscle" men would be in the United States by 4 July 2001.

Al Qaeda was eventually placed on the agenda of the full Deputies Committee. It would take nearly two months, but when al Qaeda was discussed, there was no doubt as to how it was viewed by the country's leading intelligence agency. The CIA described al Qaeda as "the most dangerous group facing the United States."<sup>131</sup>

Throughout the spring of 2001 reporting on terrorism surged in general, but nothing pointed directly to al Qaeda. Almost all the reports were coming from the CIA's Counterterrorism Center, which collected information from outside the borders of the United States. The FBI, responsible for counterterrorism inside the borders, did not augment CIA reporting. Clarke, representing the NSC, continued to broadcast his increasingly familiar-sounding alarm about the threat of terrorists inside the United States, and dramatized his concerns by invoking scenarios in which Hamas, al Qaeda, or other terrorist organizations attacked the White House.<sup>132</sup>

White House leaders remained concerned about the possibility of an attack using WMD. In May, Vice President Cheney was assigned responsibility for managing the national response to such an attack. It took time to build a task force, and it was just beginning to function on 11 September 2001.<sup>133</sup>

The linkage between the attack on the *Cole* and the pending planes operation resulted in another potential opportunity for the U.S. intelligence community in June 2001. An FBI analyst chasing the flow of al Qaeda monies once again encountered the name of Mihdhar. The analyst met with a CIA counterpart on 11 June. The meeting was unproductive. The FBI agent did not pass on her information due to the bureau's concern about breaching

"the wall." The CIA analyst did not reveal what the agency knew about Mihdhar because he believed he was not authorized to share agency information with the bureau and because he wasn't specifically asked about Mihdhar. The FBI analyst didn't ask about Mihdhar because she assumed the CIA would tell her if they knew anything.<sup>134</sup> Despite the slow start and continued difficulty in sharing information, the two counterterrorism officials continued their efforts and made progress. By 25 August, al-Hazmi and Mihdhar were under serious suspicion of being terrorists and the CIA requested the intelligence community at large to place their names on the appropriate watch lists.<sup>135</sup>

At more senior levels, movement also occurred toward a decision as to what to do about al Qaeda. The first draft of a presidential directive aimed at eliminating al Qaeda went to NSA Rice on 7 June 2001. She viewed the document as a comprehensive new national strategy. Clarke saw it as essentially the same recommendations he had made in 2000.<sup>136</sup> Parts of the administration's efforts clearly were repetitions of what had been tried, and had failed, before. For example, the Taliban was once again approached diplomatically and asked to expel bin-Laden. There were also repeated demarches aimed at Pakistan. Neither effort was more successful than it had been in the past.<sup>137</sup> However, one part of the proposed plan produced fierce debate. Clarke was all for increasing U.S. support to the Northern Alliance. NSA Rice advocated a larger regional effort.<sup>138</sup>

#### **THINGS SLOW DOWN—THE TOTAL POLICY REVIEW**

There was a reason the Bush White House was not moving at top speed on terrorism and a great many other issues. In an effort to craft a coherent foreign and security policy, the administration was conducting a total policy review. Older hands, like Richard Clarke, felt this created unacceptable slow-downs. Key administration officials, such as Stephen Hadley, thought the Bush team was moving as fast as it could.<sup>139</sup>

As the Bush administration reviewed policies and, among other things, attempted to determine what to do about bin-Laden, the hijackers continued to train. While keeping low profiles, they were far from invisible. For one thing, they traveled. Given the risk to their mission if one of the men was caught, their movements were extensive. Each of the four pilots left the United States at least once during 2001. Shehi flew to Morocco and then to Egypt. Jarrah brought his German girlfriend to the United States for a ten-day stay. He visited her in Germany twice. Mission leader Atta flew to Germany and Spain, where he participated in a final preoperation conference with Khalid Sheikh Mohammed.<sup>140</sup> Both Atta and Shehi encountered difficulty trying to reenter the United States, as both lacked student visas. However, each was able to persuade INS inspectors to allow them to return.<sup>141</sup> In June Mihdhar was in Jeddah and had to apply for a new visa. Since he had not been "watch-listed," even though the CIA knew he had attended the Kuala Lumpur meeting, there was no reason for the State Department to deny his request.<sup>142</sup>

Others were also searching for the future hijackers. Shehi's family grew worried when they could not contact him in Germany. They consulted the UAE representative in Germany, who in turn convinced the German police to mount a search. Somehow Shehi

learned that the German authorities were looking for him and called his family to tell them he was fine and still in Hamburg.<sup>143</sup>

### **JULY 2001: A LONE VOICE FROM ARIZONA**

By July, the terrorists were deep in preparations for the attack. Some of the hijackers were performing reconnaissance flights on U.S. commercial carriers. This research proved small knives and box cutters could be carried aboard planes without difficulty. As a result of these efforts, Atta determined that Boeing, rather than Airbus, aircraft would be the most appropriate for the operation. He also decided to make the attacks during the first fifteen minutes of flight. Only planes embarking on long flights would be candidates for hijacking, as they would have more fuel aboard at the time of impact, increasing the destructive effect. In order to decrease any chance of suspicion, Atta also decided to try and make the “muscle” appear as if they were rich Saudis. Language talents would also be distributed evenly among the groups.<sup>144</sup>

On 5 July 2001, Attorney General Ashcroft and other U.S. leaders and agencies were warned by the CIA of the threat of imminent, significant, and multiple al Qaeda attacks. None of these threats were reported to be aimed at targets inside the United States.<sup>145</sup> This information was not changed even after the Counterterrorism Security Group was warned of possible terrorist travel to the United States. The State Department warned the public of possible terrorist attacks on the Arabian Peninsula. The FAA followed suit and included Israel as a possible attack location.<sup>146</sup>

July 2001 could be labeled as the month of missed chances. Some individual staff officers, reacting to what they perceived as anomalies, attempted to alert their organizations to potentially wider threat. One effort came from Special Agent Kenneth Williams in the Phoenix FBI office. Williams grew suspicious of what he believed might be an attempt by bin-Laden to send al Qaeda students to U.S. aviation schools.<sup>147</sup> The phenomenon that triggered Williams’s concern was described as an “inordinate numbers of individuals of investigative interest” attending civil aviation schools in Arizona. The agent did not warn of potential hijackings and was concerned about aviation students in general, not just those in pilot classes. Special Agent Williams’s memo went to FBI headquarters and two agents who worked for the New York field office’s international terrorism squads. The memo contained four recommendations: compile a list of civil aviation schools in the United States; establish a liaison with those schools; discuss the bin-Laden theory with the larger intelligence community; and seek authority to obtain visa information on people applying to flight school.<sup>148</sup> Williams’s memo was not acted on and its potential importance was not recognized until after the September attacks.<sup>149</sup>

### **AUGUST: THE PRESIDENT IS WARNED AND A BRAVE CALL IS MADE IN MIAMI**

The SEIB of 30 August reported that the threat posed by al Qaeda was real. Yet not all of the president’s advisers agreed. Deputy Secretary of Defense Wolfowitz questioned the findings. In response, DCI Tenet was adamant that the threat was genuine.<sup>150</sup>

On 4 August the last of the muscle men, Mohamed al Khatani, attempted to enter the United States via Miami International Airport. His poor English, lack of funds, and antagonistic attitude raised suspicions on the part of INS agent Jose Melendez-Perez.<sup>151</sup> Despite cautions from coworkers that causing difficulties for Saudi nationals was not a "smart" thing to do and could even cost him his job, Melendez-Perez persisted.<sup>152</sup> Khatani was refused entry and did not take part in the attack.<sup>153</sup>

President George W. Bush received the first PDB that referred to a potential attack inside the United States on 6 August 2001. The briefing was delivered by John McLaughlin, deputy CIA director.<sup>154</sup> The PDB contained a section titled "Bin-Laden determined to strike in U.S." It warned bin-Laden had long wanted to conduct such an attack. Al Qaeda attacks were said to be planned for years in advance and bin-Laden would not be deterred by setbacks. The briefing also stated bin-Laden wanted to hijack U.S. aircraft.<sup>155</sup> There was even mention of al Qaeda surveillance of buildings in New York, and "70 full FBI field investigations related to bin-Laden" were said to be in progress in the United States.<sup>156</sup> However, when the associated SIEB for the 6 August PDB was produced, it contained no mention of surveillance activities in New York, or of the "70 field investigations."<sup>157</sup>

#### **ALMOST A SUCCESS STORY: ZACARAIS MOUSSAOUI, THE FBI, AND FISA**

It was during this period terrorist Zacarais Moussaoui was selected to train as a backup pilot. Atta made the decision. Apparently, friction between Atta and Jarrah had been steadily growing.<sup>158</sup> Moussaoui began simulator training in Minneapolis on 10 August. However, his desire to fly big jets without wanting a license caused his instructor to grow increasingly suspicious. Within a few days the instructor reported Moussaoui to a friend in the Minneapolis field office of the FBI.<sup>159</sup> The agent quickly located Moussaoui, who, like every other member of the planes operation, was living openly under his own name, and questioned him. Moussaoui's jihadist beliefs surfaced at once, as did his possession of \$32,000 for which he could not satisfactorily account. During questioning Moussaoui "became agitated" when asked if he had ever traveled to nearby countries when he was in Pakistan. During this phase of the investigation, the agent learned that Moussaoui was intending to buy some GPS equipment and get martial arts training.<sup>160</sup> The agent rapidly concluded Moussaoui was an Islamic extremist preparing for a hijacking.<sup>161</sup>

The Minneapolis field office and FBI Headquarters next had to decide what to do with Moussaoui. The debate centered on whether it would be wiser to arrest Moussaoui at once or keep him under surveillance to gain more information. As it was not clear that Moussaoui could be imprisoned, the decision was made to prevent him from getting any more training that might be useful to his plans. As a French national with an expired visa Moussaoui could be expelled from the United States at once. Accordingly, on 17 August 2001 he was arrested by the INS and a deportation order was signed.<sup>162</sup>

The next problem facing the Minneapolis field office was what to do with Moussaoui's laptop computer. The agents in Minnesota very much wanted to search its contents but worried the U.S. Attorney's Office would find they had insufficient cause to obtain a search

warrant. FBI Headquarters believed that sufficient cause was lacking.<sup>163</sup> The best approach seemed to be to obtain a FISA warrant for the search, but that would require the FBI to make a convincing case that Moussaoui was an agent for a foreign power. Accordingly, assistance in this effort was requested from the FBI's legal attachés in Paris and London as well as from the CIA. The French government was contacted on 16 August. Ten days later the French authorities provided information connecting Moussaoui to an Islamic Chechen leader. The British moved more slowly as they were already dealing with a large number of terror-related inquiries and had not been given a reason to make the Moussaoui case a matter of priority.<sup>164</sup>

The French information sparked additional debate. The CIA, FBI headquarters, and the Minneapolis field office all argued whether Moussaoui's tie to Chechen rebels was sufficient to meet the criteria for being "an agent of a foreign power." During these discussions, the CIA referred to Moussaoui as a "possible suicide hijacker."<sup>165</sup> In the end, FBI headquarters said the evidence was not sufficient and a FISA application was not submitted.<sup>166</sup>

The Moussaoui case was not discussed within the Counterterrorism Steering Group. However, the group shared a conviction that al Qaeda had established sleeper cells in the United States. Richard Clarke claimed that the CSG had alerted all U.S. agencies, whether of an internal or international orientation. He further stated the warning said an attack was imminent.<sup>167</sup> But many domestic agencies did not agree with Clarke's findings and did not view the CSG's warning as a call for action. Most of these organizations lacked preestablished procedures to initiate in times of increased threat, as did the FBI, State Department, Defense Department, and CIA. There was an increased effort on the part of the domestic agencies to look for evidence of sleeper cells, and externally focused U.S. organizations increased their overseas surveillance.<sup>168</sup>

The FAA issued a series of briefings. However, no mention was made of the chance of suicide hijackings and no new security measures were initiated.<sup>169</sup> Acting Director Pickard of the FBI briefed his senior agents in charge, but only the New York office appeared to take any notice of the briefing. The acting director also briefed Attorney General Ashcroft. After two such briefings Pickard claimed Ashcroft said "he didn't want to hear any more about the threats."<sup>170</sup>

Atta used the month of August to firm up final details. The terrorists were now making reconnaissance flights on the exact type of aircraft that would be used in the attack. As both the White House and Congress were on the target list, Atta wanted to make sure the attack occurred when Congress was in session. By mid-month the attackers had procured their weapons. They purchased airline tickets from 25 August to 5 September, usually paying with credit cards. The groups' tradecraft continued to be lackluster as many of the attackers phoned family and friends to make last farewells.<sup>171</sup> In the last days before the strike, Atta and the others returned their excess funds to al Qaeda and moved to motels near their airports of departure. The planes operation had come a long way since 1996.

A casual attitude toward secrecy about the operation was also observed, to a degree, in al Qaeda's leaders. Bin-Laden's senior lieutenants knew that he was pressing hard for action.

He initially wanted the attacks to occur in May. Taliban leaders were also aware of the impending strike, and this had become something of a friction point between them and bin-Laden. Some of the Taliban leaders were uncomfortable with hitting targets in the United States, as a violent response was seen as certain. These men preferred action aimed at the Northern Alliance. Others, perhaps even Mullah Omar, the Taliban leader, wanted the attack to be made against "the Jews."<sup>172</sup> At least some of the information filtered past the level of senior leadership. While details of the strike were not widely known, the entire al Qaeda organization was aware that something major was afoot.<sup>173</sup>

### **THE LAST WEEK**

On 4 September, the FBI sent a teletype message to the CIA, FAA, Customs, the State Department, INS, and the Secret Service summarizing the facts in the Moussaoui case. The summary did not include the local agent's belief Moussaoui had intended to hijack an airplane. It did contain a comment from the FAA that attendance in U.S. flight schools by people from the Middle East was not unusual.<sup>174</sup> The Minneapolis office wanted to inform the FAA about Moussaoui from the beginning of the case. However, FBI Headquarters said that the complete record could not be shared and provided the FAA with only a partial report.<sup>175</sup> Taking matters into his own hands, the Minneapolis Special Agent in Charge sent his agent to fully brief the local FAA office and "fill in the gaps." The FAA took no action in response to this additional information.<sup>176</sup>

When Washington learned that the Minneapolis SAIC had passed the full report to the FAA, friction between FBI Headquarters and the Minneapolis field office increased. Washington accused Minneapolis of trying to "get people spun up." The SAIC admitted that was precisely his intent because he was "trying to keep someone from taking a plane and crashing it into the World Trade Center." The response from FBI Headquarters was "that was not going to happen" and no one knew what Moussaoui was intending.<sup>177</sup>

It is clear that FBI officials in Washington and Minneapolis attached differing degrees of importance to the Moussaoui case. Local supervisors felt it was important enough to disobey headquarters when it came to sharing information. Washington thought so little of the case that it was not briefed to either the acting director of the FBI or the assistant director for counterterrorism prior to 11 September.<sup>178</sup> The assistant director was warned that the field office might call to complain how the case was handled. Minneapolis did initiate a complaint, but eventually decided not to "buck the system," and terminated the effort.<sup>179</sup>

In contrast, the CIA had not been shy about sharing information regarding Moussaoui with its chain of command. On 23 August George Tenet was given a briefing item titled "Islamic Extremist Learns to Fly." The briefing was fairly comprehensive, but there was no mention of a possible connection between Moussaoui and al Qaeda. Since Moussaoui was an FBI case, Tenet did not discuss it with anyone at the White House or the FBI. No connection was made between Moussaoui and the terrorist threats reported earlier during the summer.<sup>180</sup>

On 4 September 2001, the Principals Committee discussed al Qaeda for the first time. Clarke pressed Rice hard to get the other principals to take al Qaeda seriously. Clarke

warned Rice the CIA was being “passive-aggressive” and that taking a “business as usual approach” would leave the United States “waiting for the next big attack.”<sup>181</sup> At the meeting, the principals also discussed the draft PDD on al Qaeda and the Taliban. It was believed the strategy would take three years to be effective. The Defense Department was in favor of taking strong action. The State Department joined with DoD, though Secretary Powell warned the ease of killing bin-Laden was being overestimated. Treasury Secretary O’Neill was “skittish” about killing an individual. Deputy Secretary of Defense Wolfowitz and General Myers, chairman of the Joint Chiefs of Staff, did not balk at killing bin-Laden, but wanted such action to be part of a larger operation, as the targeting of Muammar Gaddafi had been in 1986.<sup>182</sup>

On 9 September 2001, Ahmed Shah Massoud, the leader of the Northern Alliance, was assassinated by al Qaeda operatives. This pleased the Taliban leaders who had wanted al Qaeda to attack the opposition. Friction between the Taliban and bin-Laden diminished, and Taliban complaints about the planes operation were reduced.<sup>183</sup>

The assassination did not affect U.S. efforts to deal with bin-Laden and the Taliban. On 10 September, the draft PDD on Afghanistan was approved for forwarding to the president. Funding sources for the plan were still unidentified.<sup>184</sup> On the same day bin-Laden phoned his mother in Syria to say something big was about to happen and that it would end their communications for a long time.<sup>185</sup>

## **THE DAY ARRIVES**

On the morning of 11 September 2001, Atta and his eighteen men left their motel rooms and headed for Ronald Reagan National Airport in Washington, D.C., Logan International Airport in Boston, Massachusetts, and Newark International Airport in Newark, New Jersey.<sup>186</sup> At this time the majority of systems and procedures aimed at protecting the United States from a terrorist attack had failed. The only measures that could then have prevented loss of American lives were under control of the FAA.

Once the hijacked aircraft were in the sky, U.S. citizens were going to die, unless, somehow, miraculously, the passengers and aircrew could recover control of the captured aircraft. But even if this was not possible, there was still, at least technically, an ability to limit the number of fatalities to only those persons aboard the four planes. Doing so would require the collaborative efforts of the FAA and North American Aerospace Defense Command (NORAD), the organizations with responsibility for the security of U.S. airspace.<sup>187</sup>

## **NORAD**

The mission of NORAD, a binational Canadian–U.S. organization, is to “defend the airspace of North America and protect the continent.”<sup>188</sup> To perform this mission, NORAD has divided its area of responsibility into three regions.<sup>189</sup> During the Cold War NORAD was seen as an indispensable system and likely to be the first organization to detect a strategic Soviet attack. Like many military commands, NORAD faced severe budget cuts and force reductions in the 1990s. One of the more visible changes in the wake of the Cold War



was the shift of responsibility for the NORAD mission from the active-duty Air Force to the Air National Guard.<sup>190</sup> The number of NORAD sites was reduced from twenty-six to seven.<sup>191</sup> NORAD had, in fact, only barely escaped being completely eliminated by arguing its capabilities were still required in order to protect against a potential asymmetric attack. It was believed such an attack would most likely come in the form of cruise missiles.<sup>192</sup>

However, NORAD also recognized that the use of manned aircraft as guided missiles was a potential problem. NORAD forces occasionally exercised against such a threat, but the suicide aircraft were always depicted as international flights entering the country. The exercise was also a test of NORAD protocols for working with the FAA. In such an event, the procedures called for "multiple levels of notification and approval at the highest levels of government."<sup>193</sup> The decision to destroy a commercial airliner was naturally considered of national importance and only the president could order a shoot-down.<sup>194</sup> These procedures had not come close to being used in reality for nearly a decade, as the last hijacking that involved both NORAD and the FAA happened in 1993.<sup>195</sup>

On 11 September 2001, NORAD control for the Northeast region of the United States was located in Rome, New York. Two "strip alert" F-15 Air Force fighters were stationed at Otis Air National Guard Base on Cape Cod. A second pair of "strip alert" F-15s were stationed at Langley Air Force Base in Virginia.<sup>196</sup> While this was the normal amount of fighter coverage, staffing in NORAD command centers was higher than usual. A simulated air war exercise, Operation Vigilant Guardian, was scheduled to begin that morning.<sup>197</sup>

Under FAA procedures involving hijacked aircraft, each plane is equipped with a radio "Identification Friend or Foe" (IFF) transponder that automatically reports aircraft heading, speed, and altitude. The transponder also broadcasts a unique electronic code that specifically identifies the aircraft. In the event of an emergency, such as a hijacking, the pilot of the aircraft can broadcast a variety of warning signals.<sup>198</sup> Once received, transponder signals are converted into electronic symbology that air traffic controllers then use to ensure safety of flight. These controllers only see the symbology, so if an IFF transponder were to be turned off, that aircraft would essentially "disappear" from the controllers' screens.<sup>199</sup>

Accordingly, the FAA expected the first indication of a hijacking to most likely be an emergency IFF signal. Whatever the source, the controller who first detected the hijacking would first notify his or her supervisor, who in turn would alert the FAA chain of command all the way to FAA Headquarters in Washington, D.C. There, a very senior hijack coordinator would assume control. The hijack coordinator would contact the National Military Command Center (NMCC) in the Pentagon and request a military aircraft escort to follow the hijacked aircraft. The appropriate watch officer in the NMCC would then notify the Defense Department chain of command and request permission to provide an escort. The approved request would be transmitted down the chain of command. The NMCC would then keep the FAA hijack coordinator up to date as well as directly assist regional and local FAA centers in communicating with the U.S. military. Both NORAD and the FAA would continue to track the hijacked aircraft. At no time was an actual combat intercept and shoot-down part of these standard procedures.<sup>200</sup>

## THE ATTACK BEGINS

At 0814, 11 September 2001, a Boston-based air traffic controller ordered American Airlines Flight 11 (AA11) to climb to 35,000 feet, but the aircraft did not comply. This was Mohammed Atta's aircraft. The controller attempted to gain communications with AA11 on several alternate and emergency frequencies, but was not successful. Ten minutes later AA11's transponder was turned off and the controller reported to his supervisor that something was seriously wrong. At this time hijacking was not suspected.<sup>201</sup> The supervisor thought AA11 had suffered a communications failure and ordered the controller to follow "no radio aircraft" procedures. The controller then checked if American Airlines was in contact with this aircraft. Other controllers began to move their aircraft away from the suspected position of AA11, and asked pilots to look for the missing plane.<sup>202</sup>

Atta's unfamiliarity with the aircraft's communication control evidently led him to inadvertently announce the plane was being seized over the radio, rather than on the intercom. This occurred at 0824 and was heard by the controller, who then realized a hijacking was in process. The controller notified his supervisor, who assigned a second controller to AA11. In accordance with FAA procedures, Boston's FAA Center notified the FAA chain of command of the hijacking. This took seven minutes. Boston Center also notified the FAA Command Center in Herndon, Virginia, that AA11 was believed to be hijacked and moving toward New York airspace.<sup>203</sup>

The FAA Command Center alerted the FAA Operations Center to the possible hijacking and learned that the operations center was already in communication with the FAA's New England Regional Office. FAA Headquarters then initiated the hijack protocol but did not contact the NMCC to request a fighter escort.<sup>204</sup>

Boston FAA Center violated protocol and alerted the New England Air Defense Sector (NEADS) directly at 0837:52. The call was received by then-Technical Sergeant Jeremy Powell, whose first response was to ask if a drill was taking place.<sup>205</sup> Air Force Colonel Bob Marr, the NEADS commander, assumed "Battle Command," taking responsibility for any air war over North America. He immediately contacted Major General Larry Arnold, commanding both the First Air Force and the NORAD continental region, and requested permission to scramble fighters. Arnold ordered the fighters into the air and informed Marr he would "get permission later." Arnold then notified NORAD Headquarters in Colorado Springs, Colorado.<sup>206</sup>

## THE SECOND AND THIRD AIRCRAFT ARE TAKEN

At 0842, while controllers at the FAA Center in New York were intently searching for AA11, United Airlines Flight 175 (UA175), then entering New York's airspace, reported having heard suspicious radio transmissions when departing Boston. A minute later, UA175's transponder code changed twice. This change was missed by UA175's controller, who also had responsibility for AA11.<sup>207</sup>

At 0846, slightly more than ten minutes after the military was first informed of a problem, the strip alert F-15s launched from Otis National Guard Base on Cape Cod. The planes lifted off the runway without contact information and no recommended course to intercept AA11. At the same time, AA11 flew into the North Tower of the World Trade Center.<sup>208</sup>

Between 0846 and 0850, FAA New York and NEADS learned that AA11 had crashed into the World Trade Center. At 0851 the controller for UA175 noticed the earlier changes in the plane's transponder signal and attempted to contact the aircraft without success. After two minutes UA175's controller informed another controller that communications with the airplane had been lost and UA175 was a possible hijack victim. The controller then spent the next several minutes handing off aircraft to other controllers and clearing aircraft out of the path of an unidentified contact believed to be UA175.

Halfway across the United States, American Airlines Flight 77 (AA77) began to deviate from its flight path. The deviation went unnoticed. By this time, CNN and other news networks started to broadcast reports of an aircraft hitting the World Trade Center.

In the FAA's New York Center, the controller in charge notified the FAA chain of command that UA175 was believed to be hijacked. The manager attempted to reach senior FAA managers, but was told they were discussing a hijacking and could not be disturbed. The hijacking under discussion was AA11, which had already hit the World Trade Center.<sup>209</sup>

#### **INFORMING PRESIDENT BUSH**

On the morning of 11 September 2001, President Bush was visiting the Emma E. Booker Elementary School in Sarasota, Florida, to promote his pending education initiatives. The president received the first report of the attacks shortly before 0855 when political adviser Karl Rove reported a small twin-engine plane had hit the World Trade Center. A few minutes later Condoleezza Rice amplified the information, explaining a "twin-engine commercial aircraft had struck the north tower of the World Trade Center." The president's initial reaction was to suppose the crash had been caused by pilot error.<sup>210</sup>

At 0856, AA77 disappeared from the radar at the FAA's Indianapolis Center. The controller initiated a search for the aircraft while continuing efforts to contact the plane on radio and through American Airlines. At the time the controller was unaware of any hijackings and believed AA77 had experienced an electrical or mechanical failure and might have crashed.<sup>211</sup>

#### **THE SECOND TOWER IS HIT**

In New York, the controller for UA175 was still unable to locate the airplane. At 0858 he told another controller there might be two hijackings in progress. A manager at New York informed the FAA Command Center of the possibility of a second hijacking and that military assistance was needed. This would be the only notification of a second hijacking either the FAA Headquarters or Command Center would receive. During the next two minutes FAA New York asked New York terminal approach control for assistance in locating UA175. Terminal approach identified what they believed to be the aircraft at an altitude of

9500 feet, heading inbound. A minute later, at 0903, UA175 flew into the south tower of the World Trade Center.<sup>212</sup>

During the final minutes of UA175's flight the FAA's Indianapolis Center began to notify other agencies of the possible crash of AA77. In Washington, the NMCC began notifying senior Pentagon officials and contacted the FAA Command Center for information. The trigger for these actions was the reports and pictures that were being broadcast by CNN and monitored within the NMCC.<sup>213</sup>

When news of the second strike reached the FAA's New England Regional Center, the reaction was to "alert the military real quick on this." Boston Center instructed all its controllers to inform every pilot with whom they were in contact of the events in New York and to increase cockpit security. Boston then requested the FAA Command Center to issue a similar warning nationwide. By 0905, New York Center had shut down its airspace to all traffic until further notice.<sup>214</sup> The actions in Boston and New York were taken on the authority of local leaders.

Simultaneously, at 0905, AA77 reemerged as a contact on the radar scopes of Indianapolis, heading east. However, the search for AA77 was concentrated to the south and west along the plane's original flight path. As a result the radar return was not noticed.<sup>215</sup>

#### **"AMERICA IS UNDER ATTACK"**

In Florida, White House Chief of Staff Andrew Card informed the president of the second strike on the World Trade Center. Card stated, "America is under attack."<sup>216</sup> This report was filmed by photographers covering the president's visit.

NEADS Commander Marr learned of the second attack three minutes later when, while watching CNN, he saw UA175 hit its target.<sup>217</sup> He immediately ordered the Otis F-15s into a holding pattern in the military airspace off Long Island.<sup>218</sup> The fighters remained there for fifteen minutes.

By this time, FAA Indianapolis was convinced AA77 had crashed and requested assistance from Air Force Search and Rescue, located at Langley Air Force Base, in looking for the downed aircraft.<sup>219</sup> The center also contacted the West Virginia State Police and asked if there had been any reports of a downed aircraft.

As the F-15s orbited off Long Island, NEADs grew concerned about their fuel state. Colonel Marr contacted Langley and asked how many fighters could be put up. The answer was three.<sup>220</sup> In the meantime the pilots of the F-15s were told what they already had confirmed visually; New York City and the United States were under attack.

At 0910, AA77 crossed the line that divided the airspace controlled by Indianapolis to that controlled by the FAA's Washington, D.C., center.<sup>221</sup> Unreported and undetected, the plane was essentially invisible. It flew on toward Washington for an additional thirty-six minutes before being redetected.

Indianapolis Center learned of the other hijackings and attacks by 0920 and began to question the assumed crash of AA77. The center's supervisor contacted the FAA Command Center. In turn, the Command Center notified other FAA Centers that AA77 was "lost."<sup>222</sup> Fearful of a third hijacking, the FAA Command Center, some FAA field facilities, and American Airlines intensified their searches for AA77. At 0921 the Dulles Airport terminal was asked to look for "primary targets."<sup>223</sup>

At 0921, for the first time, NEADS was informed of a possible third hijacking.<sup>224</sup> It was not clear to Colonel Marr that this aircraft was AA77. Rather he and his staff believed it was AA11, which by that time had already crashed into the World Trade Center. Marr believed AA11 was inbound toward Washington, D.C., and ordered the three fighters at Langley into the air.<sup>225</sup>

At 0925, the FAA Command Center warned FAA Headquarters that an aircraft might be making a suicide run at Washington. FAA Headquarters then took an unprecedented step and ordered a "nationwide ground stop," effectively canceling every scheduled commercial takeoff in the United States.<sup>226</sup>

Senior personnel in a variety of Washington organizations were becoming increasingly involved in efforts to respond to the attacks. The White House, OSD, and FAA all initiated teleconferences. However, there was no coordination between these efforts.<sup>227</sup> Richard Clarke ran the White House conference from the Situation Room. In virtual attendance were representatives from the FBI, Justice Department, and OSD.<sup>228</sup>

United Airlines Flight 93 (UA93) departed Newark at 0842. At 0927, the aircraft acknowledged a routine transmission from FAA Cleveland Center. This was the last normal contact with UA93. A few minutes later Cleveland Center heard the sounds of a struggle and screaming.<sup>229</sup> During this period Cleveland air controllers noted UA93 descended 700 feet.

The NMCC began a "significant event" conference. The meeting began with a recap of known information. Two aircraft had struck the World Trade Center. AA11 was confirmed hijacked and F-15 fighters from Otis had been scrambled.<sup>230</sup> The FAA had been asked to provide information, but no FAA representative was then present. At 0930, based on reports on an aircraft inbound to Washington, the NMCC changed the conference to an "air threat conference call."<sup>231</sup>

Also at 0930, in response to a question from Cleveland Center, other aircraft confirmed they had also heard sounds of struggle on the radio. UA93 was no longer answering calls. At 0932, Cleveland heard the hijackers order passengers to stay calm, claiming a bomb was on board.<sup>232</sup>

## **IN WASHINGTON, AIR THREAT INBOUND**

Dulles terminal control reported the detection of a primary radar contact tracking east at high speed. Dulles Tower notified Reagan Tower of the contact. Both Reagan and Dulles also notified the Secret Service.<sup>233</sup> Reagan took the additional step of vectoring an Air National Guard C-130, which had just taken off for Minneapolis, to intercept, identify, and

follow the target. The C-130 successfully spotted the target, correctly identified it as a Boeing 757, and attempted to follow the airliner.<sup>234</sup>

At 0933 the Reagan Tower supervisor contacted the Secret Service via a “hot line” and reported an aircraft heading directly toward the White House and that there was no communication with the plane.<sup>235</sup> It was at this time FAA Headquarters learned UA93 had also been hijacked. A set of frequent updates on UA93 began to flow to Acting Deputy FAA Administrator Monte Belger and other senior FAA officials.<sup>236</sup> In Cleveland, FAA controllers reported they were tracking UA93 and requested military fighters intercept the plane and escort it to a military base. They were informed FAA Headquarters was taking the request for action.<sup>237</sup>

Multiple actions occurred at 0934. In the NMCC the air threat conference call ended. The president, whom the Secret Service was desperate to get to a safe location, boarded Air Force One in Florida. Reagan Airport reported to the Secret Service that the air contact had turned south toward the airport.<sup>238</sup> The Secret Service decided to evacuate the vice president from the White House.

At 0936, FAA Boston called NEADS and reported an unidentified aircraft was six miles south of the White House. NEADS ordered the Langley fighters, which were over the ocean, to fly toward the White House at full speed.<sup>239</sup> A minute later, the air threat conference was resumed. This time the conference would last for eight hours. During the first hour of the conference, no information was passed to the NMCC and no person involved in managing the crisis participated. In the White House, the vice president entered the tunnel leading to the White House bunker.<sup>240</sup>

### **THE PENTAGON IS STRUCK, THE BATTLE ENDS**

AA77 flew into the Pentagon at 0937:47, when the Langley fighters were still 150 miles away. At 0938 the C-130, still attempting to trail the Boeing jet, reported it had crashed into the Pentagon. Controllers at NEADS detected AA77 at the last minute but lost contact as the aircraft impacted the Pentagon.<sup>241</sup>

The NMCC contacted NORAD at 0939 and reported “the United States might be under air attack” and requested an update.<sup>242</sup> NORAD, which had never received a single report concerning AA77, could only answer “there were conflicting reports.” NORAD did inform the NMCC that one of those reports indicated there was a possibility a hijacked aircraft from Kennedy Airport might be en route to Washington, D.C. The NMCC replied the plane in question had just crashed into the Pentagon.<sup>243</sup>

At 0941 UA93 turned off its transponder. However, numerous radars were tracking the plane as a primary contact. A minute later the FAA Command Center learned that an aircraft had struck the Pentagon. Ben Sliney, the FAA Command Center National Operations Manager, acted on his own and ordered all airborne commercial aircraft to land at once.<sup>244</sup>

President Bush was airborne in Air Force One. Vice President Cheney was in the White House bunker. Both men were in contact with each other by 0945. The president was

already aware of the strike on the Pentagon and told the vice president, "We're at war . . . somebody is going to pay."<sup>245</sup>

UA93 continued on a track toward Washington, D.C., for another eighteen minutes. During that time, the FAA Command Center noted military assistance with the aircraft might be required. Mrs. Cheney was located by the Secret Service and joined her husband in the White House bunker. Onboard UA93, a group of passengers, who now understood hijacking paradigms had changed and that they were facing certain death, made a desperate and courageous effort to wrest control of the aircraft back from the hijackers. Other aircraft saw UA93 flying erratically during what is now believed to be the passengers' counterattack.<sup>246</sup> UA93 crashed at 1003:11.

Although confused and incorrect reporting would continue for most of the day, the first battle in the Global War on Terror was over. The attackers had successfully used 75 percent of their weapons and created the greatest number of casualties on U.S. soil since the Civil War. The attack lasted less than two hours.

### Notes

1. Bob Graham and Jeff Nussbaum, *Intelligence Matters: the CIA, the FBI, Saudi Arabia, and the Failure of America's War on Terror* (New York: Random House, 2004), 15.
2. "Bin-Laden" was chosen as the appropriate spelling as it is the most commonly used. There are other spellings in use, most notably "bin-Ladin," which was used by the 9/11 Commission. Al Qaeda is usually translated to mean "the base."
3. Thomas Kean, Lee H. Hamilton, et al., *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States* (Washington, D.C.: Government Printing Office, 2005), 48. Henceforth referred to as *The 9/11 Report*.
4. *Ibid.*, 50–52.
5. *Ibid.*, 58.
6. *Ibid.*, 60.
7. *Ibid.*, 59.
8. *Ibid.*, 60.
9. *Ibid.*, 153.
10. *Ibid.*
11. *Ibid.*, 57–58.
12. *Ibid.*, 59.
13. *Ibid.*, 154.
14. *Ibid.*, 47–48.
15. *Ibid.*, 49.
16. *Ibid.*, 149.
17. *Ibid.*, 157.
18. *Ibid.*, 99.
19. *Ibid.*, 92.
20. *Ibid.*, 95.
21. *Ibid.*
22. *Ibid.*, 71–72.
23. It should be noted that the arrest of Timothy McVeigh, while rapid, was the result of coincidence rather than design, when an alert Oklahoma highway patrolman stopped the bomber for a broken taillight.
24. *The 9/11 Report*, 74.
25. *Ibid.*, 75.
26. *Ibid.*, 75–77.
27. *Ibid.*, 78.
28. *Ibid.*, 78–79.
29. *Ibid.*, 90.
30. *Ibid.*, 91.
31. *Ibid.*, 91–92.
32. Graham and Nussbaum, *Intelligence Matters*, 36.
33. *The 9/11 Report*, 81.
34. *Ibid.*, 80–82.
35. *Ibid.*, 83.
36. *Ibid.*
37. *Ibid.*, 83–84.

38. *Ibid.*, 84.
39. *Ibid.*, 85.
40. *Ibid.*, 86.
41. Graham and Nussbaum, *Intelligence Matters*, 103–104.
42. *The 9/11 Report*, 104.
43. *Ibid.*, 184.
44. *Ibid.*, 186.
45. *Ibid.*, 157.
46. *Ibid.*, 155.
47. *Ibid.*, 185.
48. Tommy Franks, *American Soldier* (New York: HarperCollins, 2004), 209.
49. *The 9/11 Report*, 157.
50. *Ibid.*, 159.
51. *Ibid.*, 176.
52. *Ibid.*
53. *Ibid.*
54. *Ibid.*, 178–179.
55. *Ibid.*, 179.
56. *Ibid.*, 180.
57. *Ibid.*
58. Graham and Nussbaum, *Intelligence Matters*, 5.
59. *The 9/11 Report*, 180.
60. Graham and Nussbaum, *Intelligence Matters*, 12–13; *The 9/11 Report*, 6.
61. Graham and Nussbaum, *Intelligence Matters*, 17.
62. *Ibid.*, 6.
63. *Ibid.*, 8.
64. *The 9/11 Report*, 191.
65. Hazmi and Mihdhar.
66. Graham and Nussbaum, *Intelligence Matters*, 12–13.
67. *The 9/11 Report*, 159.
68. *Ibid.*, 160.
69. *Ibid.*, 168.
70. *Ibid.*, 168–169.
71. *Ibid.*, 169.
72. *Ibid.*, 181.
73. *Ibid.*, 181–182.
74. *Ibid.*, 214.
75. Graham and Nussbaum, *Intelligence Matters*, 216.
76. *Ibid.*, 37.
77. *The 9/11 Report*, 182.
78. *Ibid.*, 183.
79. *Ibid.*, 186–187.
80. *Ibid.*, 187.
81. *Ibid.*
82. *Ibid.*, 188.
83. *Ibid.*, 225.
84. *Ibid.*, 184.
85. *Ibid.*
86. *Ibid.*
87. *Ibid.*, 235–237.
88. *Ibid.*, 191.
89. *Ibid.*
90. *Ibid.*, 192–193. However, evidence of bin-Laden’s direct involvement was not uncovered until 2002.
91. *Ibid.*, 191.
92. *Ibid.*, 193.
93. *Ibid.*
94. *Ibid.*
95. *Ibid.*, 194.
96. *Ibid.*
97. *Ibid.*, 195.
98. *Ibid.*
99. *Ibid.*
100. *Ibid.*, 196.
101. *Ibid.*, 196–197.
102. *Ibid.*
103. *Ibid.*
104. *Ibid.*, 226–227.
105. *Ibid.*, 220–223.
106. *Ibid.*, 227.
107. *Ibid.*, 198.
108. Franks, *American Soldier*, 226–227.
109. *The 9/11 Report*, 198.
110. *Ibid.*, 199.
111. *Ibid.*
112. *Ibid.*
113. As of the writing of this case this briefing is now the responsibility of the Director of National Intelligence.



114. *The 9/11 Report*, 254.
115. *Ibid.*
116. *Ibid.*, 200–201.
117. Unlike the initial term of the Clinton administration, George Bush brought in a highly experienced team. The vice president, Secretary of State, and Secretary of Defense had all been key members of presidential decision-making circles before.
118. *The 9/11 Report*, 199–200.
119. *Ibid.*, 201.
120. *Ibid.*, 202.
121. *Ibid.*, 266–267.
122. *Ibid.*, 202.
123. *Ibid.*, 209.
124. *Ibid.*, 208–210.
125. *Ibid.*, 210.
126. *Ibid.*, 203.
127. To date there has been no explanation of why the rise occurred or exactly which intelligence networks, U.S. or allied, produced the majority of the warnings.
128. *The 9/11 Report*, 258.
129. *Ibid.*, 237.
130. *Ibid.*
131. *Ibid.*, 203.
132. *Ibid.*, 204.
133. *Ibid.*
134. *Ibid.*, 268–269.
135. Graham and Nussbaum, *Intelligence Matters*, 74.
136. *The 9/11 Report*, 205.
137. *Ibid.*
138. *Ibid.*
139. *Ibid.*
140. *Ibid.*, 227, 244.
141. *Ibid.*, 227.
142. Graham and Nussbaum, *Intelligence Matters*, 33.
143. *The 9/11 Report*, 227.
144. *Ibid.*, 245.
145. *Ibid.*, 258–259.
146. *Ibid.*, 259.
147. Graham and Nussbaum, *Intelligence Matters*, 42.
148. *The 9/11 Report*, 272.
149. *Ibid.*
150. *Ibid.*, 259–260.
151. Graham and Nussbaum, *Intelligence Matters*, 76.
152. *Ibid.*
153. *The 9/11 Report*, 248.
154. Graham and Nussbaum, *Intelligence Matters*, 81.
155. *The 9/11 Report*, 261–262.
156. Graham and Nussbaum, *Intelligence Matters*, 74.
157. *Ibid.* Subsequently the number of FBI field investigations was found to be inflated.
158. *The 9/11 Report*, 246.
159. *Ibid.*, 273.
160. *Ibid.*
161. *Ibid.*
162. *Ibid.*
163. *Ibid.*
164. *Ibid.*, 274.
165. *Ibid.*
166. *Ibid.*
167. *Ibid.*, 265.
168. *Ibid.*, 262–264.
169. *Ibid.*, 265.
170. *Ibid.*
171. *Ibid.*, 249–250.
172. *Ibid.*, 251.
173. *Ibid.*
174. *Ibid.*, 274.
175. *Ibid.*, 275.
176. *Ibid.*
177. *Ibid.* The supervisor in question swears he had no special knowledge or premonition of an attack on the World Trade Center. He states he was simply looking for a dramatic example to make his point.
178. Richard Mueller, the new director of the FBI, assumed his duties approximately one week before the strikes occurred.
179. *The 9/11 Report*.
180. *Ibid.* Following the attack of 11 September the British provided information that revealed Moussaoui had received terrorist

- training in an al Qaeda camp in Afghanistan.
181. *The 9/11 Report*, 212–213.
182. *Ibid.*, 214.
183. *Ibid.*, 251.
184. *Ibid.*, 214
185. Graham and Nussbaum, *Intelligence Matters*, 79.
186. Following the attack, the name of Newark International Airport was changed to Liberty International Airport.
187. *The 9/11 Report*, 14.
188. *Ibid.*, 15.
189. Leslie Filson, *Air War Over America: Sept. 11 Alters Face of Air Defense Mission* (Tyndall, Fla.: Headquarters, First Air Force, 2003), VI.
190. Benjamin S. Lambeth, *Air Power Against Terror: America's Conduct of Operation Enduring Freedom* (Santa Monica: RAND National Defense Research Institute, 2005), 18.
191. *The 9/11 Report*, 15–16.
192. *Ibid.*, 16.
193. *Ibid.*
194. *Ibid.*, 16–17.
195. *Ibid.*, 14.
196. *Ibid.*, 16.
197. Filson, *Air War Over America*, 55.
198. For example, the transponder code for a hijacked aircraft is a flashing “7500.”
199. In the past, if an air traffic controller lost the symbol marking the position of an aircraft, it was possible to “switch displays” to see the actual radar signal. This signal was referred to as a “primary target.” Today, there are relatively few air traffic control systems with this capability.
200. *The 9/11 Report*, 17.
201. *Ibid.*, 18.
202. *Ibid.*
203. *Ibid.*
204. *Ibid.*, 19.
205. Filson, *Air War Over America*, 50.
206. *The 9/11 Report*, 19.
207. *Ibid.*, 19–20.
208. *Ibid.*, 20.
209. *Ibid.*, 22.
210. *Ibid.*
211. *Ibid.*, 22–23.
212. *Ibid.*, 23.
213. *Ibid.*, 22.
214. *Ibid.*, 23.
215. *Ibid.*
216. *Ibid.*
217. Filson, *Air War Over America*, 59.
218. *Ibid.*
219. *The 9/11 Report*, 25.
220. Filson, *Air War Over America*, 60–63.
221. *The 9/11 Report*, 25.
222. *Ibid.*
223. *Ibid.*, 26.
224. *Ibid.*
225. Filson, *Air War Over America*, 63–65.
226. *The 9/11 Report*, 24.
227. *Ibid.*, 36.
228. *Ibid.*
229. *Ibid.*, 37.
230. *Ibid.*
231. *Ibid.*
232. *Ibid.*, 25.
233. *Ibid.*
234. *Ibid.*
235. *Ibid.*
236. *Ibid.*, 29.
237. *Ibid.*, 28–29.
238. *Ibid.*, 37.
239. Filson, *Air War Over America*, 65.
240. *The 9/11 Report*, 37.
241. *Ibid.*, 27.
242. *Ibid.*
243. *Ibid.*, 36.
244. *Ibid.*, 37–38.
245. *Ibid.*, 39.
246. *Ibid.*, 30.





# Cuba after Castro—What Next?

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DONALD K. HANSEN

**F**idel Castro has been the United States' most implacable opponent in the Western Hemisphere for nearly fifty years. Since the Eisenhower administration, Castro has challenged and survived the coercive foreign policies and actions of ten U.S. presidents. Spanning the spectrum of covert assassination attempts and amphibious invasion by paramilitary forces to more conspicuous subversion attempts and economic embargoes, U.S. policy towards Cuba has done little to change the status quo. Today, Fidel's brother Raul Castro has stepped into the mantle of leadership temporarily vacated by Fidel, who languishes in a Cuban hospital. Criticism over Raul's ability to lead Cuba notwithstanding, Raul's age (four years younger than Fidel) will guarantee that his time at the helm will be less than that of his brother's. Beyond Raul, succession of Cuban leadership is ambiguous at best, with the government of Cuba particularly silent on the issue.

The Bush administration is currently studying alternative policies to realign a post-Castro Cuba with U.S. national security objectives. An end to his patriarchal reign will ultimately force U.S. policy makers to rethink their punitive policies, laws, and sanctions against Cuba. Whether the current, or a future U.S. administration, can overcome nearly fifty years of mutual antagonism with the island to change current policy remains to be seen. Also, the uncertainty of events in Cuba and the potential reactions in the international and domestic political systems following Castro's death make predicting future U.S. policy even more difficult. However, by examining the current situation in Cuba, and Castro's ability to maintain power for more than four decades in spite of persistent U.S. efforts to remove him, policymakers can better anticipate the forces that will influence a Cuban succession, and subsequent future U.S. policy.

## **BACKGROUND (1901–1959)**

One of the most important documents in U.S.-Cuba relations is the Platt Amendment of 1901. At the end of the Spanish-American War, the United States occupied Cuba and drafted the Platt Amendment to establish guidelines for U.S.-Cuban relations. The United States pressured Cuban leaders to incorporate the Platt Amendment into their constitution, which they did in 1901. The Platt Amendment permitted the United States to lease lands for naval bases like Guantanamo Bay. It also required the Cuban government to consent to the right of the United States to intervene in Cuban affairs to preserve Cuban independence, and to protect life, property, and individual liberty. Cuban nationalists viewed the Platt Amendment as an imperialist infringement of their sovereignty. By 1934 widespread criticism and Cuban popular discontent over the agreement led Franklin D. Roosevelt, as

part of his Good Neighbor policy toward Latin America, to repeal the Platt Amendment. President Roosevelt, however, reaffirmed the 1903 lease on Guantanamo Bay with Cuba, and both countries agreed that only mutual consent or U.S. abandonment of Guantanamo could revoke the lease.<sup>1</sup>

Social discontent within Cuba swelled and abated throughout the 1930s, 40s, and 50s. Bribery and corruption among political leaders and the unequal distribution of wealth generated from the sugar trade with the United States fueled popular dissatisfaction.<sup>2</sup> Especially notorious for his corruption was Cuban dictator and President Fulgencio Batista. Batista seized power twice in Cuba by military coup and once through an election. In 1933 he led a group of army sergeants in an insurrection to seize power. He was then popularly elected in 1940 and served until voted out of office in 1944. He ran again for president in 1952, but seized power in a bloodless coup three months prior to the election.

Popular unrest, particularly among young Cuban students grew violent as political corruption and resentment associated with President Batista's right to govern increased. Among the students was Fidel Castro, who on 26 July 1953, led a failed attack on the army's Moncado barracks at Santiago de Cuba where more than one hundred people died. Castro went to jail but was later released by Batista in a surprising act of clemency. The aspiring rebel leader went into self-exile in Mexico where he organized the "26th of July Movement" with the goal of overthrowing Batista.<sup>3</sup> Returning to Cuba in December 1956 with an expedition of eighty men, Castro immediately took refuge in the Sierra Maestra Mountains and began his insurrection. Castro returned to find an environment of even greater popular discontent and rising numbers of resistance groups, both elements crucial to his movement.<sup>4</sup> Defections from Batista's army also aided Castro's guerilla insurrection and drastically weakened Batista's hold on power.<sup>5</sup>

Batista, faced with wide-spread dissatisfaction with his dictatorial rule, fled the island on 1 January 1959 with millions of dollars stashed in Swiss bank accounts. Fidel Castro entered Havana eight days later, assuming the role of commander in chief.<sup>6</sup> Two months later, he took over as prime minister. Promising a return to constitutional rule, democratic elections and social reforms, Castro initially appeared to the United States as an acceptable alternative to Batista.<sup>7</sup> During an unofficial visit to the United States in April 1959, he was greeted with much fanfare and cheer, especially in Hollywood and by such media powerhouses as the *New York Times*.<sup>8</sup> However, President Eisenhower refused a meeting with the Cuban leader on suspicion that he might be turning communist. The president instead, sent Vice President Richard Nixon in his place.\* Nixon remarked that Castro seemed incredibly naïve about communism and that the United States had no choice but to orient the leftist leader in the "right direction."<sup>9</sup> The Central Intelligence Agency sent a representative over to brief Castro on communist penetration within his circles, confirm his ideological convictions, and offer him support to combat the communist infiltration. As history records, the effort proved futile.<sup>10</sup>

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\* Eisenhower gave the excuse that he was playing golf.

### **BAY OF PIGS TO THE CUBAN MISSILE CRISIS (1960–1962)**

Relations with the United States deteriorated rapidly beginning in May 1959 when the Castro regime began expropriating U.S. properties, nationalizing Cuban and non-Cuban industries, collectivizing agriculture and buying oil from the Soviet Union. When U.S. refineries in Cuba refused to process the oil, Castro expropriated the refineries. Eisenhower in response imposed an economic embargo on Cuba in October 1960 and broke diplomatic relations with the island nation on 3 January 1961. Castro's actions alienated many of his former supporters, particularly in the middle and upper classes. Many of them fled to the United States where they formed a vocal anti-Castro Cuban American lobby group.<sup>11</sup>

Eisenhower sought more forceful options to remove Castro. The CIA, having enjoyed previous successes overthrowing anti-U.S. regimes in Guatemala and Iran, presented Eisenhower with "A Program of Covert Action against the Castro Regime." The plan called for secretly organizing a guerilla movement of Cuban exiles to conduct infiltration, sabotage and propaganda operations. Assassination of regime leaders was considered a possible outcome.<sup>12</sup> The CIA operation never achieved much success.

The CIA then modified its covert plan and began recruiting and training a brigade of Cuban exiles capable of amphibious invasion. The CIA also conducted talks with organized crime leaders like Johnny Roselli and Sam Giancana to sponsor an assassination of Castro.<sup>13</sup> The CIA viewed the Mafia as a reasonable partner since the latter had ties with the gambling casinos in Cuba, which had thrived under Batista and been expropriated by Castro. The Mafia would have gained by assassinating Castro, and the CIA would have plausible deniability. Richard Bissell, the director of covert plans for the CIA, determined that working with the mafia to assassinate Castro was acceptable because "the end justified the means."<sup>14</sup>

President John F. Kennedy inherited the CIA's covert plans and operations against Castro when he was sworn in to office in January 1961. Kennedy used Cuba as a national security campaign issue, criticizing Eisenhower of letting it go communist. He also warned of a "missile gap" with the Soviets and warned that they were planning a "first strike." In actuality, the USSR had fewer than fifty bombers and missiles that could hit the United States. At the time, the United States had more than five hundred.<sup>15</sup>

In an event that would initiate and enlighten the new Kennedy administration, President Kennedy, on the advice of his advisors, gave the execute order for the CIA's ill-fated Bay of Pigs invasion. On 17 April 1961, a brigade of approximately 1,400 CIA financed and trained Cuban exiles landed on Playa Girón on the Bay of Pigs. The administration naïvely assumed the invasion would spark a popular uprising and bring down the Castro regime while maintaining plausible deniability of U.S. involvement, even though the CIA had not coordinated with any Cuban dissident groups on the island for such a plan. Instead, the attack faltered when it faced superior resistance from Castro's forces, and eventually failed when ammunition and supplies were exhausted. Castro announced that total victory had

been won against “American imperialism,” and proclaimed Cuba a socialist state. He began pursuing openly a deepening relationship with the Soviet Union.

Defeat for the Kennedy administration did not change their policy toward Castro. According to Richard Bissell, “On 5 May, just days after the Bay of Pigs, the National Security Council concluded that U.S. policy towards Cuba should not be revamped in the light of the damaging and humiliating defeat.”<sup>16</sup> Ruling out another invasion attempt, Kennedy asked Edward Lansdale, who worked for the deputy secretary of defense, to provide him with options to depose Castro. Lansdale concocted and launched Operation Mongoose, a plan similar to the original CIA plan to train and organize exiles for insurrection in Cuba. This time Robert Kennedy, the attorney general and president’s brother, would assume almost total control of the operation. Operation Mongoose was more ambitious than the Bay of Pigs. It involved more personnel and targeted raids on industrial facilities, petroleum refineries and storage tanks.<sup>17</sup> Lansdale also brought in CIA operatives to assist with executing the plan. These operatives brought with them their contacts with the Mafia and their scheme to assassinate Castro. The operation thus included multiple attempts to kill the Cuban leader (Castro has stated that there were twenty).<sup>18</sup> These attempts included: poisoning his favorite cigars, poisoning his drink, using a high-power sniper rifle, and presenting him with a booby-trapped fountain pen to name but a few.<sup>19</sup> Operation Mongoose was halted after the Cuban Missile Crisis.

The culminating showdown over Cuba for Kennedy came in October 1962 when a U-2 high-altitude spy plane photographed Soviet medium-range ballistic missiles on Cuban soil. These missiles were assessed capable of delivering a nuclear payload but were not yet operational. For the next thirteen days, the world stood at the brink of nuclear war as Kennedy and his advisors considered a range of diplomatic and military responses to the grave threat. Kennedy ultimately decided on a naval blockade of Cuba to force a diplomatic solution with Khrushchev. After a suspenseful standoff and tense period of secret negotiations, Khrushchev finally conceded to U.S. demands to remove the missiles, but only after the United States promised never to invade the island and secretly remove their obsolete NATO missiles from Turkey. These two events underscored the United States’ post-World War II anxiety over the spread of communism, the danger of Soviet nuclear strategic forces, and the efficacy of containment as a strategy. When asked why Khrushchev placed nuclear missiles in Cuba, then Secretary of Defense Robert McNamara responded:

“I don’t know . . . our reaction to the so-called missile gap in the fifties was a massive buildup of our own. . . . By the time of the Cuban Missile Crisis, we had clear numerical superiority and we were still building up. . . . Lemay talked openly about a first strike against the Soviet Union if the Russians ever backed us into a corner. . . . So, the Soviets may very well have believed we were seeking Castro’s overthrow plus a first-strike capability. This may have led them to do what they did.”<sup>20</sup>

Khrushchev’s memoirs indicate that he believed placing MRBMs in Cuba was an inexpensive way of redressing the balance of power.<sup>21</sup> The showdown between the two cold-war superpowers would drive Castro solidly under the Soviet umbrella.

## JEWEL IN THE SOVIET CROWN (1962–1991)

Throughout the 1960s and 1970s, Cuba was the jewel in the Soviet Union's crown.<sup>22</sup> With Soviet economic and military assistance, Castro could fulfill his social contract with the Cuban people. He provided the Cuban people with free health care and education, low-cost housing, subsidized food rations, state employment, early retirement, and a pension. He raised the standard of living for many on the island and provided education and employment opportunities to the previously ignored black and mulatto population, while promoting Cuba's commendable racial equality policies over those of the United States.<sup>\*23</sup> Despite a growing diaspora and internal opposition, he continued to enjoy wide popular support, particularly among this segment of the Cuban population.<sup>†24</sup> The Soviet Union provided Cuba with economic aid in the form of favorable prices on sugar imports and oil exports. Soviet largesse also helped Cuba survive in the face of U.S. economic embargos and hemispheric isolation. From 1986 to 1990, Soviet economic assistance comprised 21 percent of Cuba's gross domestic product (\$4.3 to \$6 billion annually).<sup>25</sup>

Meanwhile, Castro built a powerful state apparatus to completely control the Cuban people. Through its State and Party organs, it penetrated deeply into Cuban society, far greater than other authoritarian regimes.<sup>26</sup> In exchange for socialism, the Cuban people forfeited many basic freedoms. The Cuban people do not have freedom of speech, assembly, or right of association. Cubans do not have the right to change their government, and due process is often denied in cases involving political offenses. Human rights groups are not welcome in Cuba and are seen as a threat to sovereignty.<sup>27</sup> Castro declared Cuba an atheist State and in 1962 shut down more than 400 Catholic schools. In 1991 he lifted his prohibition on religion, but churches now operate under significant government pressure.<sup>28</sup> The charismatic Castro used ultranationalist rhetoric and defiant postures against the United States to constantly manipulate public support and keep the Cuban people in a permanent state of tension and mobilization.<sup>29</sup> Fidel Castro is Cuba's head of State and head of government, commander in chief of the armed forces, First Secretary of the Communist Party of Cuba, President of the Council of State, and President of the Council of Ministers. Castro's brother Raul is the First Vice President of both councils, is Minister of Defense, and Cuba's only four-star general. In accordance with the Cuban constitution and at the time of this writing, he has succeeded his brother as head of state.

Growing dissent in Cuba resulting from the loss of basic freedoms and fueled by housing and job shortages eventually climaxed in 1980 when hundreds of Cubans stormed the Peruvian Embassy in Havana seeking asylum. Castro's response alarmed the Carter administration when he announced that "any Cuban who wishes to leave the island is free to

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\* "The [Cuban] government played the race card to its advantage, domestically as well as internationally. At every opportunity, it condemned racism in the United States and other Western countries, forged diplomatic and political ties to Africa, and [eventually] dispatched combat troops to Angola to repel the forces of South Africa's apartheid regime."

† "Afro-Cubans became the most fervent supporters of the revolution . . . a 1962 poll of black industrial workers showed 80% favored the revolution."



do so.”<sup>30</sup> Thus began the Mariel Boatlift which brought over 124,000 undocumented Cuban migrants into south Florida from April to October of that year. The refugees were processed through hastily established detention centers around the country. The 1983 film *Scarface* uses the boatlift as a point of departure for its plot. Castro took the opportunity to purge his prisons and asylums and to deport dissenters. The boatlift proved to be a foreign policy disaster for President Carter and a political windfall for Ronald Reagan’s presidential campaign. Castro was ultimately embarrassed when Cuban detainees from the boatlift destined to be forcibly repatriated to Cuba rioted; preferring to remain incarcerated in U.S. prisons rather than be returned.<sup>31</sup>

Not all Cubans were disillusioned with the regime. Of all state organizations within Cuba, none was more respected than the Revolutionary Armed Forces (Fuerzas Armadas Revolucionarias, FAR). Considered the only “meritocracy” in the Castro government, low- and mid-grade officers historically were promoted based on competence and achievement instead of political connections.<sup>32</sup> Born from Castro’s victorious guerilla army, the FAR has always enjoyed a positive civil-military relationship. Unlike many Central and South American countries, “there has never been even a hint of military coup plotting or conspiracy against Castro, who has always managed to portray himself simultaneously as both a civilian and military leader.”<sup>33</sup> In 1989, the police, intelligence and security services of the Ministry of Interior came under control of the FAR. The FAR now owns an absolute monopoly on coercive power in Cuba.<sup>34</sup> The FAR is now viewed as a guarantor of regime survival. Raul Castro is at its head and holds the distinction as the world’s longest serving minister of defense.

Massive soviet military assistance in the 1970s and 80s significantly increased the FAR’s capability and enabled Cuba to project power abroad. As a result, the Soviets used the Cuban military to fight proxy wars in Angola and the Horn of Africa to advance Soviet interests. Military successes in the Bay of Pigs and expeditions in Africa bolstered the FAR’s reputation worldwide. By 1987 Cuba maintained the largest military in Latin America, while ranking 20th in size among the world’s militaries.<sup>35</sup> Furthermore, with the exception of Israel, many believed that Cuba’s military was perhaps the best trained and most experienced fighting force of any small nation in the world.<sup>36</sup>

Cuban adventurism (with Soviet backing) in El Salvador, Grenada, Guatemala and Nicaragua turned Latin America into a frequent battleground of the Cold War. With the election of President Ronald Reagan came eight years of U.S. military opposition to Cuban adventurism as the administration confronted communist expansion.<sup>37</sup> The U.S. invasion of Grenada in 1983, while exposing severe weaknesses of the U.S. armed services’ ability to operate jointly, prevented the Cubans from establishing a communist satellite State on the island.<sup>38</sup> Reagan’s confrontation with Cuba in Central America, and Soviet Premier Andropov’s 1980 decision that the Soviet Union would not protect Cuba in the event of hostilities with the United States made Castro more cautious and put the Cuban military on a more defensive posture.<sup>39</sup>

### **COLLAPSE OF COMMUNISM (1991–1999)**

Soviet subsidies to Cuba ended with the collapse of the USSR in 1991.<sup>40</sup> The Soviet demise forced dramatic change on the Cuban military and severely strained the Castro regime. The idea of communism, on which Castro staked his legitimacy, had just been rejected by Cuba's greatest ally. To make matters worse for the regime, the Cuban economy plunged between 35 percent and 50 percent following the break-up of the USSR.<sup>41</sup> The severe economic conditions of the 1990's forced Castro to initiate limited economic reforms in order to bring in hard currency. Castro realized he could no longer quell political dissent with only ideological rhetoric after the fall of communism. He had to find a way to fund his massive social programs in order to assuage popular discontent.<sup>42</sup> In 1993 and 1994 he opened up the tourist industry, allowed foreign investment, legalized the U.S. dollar, and authorized self-employment for certain occupations. These reforms resulted in modest economic growth and a new private sector of about 209,000 workers. Another large source of hard currency poured into the island from remittances. Most remittances come from Cuba's diaspora living in the United States, estimated between \$600 million and \$1 billion annually.<sup>43</sup> Cuba also marketed itself as a world class destination for medical treatment. Medical tourism attracts patients mainly from Central America and generates revenues in excess of \$40 million annually.<sup>44</sup>

In an effort to secure the loyalty of the military during this period of adversity, the Castro regime handed over the management of many state enterprises to the FAR in order to give them access to higher incomes and hard currency.<sup>45</sup> Today the FAR is no longer capable of power projection abroad and pose little security threat to the United States.<sup>46</sup> Some critics question the professionalism of the armed forces now that they have been reduced to a praetorian role and given responsibility to manage for-profit enterprises.<sup>47</sup> Much of the FAR's military equipment has been cannibalized or placed in storage, and their ranks have shrunk significantly to little more than 55,000.

Much of the FAR's officer class now controls many privately run state-owned sectors of the economy such as tourism, foreign investment, civil aviation, sugar production, and cigar and tobacco marketing.<sup>48</sup> By granting officers access to higher incomes, Castro has created vested stakeholders in the regime. Cuban experts speculate that Castro's "spontaneous privatization" (bestowing state assets to loyal officers of the regime without their investing financial or human capital in these enterprises) has created corruption among the FAR and divisions within the military between the professional soldier and entrepreneur-soldier.<sup>49</sup> Brian Latell, a former intelligence officer with the CIA, has noted that corruption in the new wealthy class of officers has eroded away the professionalism of the military: "[These] officers, who increasingly constitute a privileged new class in Cuba, may be increasingly despised by less political, more traditional, and professional officers, especially those with important troop commands. The unity, discipline, and professionalism of the FAR appear therefore to be increasingly at risk."<sup>50</sup> It remains to be seen whether this group of privileged *nomenklatura*, who are accomplices in the hard-currency economy, will be willing to accept market reforms required by international monetary institutions to reverse Cuba's ailing

economy once Castro is gone. It is also uncertain whether the professional soldiers will remain united behind their entrepreneur leaders who are operating counter to Castro's Marxist ideology.

Access to dollars has created inequalities within Cuban society and runs counter to Castro's Marxists beliefs. The standard of living is higher for those Cubans with access to U.S. dollars (tourism sector and remittances) than for those who remain in the traditional economy. "It is not uncommon to see doctors, engineers, scientists, and other professionals working in restaurants or as taxi drivers."<sup>51</sup> The majority are denied access to tourist resorts, beaches, nightclubs, and restaurants. To earn hard currency, girls as young as twelve and thirteen are turning to prostitution, catering to European and Latin and North American men visiting the island. "Cubans have been denied first-rate health care, which is reserved for hard-currency paying foreigners, who are lured to the island under the government's policy of medical tourism."<sup>52</sup> Average Cubans are increasingly seeing themselves as second-class citizens in their own country, which is fueling rising popular discontent.

The deteriorating economic situation of the early 1990s sparked another mass exodus of undocumented Cubans attempting to reach U.S. shores. The Clinton administration simultaneously faced a similar situation with Haiti. At the height of the crises in April 1994, the U.S. Coast Guard initiated their "Cuban Mass Migration Emergency Response Plan" named Operation Able Vigil to interdict Cuban migrants at sea. To discourage illegal immigration, President Clinton announced a new policy prohibiting undocumented Cubans from entering the United States and directed they be transported to "safe havens" outside the United States. The Department of Defense became involved one day later directing the armed services to establish and secure holding camps in Panama and at the U.S. Naval Base at Guantanamo Bay (GTMO) and transport the migrants to these camps. The U.S. Coast Guard interdicted over 30,000 Cuban and 25,000 Haitian migrants during this operation. The migrant population on GTMO peaked at 45,000 by September 1994. By most accounts, the conditions in the migrant camps were deplorable, worse than in Cuba. When Castro threatened to unleash another wave of migrants in the summer of 1995, Clinton conceded to allow most of the migrants from GTMO to enter the United States.<sup>53</sup> The last Cuban migrant family left GTMO on 31 January 1996.<sup>54</sup>

Germane to this issue is the legal definition of "migrant" and "refugee." Migrants are defined as persons traveling from one location to another, while refugees are persons who, by reason of real or imagined danger, have left their home country or country of their nationality and are unwilling or unable to return.<sup>55</sup> Cubans have historically been classified as political refugees who leave their homeland seeking asylum in the United States as provided for under the Cuban Adjustment Act of 1966, but President Clinton reversed that policy in an effort to stop the illegal migration. "A new policy was put into place effective May 2, 1995: all Cubans intercepted at sea by U.S. Navy and Coast Guard ships would automatically be repatriated forcibly to Cuba."<sup>56</sup> Policy Analyst John P. Sweeney of the Heritage Foundation criticized the policy saying, "This decision to return refugees who are willing to risk their lives to escape Castro is akin to returning to the former East Germany people who

dug under the Berlin Wall to escape Soviet domination of Eastern Europe.”<sup>57</sup> The policy would later become known as the “feet wet, feet dry” policy. Those Cubans who make it to U.S. shores have the opportunity to gain citizenship, while those picked up at sea will be returned to Cuba or a third country.<sup>58</sup> The policy is intended to deter mass illegal migration by sea and quickly return undocumented migrants without incurring the costly process of repatriation had they successfully entered the United States.<sup>59</sup>

According to U.S. Southern Command estimates, over three million Cubans have left the island since Castro took control, taking with them a large majority of activist sentiment within Cuban society. Additionally, Castro regime has effectively jailed or executed many other activists leaving an unusually docile society. SOUTHCOM speculates that the consequence of this has left the Cuban people unprepared for change and lacking the desire to change the status quo.<sup>60</sup>

### **CUBA’S NEW BENEFACTORS (2000–PRESENT)**

Growing friction within Cuban society, created by the influx of dollars and a slightly improved economy, precipitated Castro’s scaling back dramatically on market reforms in the late 1990s. He tightened control over private sector employment by extracting monthly fees, revoking licenses, and imposing stiff fines to run many private citizens out of business. It is estimated that there are now fewer than 100,000 private sector employees. In 2004 Castro mandated that U.S. dollars be removed from circulation and converted to Cuban “convertible pesos.” The Cuban government charges between 10 percent and 20 percent for this transaction and is therefore able to extract a tax on Cuban income received from U.S. remittances.<sup>61</sup> “The regime’s unwillingness to let Cuba’s economic needs take precedence or interfere with the regime’s political dominance is perhaps, most apparent in its dealings with the countries of the European Union, the principle source of foreign investment in Cuba and its major trading partners.”<sup>62</sup>

According to the Institute for Cuban American Studies, “European financing has been the one constant economic lifeline that the Cuban Government has counted on since the end of Soviet subsidies in 1990.”<sup>63</sup> Spain is Cuba’s most important foreign investor and window into the European Union. Cuba imports more goods from Spain than any other country (13 percent of all imports).<sup>64</sup> Spain’s oil company Repsol has invested \$50 million into deep-sea oil wells in Cuban waters in search of light crude oil. To date, Repsol has found no economically feasible oil deposits of light crude in Cuban waters, but significant finds of medium and heavy crude oil deposits have been discovered.<sup>65</sup> In 2004, European countries extended Cuba at least \$1.6 billion in hard-currency loans. Europeans are taking advantage of high interest rates Cuba must pay for financing because of its poor credit rating and high debt. Europeans, along with Canadians, accounted for approximately \$2.4 billion in revenue generated from tourism in 2004.<sup>66</sup>

The European Union, however, has been either unable or unwilling to use its economic influence to address human rights concerns or influence Castro politically. In March 2003 Castro cracked down hard on dissidents by jailing 75 human rights activists and journalists

involved in the Varela Project, a petition of over 11,000 signatures to the Cuban National Assembly calling for political and economic reforms. On 6 June 2003 the European Union reacted to these human rights abuses by freezing further aid and trade with Cuba, limiting high-level government visits, and inviting Cuban dissidents to their national day celebrations. Castro responded to EU actions by leading mass protest marches against the Spanish and Italian embassies and by insulting the Spanish and Italian prime ministers, calling Prime Minister Jose Maria Aznar of Spain “a little Fuhrer with a little mustache” and referred to Italian Prime Minister Berlusconi as a “Fascist” and a “clown.”<sup>67</sup> On 5 September 2003, the EU parliament passed a resolution formally condemning Cuba for its human rights abuses.<sup>68</sup>

Human rights NGOs in Europe and Central America also condemned Castro’s action. The Paris-based Reporters Without Borders charged that Cuba has become “the world’s biggest prison for members of the press.”<sup>69</sup> Human rights groups like Amnesty International, Human Rights Watch, and the Carter Center denounced the arrests of the petitioners and called for their release. While news of this event may have been overshadowed by U.S. operations in Iraq, some point out that the usually critical European media has been suspiciously silent on this issue.<sup>70</sup> On 17 April 2003 the 53-member United Nations Commission on Human Rights, headed by Libya and with Cuba and Sudan as members, defeated a proposed U.S. resolution calling for the release of the prisoners. The commission instead mildly rebuked Cuba by asking it to accept a UN Human rights observer—which Havana refused. The U.S. delegate walked out of the commission in disgust.<sup>71</sup>

Eighteen months after the incident, the European Union, encouraged by Spain’s new socialist Prime Minister, Jose Luis Rodriguez Zapatero, extended an olive branch to Castro in an effort to resume normal relations. Castro responded in typical fashion by stating unequivocally that “Cuba does not need Europe.”<sup>72</sup> Undeterred, the EU, led by Spain normalized relations with Castro anyway. Spain’s relationship with Cuba may be as much cultural affiliation as economic opportunity. As a former colony of Spain, a large portion of the Cuban population is of Spanish descent and many still have close family ties to Spain. Spanish concern for the economic welfare of the Cuban people was a contributing factor to renewing trade. EU nations such as the Netherlands, Poland, the Czech Republic and Slovakia still have refused to normalize relations with Cuba over human rights concerns, highlighting the diverse views among the 25-member bloc.<sup>73</sup>

Castro may be correct in his assertion that he does not need the EU since new benefactors from Venezuela and China are willing to step in. In October 2000, Hugo Chavez of Venezuela and Fidel Castro signed the “Integral Cooperation Accord,” which established a bartering exchange of goods and services between the two countries and provided Cuba with a lifeline of economic support.<sup>74</sup> Venezuela now provides Cuba with more than 90,000 barrels of petroleum daily and helps Cuba sell part of that total on the world oil market. In December 2004, Cuba and Venezuela signed a “Bolivarian Alternative”; a cooperation agreement that allows their state-owned companies to operate freely in either country.<sup>75</sup> Again, in April 2005, Castro and Chavez signed 49 economic agreements covering areas of

oil, nickel, agriculture, furniture, shoes, textiles, toys, lingerie, tires, construction material, electricity, transportation, health, and education.<sup>76</sup> Cuba is indebted to Venezuela for over \$3 billion.<sup>77</sup>

Cuba, in exchange, provides advisors to Venezuela to train Chavez's military. "A close relationship has developed between Cuba's FAR and the Venezuelan Armed Forces, FAN. FAN has established doctrines on 'asymmetrical war' against 'U.S. imperialism' and on Cuba's 'War of all People' adapted to the Venezuelan case." The Department of State views the infusion of spare parts into the Cuban military from this cooperation and the addition of Venezuelan MiG-29s to the region as destabilizing factors in Central and South America. Cuba has sent upwards of 40,000 military advisors, security forces, teachers, nurses, and physicians to Venezuela in exchange for economic aid.<sup>78</sup>

Hugo Chavez is using Castro to further his own "Bolivarian Revolution." Cuba has collaborated with Venezuela and Argentina to create Telesur, a government-controlled network broadcasting anti-American messages throughout the region. The Cuba-Venezuela alliance is aggressively supporting anti-American groups and interests, such as the presidency of Evo Morales of Bolivia, the Fuerzas Armadas de Colombia (FARC) in Colombia, the Sandinistas in Nicaragua, the FMLN in El Salvador, and other violent and nonviolent groups in Peru and Ecuador.<sup>79</sup> Along with Hugo Chavez's admitted "humanitarian support" of the FARC, Castro is providing medical care and political consultation to the macro-terrorist organization, which is responsible for the murder and kidnappings of U.S. citizens.<sup>80</sup>

Cuba has also expanded its economic cooperation with China. From 2003 to 2004, China increased its trade with Cuba by more than 47 percent. Trade between the two countries totaled more than \$525 million in 2004. Most of China's aid is in the form of goods (exporting rice, kidney beans, mechanical and electronic products, medicine, light industrial and textile products) and technical assistance. China has committed \$500 million to establish a joint nickel mining venture on the island. Chinese President Hu Jintao visited Cuba in 2004 and signed investment-related memorandums totaling another \$500 million. According to the U.S. State Department, "Chinese and Venezuelan economic support . . . have given Cuba the space to eliminate many of the tentative open market reforms Cuba put in place during the depth of its mid-1990s economic crisis."<sup>81</sup> It is still unclear what China gets in return for its close ties to Cuba. While China looks to gain economically in the future from nickel development in Cuba, their current imports from the island are insignificant. Strategically, China may be positioning itself close to the United States in a quid pro quo move vis-à-vis Taiwan.<sup>82</sup> China is concerned about the United States' high-tech weapons sales to Taiwan and the strategic deployment of U.S. forces in Southeast Asia. Chinese military activity around the former Soviet intelligence base at Lourdes in Cuba is certainly troubling. China may view Cuba as a strategic ally and a geographic counter to U.S. positioning in Asia.<sup>83</sup>

China is providing Cuba with more than just economic assistance. Evidence suggests that Raul Castro will use China's example (under Deng Xiaoping) of implementing economic reforms while maintaining a communist government. Cuba today may be analogous to China in the early 1970's under Mao Zedong. To the detriment of Chinese society, no

market reforms took place until after Chairman Mao's death even though the economy was in ruins.<sup>84</sup> Just like Mao, Fidel Castro has remained in power committed to his Marxist beliefs while the Cuban economy languishes. For Castro to abandon those beliefs now would be akin to admitting he was wrong, which would further weaken his position and embolden his opposition. Raul Castro visited China in 1997 and spent long hours talking to the government on economic reforms. Raul has brought Chinese officials to Cuba to lecture hundreds of executives and leaders on Chinese economic reforms as well. Many members of the Cuban Communist Party Central Committee and two-thirds of the Politburo have visited China in recent years to study Chinese reforms. If Cuba stays under authoritarian rule after Castro is gone, then China will likely play a major role in Cuba's transition.<sup>85</sup> However, Raul lacks the charisma of his older brother, and many doubt whether he has the leadership necessary to implement any meaningful changes.

### **THE BUSH ADMINISTRATION AND CUBA**

In any Cuban transition scenario, U.S. policy makers will have to work through the systemic problems of authoritarian rule, a failed economy, governmental corruption, and competing external influences that have left the Cuban Government and Cuban society ill-prepared for democratic transition. There are many precedents of Eastern and Central European nations making successful transitions to democracy and free market principles following the collapse of the Soviet Union. The Bush administration is actively planning for a post-Castro Cuba and is pursuing policy options to steer the eventual transition towards democracy while undermining the Castro regime.<sup>86</sup> In October 2003, President Bush established the Commission for Assistance to a Free Cuba to address U.S. policy following Castro's demise and examine the strategies of former Soviet bloc countries that have successfully emerged from communism. The cabinet-level commission, under the chairmanship of the Department of State, is attended by secretaries from the Department of Homeland Security, Treasury, Commerce, Housing and Urban Development, and the Assistant to the President for National Security Affairs. The Commission's mandate is to assist the Cuban people to bring an expeditious end to Castro's dictatorship and identify U.S. Government programs that could aid the Cuban people during a transition to democracy.<sup>87</sup>

In May 2004, the commission published a comprehensive 485-page report and presented their recommended policies to President Bush. The report proposed six interrelated policies: empower Cuban civil society, break the Cuban dictatorship's information blockade, deny resources to the Cuban dictatorship, illuminate the reality of Castro's Cuba, encourage international diplomatic efforts to support Cuban civil society and challenge the Castro regime, and undermine the regime's succession strategy.<sup>88</sup> In December 2005, Secretary of State Condoleezza Rice chaired the second cabinet-level meeting of the commission to "send an important message to the people of Cuba, the current dictatorship, and our friends and democratic allies: after 46 years of cruel dictatorship, now is the time for change in Cuba."<sup>89</sup> The Secretary of State has also implemented measures that reduce remittances U.S. travelers can carry to Cuba from \$3,000 to \$300. Secretary Rice has also curtailed family visits to Cuba to once every three years in order to stem the flow of dollars to

the Castro regime.<sup>90</sup> U.S. Citizens are still allowed to travel to Cuba but must first receive permission from the U.S. Treasury Department's Office of Foreign Asset Control after submitting a request to do so at least 45 days in advance.<sup>91</sup>

In July 2005, acting on the Commission for Assistance to a Free Cuba's recommendation, Secretary of State Condoleezza Rice created the position of Cuba Transition Coordinator and appointed Caleb McCarry, a Latin American expert and former congressional staffer, to the post. The Cuba Transition Coordinator falls under the State Department's Bureau of Western Hemisphere Affairs.<sup>92</sup> Since there are no formal diplomatic ties to Cuba, the United States maintains a U.S. Interest Section as part of the Swiss Embassy in Havana. Havana maintains a Cuba Interest Section in the Swiss Embassy in Washington, D.C. as well. The office is charged with implementing the policy recommendations of the commission and coordinating the interagency effort. The point man for much of the actual policy implementation in Cuba to date was Chief of Mission, U.S. Interests Section Havana, Ambassador James C. Cason.

Cason, now the Ambassador to Paraguay, undertook many efforts to break Castro's information blockade and advance Bush's pro-democracy agenda. According to Cason, "[T]he Castro regime reserves for itself the exclusive prerogative to determine what Cubans should know."<sup>93</sup> Internet access in Cuba is strictly reserved for a select group of vetted regime loyalists, and the Cuban media is nothing more than "propaganda and irrelevancies."<sup>94</sup> To penetrate this blockade, the U.S. Interest Section in Havana provided literature and information to over 200,000 Cuban visitors in the past three years. The visitors listened to Radio Martí and watched CNN En Espanol while conducting business at the U.S. Mission. Cason's Interest Section distributed thousands of radios to Cubans and distributed over 540,000 pieces of literature and videos. He established a free Internet center that was used by more than fifty Cubans daily and supported pro-democracy activists on the island, providing them with laptops and cameras, and access to copiers and fax machines.<sup>95</sup> Castro claimed that Cason's actions were "blatant provocation" and accused him of promoting subversion.<sup>96</sup>

President Bush has committed \$59 million over the next two years to fund the commission's recommendations. Much of this money is going to the U.S. Agency for International Development (USAID). In accordance with the commission's recommendations, the Bush administration is continuing the USAID Cuba Program originated under the Clinton administration in 1995. The agency's stated goal is to help build civil society by increasing the flow of "accurate information on democracy, human rights, and free enterprise to, from, and within Cuba."<sup>97</sup> USAID's program, however, is hampered by Castro's prohibition on pro-democracy activity within Cuba; therefore, the agency must work through off-island NGO's and allies within the international community. Evaluation of their effectiveness by Price Waterhouse Coopers, LLC (a major international accounting and consulting firm) is generally positive given the difficult political environment of Cuba.<sup>98</sup>

The University of Miami and Florida International University have received grants from USAID to study Cuba's transition. These organizations have published an enormous volume of information covering a wide range of Cuban issues. The U.S. government often



relies on Cuban experts from these programs to formulate policy options. This course of action is not without risk. The Bush administration has used expatriates in the past to craft policy options. Dr. Ahmad Chalabi, who provided an enormous amount of information on Iraq to U.S. policy makers, including information on Saddam's alleged weapons of mass destruction program is an example. Much of Chalabi's information, however, later proved to be inaccurate and self-serving. In May 2003, following the fall of Baghdad to U.S. forces, Castro accused Bush of planning to invade Cuba next.<sup>99</sup> The Bush administration's public report in May 2004 to hasten Cuba's transition and undermine the current regime, have understandably given Castro reason to be concerned.

USAID funding is also going to NGOs in third world countries to support their actions to highlight human rights abuses in Cuba in an effort to dissuade tourism and to focus international attention on the plight of the Cuban people. The Inter-American Commission on Human Rights, an autonomous body of the Organization of American States (OAS), is another organization USAID is working with to address human rights concerns in Cuba. Cuba is a member of the OAS, but its membership is suspended indefinitely because the Castro Government's policies run counter to its charter. Cuba therefore, does not recognize the authority of this organization.<sup>100</sup> The Commission recognizes that Cuba may be invited back into the OAS after Castro departs the scene and will rely on the organization to help bring legitimacy to a future Cuban democratic transition by providing election monitors and expertise.<sup>101</sup>

Central American countries are sensitive, however, to the United States' stated policy aims toward Cuba. All Central and South American countries have had to overcome some form of colonialism in their pasts. The United States has intervened to change regimes in Central and South American countries every decade since the 1950s. As a result, our hemispheric allies are somewhat reluctant to back forceful U.S. policies in the region. Recent trends also indicate a general dissatisfaction with democracy within this region.<sup>102</sup> The OAS charter embodies the principle of nonintervention and declares that states will not interfere in the internal affairs of another state.<sup>103</sup> Recent U.S. history of intervention in countries around the world (Kosovo, Afghanistan, Iraq) and Central America and the Caribbean in particular (Grenada, Panama) often impedes U.S. policy and raises the question of U.S. intentions in the region.

### **CUBA TRADE EMBARGO**

U.S. intentions toward Cuba have been hampered by a history of failed subversive actions that Castro has masterfully exploited to strengthen his Marxist regime's legitimacy and control over the Cuban people. As an example, Castro has used the U.S. economic embargo to play the "victim" in order to rally international sympathy and has blamed much of Cuba's social and economic problems on Washington, even though he has political and economic relations with almost every other country in the world.<sup>104</sup> Canada and Mexico have urged the United States to abandon the economic embargo claiming that it is hurting the Cuban people, not the regime. Others contend that lifting the embargo is not a panacea; only market reform within Cuba will bring about economic improvements.<sup>105</sup>

The argument for lifting the embargo is gaining momentum in Congress.<sup>106</sup> But, on several occasions throughout both the Clinton and Bush administrations, high interest media events have derailed proposed legislation aimed at easing trade and travel restrictions with Cuba. In 1995, President Clinton and Congress began working together on legislation designed to ease sanctions on Cuba. The legislation looked like it might pass until events with Cuba quickly overtook the debate.

On 24 February 1996 the Cuban Air Force shot down two private planes operated by a Cuban expatriate group called *Brothers to the Rescue*, killing four Cuban Americans. The pilots were searching for Cuban rafters trying to reach the United States just outside Cuba's territorial limits (the location is disputed by Cuba). *Brothers to the Rescue* is credited with saving many lives and has the support of the U.S. Coast Guard.<sup>107</sup> The organization was founded in 1991 by Jose Basulto, a CIA-trained exile for the Bay of Pigs invasion and other CIA operations in Cuba in the early 1960s. Basulto and his organization have used their planes in the past to drop leaflets and religious medals over Cuba.<sup>108</sup> These actions and their founder's past link to the CIA may have prompted Castro to take the action he did against the two aircraft.

Following the shoot-down, Congress immediately reversed support for easing sanctions on Cuba and instead passed the Helms-Burton Act, or Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996, which not only toughened sanctions on Cuba but also sought to punish non-U.S. companies for engaging in trade with Cuba. The law would make foreign companies choose between doing business with Cuba or the more lucrative United States. The EU, Canada, and other countries condemned the provision on grounds that the United States has no right under international law to control economic trade with Cuba. So far, this restriction has not been a major problem. Congress has granted the president a waiver authorizing him relief from enforcing this provision in the law.<sup>109</sup>

In 1999 and 2000, U.S.-Cuban relations were once again thrust into the spotlight with the Elian Gonzales affair. Elian, age 6, fled Cuba with his mother and twelve rafters. Ten of the rafters, including Elian's mother, perished at sea. A fisherman rescued Elian and delivered him to the U.S. Coast Guard. Debate raged in Congress and within the Clinton administration on whether to send Elian back to Cuba to live with his father or let him remain with relatives in the United States. The issue underscored the passions of the Cuban exile community in Miami and those on the other side of the fence in Cuba towards Castro and his regime. Cuban exiles living in Miami organized protests demanding that Elian remain with relatives in the United States. Castro organized mass protests in response, accusing the United States of kidnapping. The Republican-controlled Congress suggested legislation granting the boy U.S. citizenship and his father legal alien status. Elian's father renounced the offer, endearing him to Castro.<sup>110</sup>

Vice President (and presidential candidate) Al Gore split with his boss over the issue, arguing that Elian should remain. Election year politics and Florida's twenty-seven critical electoral votes loomed in the background of this debate. With an estimated 600,000 Cubans living in Miami-Dade County alone, Florida's anti-Castro Cuban population has a strong

influence on elected officials, not just those from Florida.<sup>111</sup> Under international and U.S. law, a child's sole surviving parent is the presumptive guardian, so the United States did not have much of a case for not returning Elian to his father. Janet Reno, Clinton's attorney general, ultimately decided the issue, sending in federal marshals to seize Elian from Miami relatives. Elian returned to Cuba with his father when the Supreme Court refused to hear an appeal filed by his relatives.<sup>112</sup>

Many in Congress continue to view the sanctions on Cuba as inhumane and ineffective. Congressman Charles Rangel (D-NY), Senior Democratic Member of the House Ways and Means Committee and trade subcommittee, has repeatedly been outspoken on the issue.<sup>113</sup> Additionally, Congressmen from farming states see Cuba as an opportunity to expand their constituents' markets and have given bipartisan support to measures aimed at relaxing trade sanctions.<sup>114</sup> The countervailing force opposed to lifting the embargo comes mainly from the Cuban expatriate community located overwhelmingly in South Florida. Since the Bay of Pigs, this group of wealthy, conservative, and politically active anti-Castro Cuban-Americans has been a bulwark of Republican support. Its political influence seems to be disproportionately larger than its size. Political leaders, particularly Republicans, have been leery of antagonizing this group.

President Bush did, however, ease the embargo on certain agricultural products and medicines to Cuba but continued to restrict the importation of Cuban products. In November 2001 he permitted the unprecedented sale of food to Cuba valued at \$30 million, which Castro paid for in cash. This may have been in response to Castro's quick condemnation of the 11 September 2001 terrorist attacks. Earlier that same year, Secretary of State Colin Powell stated that "Castro had done good things for his people," prompting Castro to compliment Powell for his audacity.<sup>115</sup> But events in Cuba would again derail the momentum. When the Castro government jailed 75 pro-democracy dissidents and journalists associated with the Varela Project in March 2003, even Congressman Charles Rangel expressed outrage. President Bush responded by expelling 14 Cuban diplomats and retightening the economic sanctions on Cuba.<sup>116</sup>

#### **THE DEPARTMENT OF DEFENSE ROLE**

The Department of Defense is quietly playing a small role in the interagency process to support the president's commitment to hasten the transition to democracy in Cuba. The Commission for Assistance to a Free Cuba report to the president recommended that the U.S. military be used only if invited to do so by a Cuba transition government. The suggested range of military options include conducting humanitarian assistance/disaster relief missions, preventing mass seaborne migration, training Cuba's security forces, and assisting with environmental hazards.<sup>117</sup> The Defense Department has begun flying EC-130 Commando Solo missions off of Cuba to broadcast Radio and Television Martí to the Cuban people.<sup>118</sup> EC-130 broadcasts are more difficult for the Castro government to jam than traditional stations broadcasting out of Key West and the Bahamas.

In January 2002, the Department of Defense and USSOUTHCOM stood up Joint Task Force 160, later renamed JTF-GTMO, to establish detention camps on the U.S. Naval Base at GTMO to incarcerate Al Qaeda and Taliban detainees captured in Afghanistan. JTF-GTMO conducts detention and interrogation operations to collect and exploit intelligence in support of the Global War on Terrorism. JTF-GTMO supports military tribunals that determine combat status and process *habeus corpus* petitions. As of March 2007, fewer than 400 detainees remain at Guantanamo.<sup>119</sup>

Other military options outside the scope of an open invitation by Cuba or a UN Security Council Resolution authorizing the military deployment under either Chapter Six or Seven could adversely affect Cuba's transition to democracy. Many in the international community have condemned the U.S. invasion of Iraq and would likely oppose any U.S. military mission to the island to impose democracy. Castro has claimed repeatedly that the United States will invade the island. The administration's public pronouncement to hasten the removal of the Castro regime gives credence to his claim and invokes images of past U.S. imperialism in the region.

However, if the political and economic situation in post-Castro Cuba deteriorates under a communist or military-led regime as some scenarios suggest, the island could collapse into a failed state. The prospect of a failed state so close to the United States could once again spark uncontrolled migration of Cubans to U.S. shores. Edward Gonzales, from the University of Miami's Cuba Transition Project, speculates that up to 1.5 million may choose to leave the island. USSOUTHCOM refugee planning estimates are not as pessimistic and put the refugee flow at less than 100,000.<sup>120</sup> Regardless of the number, some potential threat to U.S. national security remains. A failed Cuba could become a haven for drug trafficking, terrorism, and a source of instability throughout the region.<sup>121</sup> A failing Cuba following Fidel and Raul's demise may prompt the United States to undertake a unilateral nation building effort to stabilize the country.

Cuba may not currently present an immediate concern to the Bush administration, especially in light of ongoing developments in the Middle East. However, future administrations will undoubtedly have to deal with Castro's eventual demise and the uncertainties surrounding reactions to the inevitable event. Laying the correct policy foundations today in order to influence the outcome of a favorable Cuban succession and transition to democracy and a market economy is an important step in securing our national security for the future. The island of Cuba is too close to the United States, and the history runs too deep between both countries, for a post-Castro Cuba to be ignored.

## APPENDIX 1

### TIMELINE OF EVENTS

- |                    |  |                    |   |
|--------------------|--|--------------------|---|
| <b>1 Jan 1959</b>  | Cuba's President General Fulgencio Batista flees Cuba; Fidel Castro assumes power 8 days later.  | <b>2 Nov 1966</b>  | Congress passes the Johnson administration's Cuban Adjustment Act, treating Cuban Migrants as refugees and granting them political asylum.  |
| <b>19 Dec 1960</b> | Cuba openly aligns itself with the USSR.   | <b>Nov 1975</b>    | Castro deploys Cuban troops to Angola to support the Popular Movement for the Liberation of Angola (MPLA) and fight South African forces.   |
| <b>3 Jan 1961</b>  | United States terminates diplomatic relations with Cuba. Cuba reciprocates.  | <b>Apr 1980</b>    | Mariel Boatlift began which brought over 124,000 undocumented Cuban refugees into the United States.  |
| <b>16 Apr 1961</b> | Castro declares Cuba a socialist State, orders a general mobilization and accuses the United States of planning to invade Cuba.  | <b>23 Oct 1983</b> | United States invades Grenada in an Operation called Urgent Fury to evacuate American citizens and prevent the Cubans from establishing a Marxist State on the island.                          |
| <b>17 Apr 1961</b> | Brigade of approximately 1,400 U.S.-backed Cuban exiles invades Cuba at the Bay of Pigs. By 19 April the invasion has failed and more than 1,000 exiles are captured by Castro's forces. | <b>1991</b>        | Soviet subsidies to Cuba end with the collapse of the Soviet Union.   |
| <b>31 Jan 1962</b> | Cuba is excluded from participating in the Organization of American States (OAS). The OAS agrees on collective-defense measures against Cuba.  | <b>Apr 1994</b>    | Another mass migration of Cubans begins. U.S. Coast Guard implements Operation Able Vigil to interdict rafters at sea and send them to refugee camps outside the United States to be processed. |
| <b>3 Feb 1962</b>  | President Kennedy declares an embargo on all trade with Cuba, except for medical supplies.   | <b>2 May 1995</b>  | Clinton announces a new controversial Cuban immigration policy referred to as "feet wet, feet dry."   |
| <b>14 Oct 1962</b> | U-2 flies over Western Cuba. Photographs provide the first hard evidence of medium-range ballistic missiles.   | <b>24 Feb 1996</b> | Cuban Air Force fighters shoot down two airplanes operated by <i>Brothers to the Rescue</i> . Four Cuban Americans are killed.  |
| <b>16 Oct 1962</b> | President Kennedy notified of MRBMs in Cuba. Kennedy calls together his high level advisors who will later become known as ExComm.   | <b>12 Mar 1996</b> | Congress passes the Cuban Liberty and Solidarity Act, which toughens sanctions on Cuba, reversing a movement by both Congress and the Clinton   |
| <b>28 Oct 1962</b> | Khrushchev announces that he will dismantle the MRBMs in Cuba and return them to the Soviet Union.   |                    |   |

	administration to ease sanctions on Cuba.		signatures calling for political reform in Cuba.
<b>30 Sep 1996</b>	Congress passes the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The law is designed to prevent massive illegal immigration and expedite deportation of illegal migrants.	<b>5 Sep 2003</b>	EU parliament passes a resolution condemning Cuba for its human rights abuses.
<b>Oct 2000</b>	Fidel Castro and Hugo Chavez of Venezuela sign economic cooperation agreements, extending a lifeline of economic support to Castro. Castro is able to scale back on his modest economic reforms.	<b>10 Oct 2003</b>	President Bush establishes the Commission for Assistance to a Free Cuba to study policy options to undermine the Castro regime. The Department of State is the lead agency.
<b>Jan 2002</b>	Department of Defense establishes JTF-GTMO to incarcerate Al Qaeda and Taliban detainees captured in Afghanistan.	<b>May 2004</b>	The Commission for Assistance to a Free Cuba publishes a comprehensive report with policy recommendations to the President. See exhibit 5 for more details.
<b>Mar 2003</b>	Castro jails 75 Cuban dissidents associated with the Varela Project, a petition of over 11,000	<b>Jul 2005</b>	Secretary of State Condoleezza Rice creates the position of Cuba Transition Coordinator to implement the recommendations of the Commission's report.

## **APPENDIX 2**

### **HIGHLIGHTS: COMMISSION FOR ASSISTANCE TO A FREE CUBA REPORT TO THE PRESIDENT**

From the Chairman, Secretary of State Colin Powell:

“President Bush formed the U.S. Commission for Assistance to a Free Cuba to explore ways we can help hasten and ease Cuba’s democratic transition. As this report shows, the United States seeks to cooperate with neighbors in the hemisphere and nations across the globe to help Cubans prepare for democratic change.”

Core Group Members:

John W. Snow, Secretary of the Treasury  
Donald L. Evans, Secretary of Commerce  
Alphonso Jackson, Secretary of Housing and Urban Development  
Tom Ridge, Secretary of Homeland Security  
Condoleezza Rice, Assistant to the President for National Security Affairs  
Andrew S. Natsios, Administrator, United States Agency for International Development

Report Highlights:

Chapter 1. Hastening Cuba’s Transition

- a. Empower Cuban Civil Society
- b. Break the Cuban Dictatorship’s Information Blockade
- c. Deny Resources to the Cuban Dictatorship
- d. Illuminate the realities of Castro’s Cuba
- e. Encourage International Diplomatic Efforts to Support Cuban Civil Society and Challenge the Castro Regime
- f. Undermine the Regime’s “Succession Strategy”

Chapter 2. Meeting Basic Human Needs in Health, Education, Housing, and Human Services

Chapter 3. Establishing Democratic Institutions, Respect for Human Rights, Rule of Law, and National Justice and Reconciliation

Chapter 4. Establishing the Core Institutions of a Free Economy

Chapter 5. Modernizing Infrastructure

- a. Transportation: Highways, Aviation, Maritime, and Rail
- b. Energy
- c. Potable Water

Chapter 6. Identifying and Addressing Environmental Degradation

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# Hurricane Katrina

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REVISED BY JOHN SEGERSON

I don't believe you need to be in any way involved in emergency preparation or response to see that there was a significant disconnect between the federal, state and the local government. I can't tell you, as we're having this conversation, as to why it occurred, but it is very, very clear that it did occur.<sup>1</sup>

—Former director of the Department of Homeland Security Tom Ridge

**T**he year 2005 brought the most active hurricane season in recorded history. Hurricane Katrina was the twelfth named storm of that year and first made landfall near Miami, Florida, on 24 August 2005 at 6:30 p.m. A killer storm from the start, Katrina caused 14 deaths and inflicted approximately \$700 million in damage in Florida. By 26 August, Hurricane Katrina strengthened over the warm waters of the Gulf of Mexico. The National Hurricane Center (NHC) predicted Katrina's next landfall would occur near Buras, Louisiana. Katrina continued to strengthen. Fifty-six hours later Katrina, now a Category 5 hurricane,<sup>2</sup> made landfall only 18 miles from its predicted point of impact. In the next 48 hours, Katrina's strength fell to Category 3. Based on the NHC's tracking and analysis of Katrina's strength and course, more than 1.2 million people were evacuated from the storm's predicted path. Yet, despite early warning and preparatory efforts, Katrina killed approximately 1,400 people. The storm's power and devastation quickly overwhelmed local and state authorities, and even the federal government found its response effort challenged. Wind and water are usually a hurricane's most lethal weapons, but in the case of Katrina, water did most of the damage. The water did not arrive tsunami-like in a single wave of destruction. The surge from Katrina worked like a burgeoning high tide and kept coming for hours. The devastation to the Gulf Coast region was overwhelming, and almost all fatalities later appeared to be related to large-scale flooding as a result of the storm surge.

Water was also the primary killer in New Orleans, although flooding was to blame as well as storm surge. Most of the city of New Orleans is below sea level and is kept dry through an intricate system of pumps and levees. Greater New Orleans is subdivided into four smaller areas known as parishes.\* All four of these parishes (Jefferson, Orleans, St. Bernard, and Plaquemines) in the Greater New Orleans region were flooded to varying degrees. Water topped many levees in the New Orleans area, but breaches occurred at the Seventeenth Street, London Avenue, and Industrial canals,<sup>†</sup> allowing Lake Pontchartrain to pour into

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\* A parish is roughly equivalent to a county.

† Navigation between the Mississippi River and waterways east of the river is via the Inner Harbor Navigation Canal (IHNC), locally known as the Industrial Canal.

northern New Orleans. Approximately 250 billion gallons of water inundated the city, rendering it uninhabitable for approximately 350,000 citizens. Parts of the city remained underwater for 43 days. When the water did recede, it had destroyed everything—furniture, refrigerators, 30-foot boats—leaving oily rings around every house and structure.<sup>3</sup>

The storm smashed marine vessels, impacting flood walls, and left barges obstructing the Inner Harbor Navigational Channel (IHNC). Fires broke out as natural gas lines erupted throughout the city—many eruptions due to roots ripping through the pipes after trees were toppled by water erosion. There were also more than 100 ruptures in regional oil storage facilities, leaving parts of the St. Bernard and Plaquemines parishes awash in up to two feet of oil. Some neighborhoods ceased to exist. Approximately 80 percent of New Orleans was submerged. Cellular phone towers and communications equipment were destroyed. The roofs of nearly 100,000 houses were damaged.

Katrina destroyed almost all forms of communications, including cell phone towers. Flood waters also filled generating plants and hospital basements, shorting out backup electrical systems. Almost all city vehicles were unable to navigate the flooded streets. The hurricane basically crippled every essential service the city provided. As a result, survivors were terribly isolated from news and information, and recovery efforts faced enormous challenges.

By any measure Katrina was one of the most damaging storms to ever hit the United States. The storm scoured whole towns off the map of the Gulf Coast in addition to flattening one of the most famous cities on earth. Yet Katrina was not a bolt from the blue. It had moved from the Atlantic, onto the Florida peninsula, back over the Gulf of Mexico, and inexorably made its way ashore on the Gulf Coast. The progress of the storm had been watched every inch of the way, and actions had been taken to prepare for its arrival.

The US Army Corps of Engineers (USACE) installed blue plastic roofs to approximately 100,000 homes that had sustained damage to the roof but were otherwise habitable. More than nine months later, most of the blue roofs remained.

## **PREDICTIONS AND PREPARATIONS**

Disasters of Katrina's magnitude are not unexpected. For example, the Federal Emergency Management Agency (FEMA) conducted a large-scale hurricane exercise in Baton Rouge in 2004. The exercise featured an imaginary Hurricane Pam and used realistic weather and damage information developed by the National Weather Service (NWS), the USACE, the Louisiana State University Hurricane Center, and other agencies to model the effects of a Category 3, 4, or 5 storm on New Orleans. The Pam report turned out to be a remarkably accurate indication of what ultimately happened with Katrina. The exercise predicted winds of 120 mph and up to 20 inches of rain in parts of southeast Louisiana and a storm surge that topped levees in the New Orleans area. More than one million residents would be evacuated and approximately 500,000 buildings would be damaged or completely destroyed. A brief summary of the action plans taken from this exercise centered on debris removal, providing shelter, search and rescue requirements, medical needs, and post-storm school requirements for children. Although the predicted outcomes of the exercise

were fairly accurate, many of the resulting “plans” lacked a true understanding of the scope of the requirements—for example, what was needed for search and rescue. Nevertheless, some of the key players, including the FEMA regional director, were confident in their level of preparedness simply because they believed they knew what to expect.<sup>4</sup>

At the conclusion of the Pam exercise, the Louisiana Office of Homeland Security and Emergency Preparedness (LOHSEP)\* hosted a planning conference to begin the process of correcting the identified shortcomings. Unfortunately, no follow-up planning conferences were scheduled until late July 2005—too late to significantly improve the region’s readiness before Katrina’s landfall.<sup>5</sup>

As Katrina moved toward its date with destiny, the NWS did its job, too. The NWS provides weather, hydrologic, and climate forecasts and warnings for the United States and its territories, adjacent waters, and ocean areas for the protection of life and property and the enhancement of the national economy. NWS data and products form a national information database and infrastructure that can be used by other governmental agencies, the private sector, the public, and the global community.

The NWS plotted Katrina early and often and tracked the storm for a full week before landfall. All pertinent information was shared with local, state, and federal actors and the media. Landfall projections released to the public 56 hours before Katrina came ashore were off by only 18 miles. This was exceptionally accurate, as the average 48-hour error is 160 miles. The Hurricane Center’s predicted strength for Katrina at landfall, delivered two days before the storm hit, was off the mark by only 10 miles per hour.<sup>6</sup> Essentially, the NWS presented the information exactly as it should have and *when* it should have. Additionally, the NWS issued Hurricane Local Statements (HLS) highlighting the likelihood of New Orleans’ levees being overtopped.<sup>7</sup> For example, the day before Katrina hit, the NWS office in Slidell issued a warning saying: “MOST OF THE AREA WILL BE UNINHABITABLE FOR WEEKS . . . PERHAPS LONGER . . . HUMAN SUFFERING INCREDIBLE BY MODERN STANDARDS.”<sup>8</sup> As the storm approached, emergency managers from the parishes, the mayor of New Orleans, and the governor met every few hours to discuss this information.

The flood walls and levees of the New Orleans area had been a point of contention for residents for many years. On average, the levee systems throughout much of New Orleans were designed for water levels up to 15–17 feet. The storm surge in these areas ultimately was in excess of 25 feet. Some walls were intended to keep the waters of Lake Pontchartrain out of New Orleans, while other walls were to keep out the waters of Lake Borgne and the Mississippi. Walls installed over the last several decades along the city’s drainage and barge canals for marine traffic were built for Category 3 hurricanes, as were the levees along the Mississippi.<sup>9</sup> When Katrina hit New Orleans it was a strong Category 3, but numerous flood walls and levees experienced catastrophic failure.

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\* LOHSEP built a detailed plan for the overall responsibilities of local government as well as guidelines for coordination with regional, state, and federal government.

The Army Corps of Engineers was informed about the hurricane's potential track and strength, and on 25 August stood up an Emergency Operations Center in New Orleans. However, because the Corps is staffed predominantly by civilians, commanders have no authority to initiate a mandatory recall of personnel in a disaster. Many USACE employees who were expected to be first responders were also New Orleans residents and often decided that saving themselves and their families took priority. Consequently, despite the overwhelming need for a response from the USACE, as of 1 September only 54 percent of USACE's personnel could be accounted for.

### **NEW ORLEANS BRACES AND TAKES A HIT**

New Orleans Mayor Ray Nagin accepted the NWS's early evaluation of the storm's strength and power. He warned local residents and, on 28 August, ordered the people of New Orleans to evacuate. Yet, from previous experience, the mayor also knew there was a strong antievacuation mind-set in New Orleans—a belief that “storms always seem to miss New Orleans.” Since 1851, there had been 75 major hurricanes—Category 3 or greater—to make landfall in the United States. None of these storms caused the devastation that Katrina caused in New Orleans.<sup>10</sup> Nevertheless, up to 1.2 million Louisiana residents followed the mayor's mandatory evacuation orders.

Louisiana had an evacuation plan for New Orleans. There were, of course, several assumptions made. Among these was that the primary means of hurricane evacuation was going to be by personal vehicles, although buses, government-owned vehicles, and vehicles provided by volunteer agencies could also be used to provide transportation for individuals who lacked transportation or required assistance in evacuating.<sup>11</sup> Unfortunately, in a manner similar to the employees of the Army Corps of Engineers, when the city flooded, many of these volunteers elected to save themselves and their families first.

A program established by both New Orleans and Jefferson parishes, called “Brother's Keeper,” under which volunteers on a phone bank in the state's Emergency Operations Center (EOC)\* matched up drivers with riders, was expected to facilitate near-total evacuation. Yet thousands of residents did not evacuate to safer locations because they lacked any means to leave. The EOC had underestimated how many households had no private transportation at all, and there were simply not enough vehicles to completely evacuate New Orleans—particularly in Orleans parish. Residents of New Orleans's mainly privately owned nursing homes were particularly vulnerable, as each facility was responsible for producing an evacuation plan and most had not adequately done so. One nursing home, Saint Rita's, did not evacuate at all, and 35 of the home's residents died.<sup>12</sup>

Although the city had an evacuation plan and knew there was a shortage of vehicles, there was no designated mass shelter. The Superdome, which many observers later assumed was for the general public, was actually intended to temporarily house only people with “special needs.” Nevertheless, members of the general public were among those

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\* The EOC is a year-round, full-time facility set up for the collection and dissemination of disaster-related information.

streaming into the building when the Superdome started filling on Sunday before land-fall.<sup>13</sup> By Monday, the authorities were turning people away from the Superdome and pointing them in the direction of the Convention Center, ten blocks away. The Convention Center was a sprawling complex of meeting halls nearly a mile long, near the Mississippi River. Food and water never arrived at the Convention Center because it was never intended to serve as a shelter of any kind. It was supposed to be only a bus stop where evacuees would wait for transportation. But transportation never came and the Convention Center filled with displaced citizens.<sup>14</sup> It wasn't until the arrival of the National Guard, and then the 82nd Airborne Division, on Saturday, 3 September, that an orderly evacuation of the Convention Center commenced.

The inability of the NOPD\* to keep order at the Superdome was symptomatic of the police situation all over the city. Part of the NOPD's problem might have been preexisting. Prior to the storm, the murder rate in New Orleans was already 10 times the national average, and the NOPD was notorious for failures of leadership, professionalism, and discipline.<sup>15</sup> Any law enforcement or security professional might be skeptical of such an organization's ability to respond to a major crisis. Yet it is important, and only fair, to put the NOPD's performance into perspective. NOPD officers were required to reside within the city limits, so most of them were personally affected by Katrina. Many had to decide between a sense of duty to their families or a larger duty to the force and the city's population. Consequently, in many cases they were victims of the storm as well as responders. Because many precinct houses and other installations were flooded, officers who reported for duty were largely deprived of ammunition, radio communication, and transportation. Cell phones did not work, and it was hard to find boats needed for search and rescue. Police walkie-talkies were ineffective because they used a unique rechargeable battery and most of the rechargers were under water or without power during the crisis. Police therefore had to operate on a single circuit, and that was overwhelmed with police, fire, and ambulance calls from the extended metropolitan area. Police at one point were trying to fight the disaster from a couple of picnic tables and a few folding chairs set up in a casino driveway because their headquarters was flooded. Police headquarters eventually moved to the Hyatt Regency.

As the police proved unable to maintain security and as food and water stocks dwindled, looting became rampant. In some cases people were taking the necessities of life. In others, they concentrated on luxury, highly salable goods. Weapons were frequently among the first items stolen. For the most part the looting did not appear to be the work of organized gangs as much as groups of individuals. At times it became difficult to distinguish looters from city employees. For example, the Sixth District police who found a local Wal-Mart's glass doors smashed and full of people grabbing merchandise found that they, too, needed to improvise. The police chased the looters away and then used the remaining food from Wal-Mart's coolers to sustain themselves. Other officers "liberated" some butane tanks, pots and pans, and a metal rack with which to make a stove. They set up a kitchen in the parking

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\* New Orleans Police Department.



lot, feeding meals of gumbo, pasta, or burgers to a hundred officers a day. The mission of the Sixth District police officers, at that point, was their own survival.<sup>16</sup> In the wake of the storm, some 320 officers (of the NOPD's 1,750-strong force) resigned, were terminated, or were placed under investigation for abandoning their duties.<sup>17</sup>

For the poor, without resources, the disappearance of authority was genuinely terrifying. Many had never left the city, or southern Louisiana, in all their lives. They faced a terrible choice: turn themselves in to face evacuation, or tough it out. If we stay, how long will it be before the power and the water come back on and the grocery stores open? If we go, go where? To the Superdome, where lawlessness apparently reigned? To the Convention Center, to get on a bus? A bus to where? The rumor that evacuees weren't being told their destination before boarding buses turned out to be true. With no reliable authority to issue information, the holdouts became paralyzed.<sup>18</sup>

Medical services in the city were also hard hit. Hospitals lost power, and hospital staff often could not get to or leave work. Supplies ran out, and those people who survived in elaborate artificial bubbles of medical technology began to die, some of them quite quickly. Hospitals also became magnets for people who were desperately trying to save sick or injured loved ones. In other less capable or dedicated facilities, such as the nursing home mentioned earlier, the situation quickly became hellish and even lethal.

#### **AND WHAT OF THE STATE?**

Like Mayor Nagin, Governor Kathleen Blanco was well aware of Katrina's approach. She had alerted her adjutant general and the rest of her advisers. She had declared a state of emergency well in advance of the hurricane's landfall, had made contact with FEMA, and approved President Bush's declaring Louisiana a disaster zone before Katrina struck. Understandably, she too, thought Louisiana was ready. She too, was wrong.

Many of the same factors that crippled the responses of city personnel and organizations were present at the state level. Some National Guard armories, barracks, and command facilities flooded. Communications were demolished and roadways were submerged. Roads that were not inundated were clogged with people fleeing the city. Neighboring states had their own Katrina problems, and guardsmen had to choose between protecting their families and protecting their communities. As the city went, so went the state. Although criticized for not making her decision sooner, three days after Katrina had pummeled New Orleans, Governor Blanco asked for federal assistance.

#### **THE FED'S TURN . . . TIME FOR INTERAGENCY COOPERATION**

In order to deal with a disaster of the scope and scale of post-Katrina New Orleans the United States needed to mount a nearly unprecedented level of effort. Multiple agencies would have to communicate, cooperate, and coordinate. Luckily, the U.S. government was well aware of these requirements and had, at least on paper, come up with procedures to mount such a complex undertaking.

## THE INTERAGENCY PROCESS

In the United States, a tiered response to a catastrophic natural or man-made disaster is expected, escalating, if needed, from local to state to federal assistance. The people who are “first responders,” including police, ambulance, and fire crews, are supposed to immediately assess the scope and nature of the disaster. The actions of these first responders are coordinated by an incident commander, who is usually from the local emergency management office. If the incident commander determines that the extent of damage is beyond the local authorities’ ability to respond, he can appeal to the state for additional assistance. The state, in turn, can mobilize additional resources, including state-level law enforcement, National Guard troops, and staff from the state emergency management agency to help coordinate the response. Additionally, the governor of the state can call other governors to send additional assistance, often in the form of National Guardsmen, under what is known as the Emergency Management Assistance Compact (EMAC). All 48 states of the continental United States and the District of Columbia have joined in this agreement, which identifies what resources they will make available to other governors in an emergency and how reimbursement for those services will be made.

When a disaster is of such magnitude that local and state officials cannot handle the response alone or through the EMAC, they can then turn to the federal government for help. The president may declare the disaster an Incident of National Significance (INS) by invoking the Stafford Act and initiate a federal response regardless of whether a state has made a formal request.

Unless the president makes an exception, requests for military assistance must originate from a lead federal agency, typically FEMA. The request is then sent to the Office of the Secretary of Defense (OSD) for evaluation according to the criteria of legality, readiness, lethality, risk, and cost. Once the secretary of defense (SECDEF) approves the requests, they are forwarded to the Joint Directorate of Military Support (JDOMS) within the Joint Staff. As action agent for coordinating and directing the execution of Department of Defense support missions to civilian authorities—known as Defense Support of Civil Authorities (DSCA)—JDOMS provides the appropriate orders to U.S. Northern Command (NORTHCOM). A defense coordinating officer (DCO) is normally designated and deployed to the area of the incident. The DCO is then to serve as the single point of contact for DoD resources for other government agencies operating in the incident area.

The DCO, as a representative of the active-duty component of the military, does not have operational control over the U.S. Army Corps of Engineers or National Guard personnel operating on state active duty or under Title 32 status.<sup>19</sup> Under Title 32, the federal government is administratively responsible for the National Guard in terms of pay and benefits; operationally, however, the Guard still works for the governor.

Requests for support usually fall into one of three categories: special events, immediate, and disaster response. Those responsible for special events plan, coordinate, and manage security and public safety support to federal, state, and local law enforcement agencies and civilian organizers of extraordinary public gatherings, such as Olympic Games, inaugurations, and Super Bowl games. Immediate response is any form of quick reaction taken by a

DoD component or military commander to save lives, prevent human suffering, or mitigate great property damage under imminently serious conditions. When such conditions exist and time does not permit prior approval from higher headquarters, local commanders are authorized to take necessary action to respond to requests of civil authorities. Examples include restoration of essential public services, rescue or evacuation operations, and emergency medical care. As soon as is practical, the local commander reports the request and the nature of the response through the chain of command to the DoD executive secretary.

Federal departments assist with disasters on a reimbursable basis. FEMA is responsible for coordinating with local and state officials for federal aid in the event of a catastrophic disaster. The Department of Homeland Security (DHS) will then appoint a Principal Federal Official (PFO),\* who can come from any organization under DHS. The PFO will then make requests for assistance (RFAs) from other federal agencies. In this case, requests were made of DoD agencies, through the DoD's Executive Secretary. DoD discourages employment of critical assets to support local and state authorities unless civilian agencies are plainly unable to meet the task. Thus, if a contractor can adequately execute a task, the JDMOS will make the decision to give the tasking to the contractor. While DoD will support FEMA, it still must take into consideration that DoD's primary mission is to prosecute the nation's wars. RFAs therefore may be denied if the requested assistance is deemed to interfere with current military operations.

After JDOMS has approval from the Joint Staff chain of command, the RFA order goes to OSD for its review and subsequent SECDEF approval. After the SECDEF issues that approval, JDOMS releases the order. At that time, DoD assets take their direction from the PFO or JTF commander, if one is designated.

Concurrently, the process of issuing RFAs requires that JDOMS starts coordinating with the combatant commands (COCOMs) early so requested services and defense agency support will get to the right place and at the right time.

Anticipating a potential disaster, NORTHCOM ordered First and Fifth Armies to begin planning for Katrina relief operations. Lieutenant General Russel L. Honoré, commanding First Army, understood he would be the most likely choice to command a Hurricane Relief Joint Task Force and moved his command closer to Louisiana. Honoré, himself from Louisiana, is a blunt-speaking, take-charge, and lead-from-the-front sort of person. His expectations proved correct, and he was rapidly selected to command Joint Task Force (JTF) Katrina. The Department of Homeland Security was the lead federal agency, and FEMA director Michael Brown was chosen to be in charge of the effort. Almost every federal agency and department would also be involved to some extent.

One of the immediate problems facing Director Brown, LTG Honoré, and other leaders was how to continue rescue operations while restoring security to New Orleans. There was no shortage of people willing to help. Civilian law enforcement agencies from other states provided personnel. Federal law enforcement agencies also played a major role. Specific

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\* The appointed PFO can be anyone within, or supporting, the PFA (primary federal agency). In this case, the PFA was DHS.

agencies included the U.S. Attorney's Office, the Federal Bureau of Investigation (FBI), the Drug Enforcement Agency (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Customs and Border Protection, the U.S. Border Patrol, U.S. Immigration and Customs Enforcement, and the Federal Air Marshal Service. Many of the personnel were already located in field offices in Louisiana. In an effort to make the federal efforts more effective, most of the federal personnel were deputized as state law enforcement officials so they could fully partner with local police. During the first week following the hurricane, local, state, and federal law enforcement personnel began daily 9:00 a.m. meetings at the Harrah's Casino in downtown New Orleans.<sup>20</sup> The NOPD ran the meetings and ultimately was able to effectively utilize the services from all of these organizations. In general, efforts during the first few days of the flood centered on finding victims and getting them out of New Orleans to "higher ground." That task was made even more difficult by individuals who chose to stay amid the devastation out of hopelessness and despair.

Unfortunately, there were problems from the start. Within days every major media outlet in the United States had reporters on the ground covering the story. Live images from the city often contradicted what official briefers were saying, and the popular image of New Orleans was one of panic, lawlessness, and incompetence. Political leaders, including Mayor Nagin, Governor Blanco, and Director Brown, received intense criticism. There was also friction between these actors. Differing expectations and priorities between local, state, and federal officials quickly surfaced. The mayor seemed inclined to look directly to the federal government for help, and to believe that the kind of help the city needed should come from the military, emphatically asserting that LTG Honoré should have total authority to get the job done.

To some degree it is easy to sympathize with the mayor. The military was practically the only organization that could provide essential, lifesaving services quickly and comprehensively once state and local providers were overwhelmed. And indeed, the DoD's response to Hurricane Katrina involved the largest military deployment within the United States since the Civil War.<sup>21</sup> The military, however, has its faults and limits, and they are amplified when the DoD is compelled to act through large ad hoc organizations like JTF Katrina. One of the most important constraints on the military's ability to manage domestic disaster response, particularly in the early stages, is the nation's reliance on local control. DoD lacks the detailed knowledge of local conditions essential to effect relief in the early stages of the response. For Katrina, there were two distinct military chains of command—one for federal troops and one for National Guard troops under state command. This dual chain of command was not unique or unprecedented. In fact, it is the expected scenario for any large-scale natural disaster. Governors would not normally be expected to give up command and control of their National Guard. During the response effort, federal officials considered ways to structure a unified command. According to Deputy Homeland Security Advisor Ken Rapuano, federal officials discussed with Governor Blanco the possibility of federalizing the National Guard. President Bush also offered Governor Blanco a memorandum of agreement that would have placed LTG Honoré under Governor Blanco in the chain of command, and in charge of National Guard troops in Louisiana. In this proposal, Honoré

would serve in two capacities—first, as the commander of federal troops ultimately answering to the president, and second, as the commander of the Louisiana National Guard, answering to Blanco. Governor Blanco rejected this proposal.

Governor Blanco did indeed want “federal help,” but she did not want to federalize her National Guard, either directly or indirectly. Federalizing a National Guard unit takes command and control of those troops away from the governor and gives them the status of active-duty “Title 10” troops under regular Army leadership. Both the NORTHCOM commander ADM Timothy Keating and President Bush thought that “active-duty forces should be given complete authority for responding to catastrophic disasters.” LTG Steven Blum (Chief, National Guard Bureau) believed that this dispensation would be tantamount to a “policy of domestic regime change.”<sup>22</sup> As the adviser to the governor with respect to the National Guard, Blum counseled Governor Blanco not to federalize their troops for fear of losing control, or to expect any recall of Louisiana National Guard units from Iraq, given the need for personnel there. On 2 September, Blanco received a fax from the White House asking that she sign a letter requesting stronger federal control.<sup>23</sup> After considering the matter, she declined.<sup>24</sup> In the aftermath of Katrina, all players admitted that the state-federal relationship needed improvement.

In contrast, one of the bright spots of the overall response to Katrina was state-to-state cooperation. The EMAC, in particular, promoted effective mutual assistance. EMAC provides form and structure to interstate mutual aid where attaining aid otherwise could be a process of “hit or miss.” With EMAC, a stricken state can request and receive assistance from other member states quickly and efficiently, resolving two key issues up front: liability and reimbursement. This mutual support turned out to be an invaluable asset for Louisiana. Through EMAC, almost 68,000 personnel (civilian and National Guard) were sent to affected areas. More than 29,000 of those personnel came from states other than Louisiana. Mutual assistance came from every state in the compact. In direct support of Katrina, more than 2,188 resource requests (missions) were filled. Record numbers of National Guard troops, local responders, and medical personnel were deployed through the compact.<sup>25</sup> Initially, there were 54 different payroll and benefit systems. National Guard troops deployed under EMACs with various states followed state-specific rules, entitlements, and agreements. To remedy the resulting bureaucratic disarray, these forces were activated under Title 32 of the U.S. Code. Their consequent federal status permitted uniform administration while allowing continued command and control by the governor.

Although they did exist, such bright spots were not highly visible to the U.S. public. Officials kept speaking of positive actions and improvements, but the media seemed to tell a different story. Director Brown quickly became a lightning rod for complaints. One problem involved the lack of a coordination mechanism and standardized processes between the varying organizations. This led to a duplication of effort in some locations and a lack of response in others. For example, in New Orleans, the Louisiana National Guard and the U.S. Coast Guard maintained separate tactical operations centers for airborne search-and-rescue missions. The two entities divided up areas and ran separate operations.

On 9 September, Brown was removed from his position of authority and returned to Washington. He resigned as FEMA director shortly thereafter. Secretary Chertoff (DHS) replaced Brown as the PFO with Vice-Admiral Thad W. Allen,\* Chief of Staff of the U.S. Coast Guard. Allen was the PFO for the entire Gulf Coast recovery from Hurricane Katrina. In part, Allen may have been selected because, unlike many other organizations, the Coast Guard effort in Katrina was seen as immediate and heroic. On 29 August, the day Katrina made landfall, the U.S. Coast Guard Sector New Orleans Incident Management Team was stood up in Alexandria, Louisiana. During normal conditions, there were 15 helicopters assigned within the Eighth Coast Guard District, along with four fixed-wing aircraft and 16 cutters. Within hours of Hurricane Katrina's passing, the Coast Guard surged 31 cutters, 76 aircraft, 131 boats, and over 4,000 personnel into the affected areas.<sup>26</sup> The first Coast Guard rescue occurred within a few hours after the storm made landfall.

As the relief effort unfolded, medical support remained a difficult problem. The Army was able to deploy expeditionary medical support squadrons (EMEDS) toward the end of the first week of the response. EMEDS are the Army's replacement for the old Korean War mobile army surgical hospital (MASH) units. EMEDS were eventually deployed inside the city, including at the Convention Center. Another health asset was the disaster medical assistance teams (DMATs) deployed by FEMA. These teams arrived quickly and set up in New Orleans International Airport. However, team personnel reached the disaster zone before any of their supplies did. Despite evacuations to the airport and subsequent transfers out of the airport later that numbered in the thousands, DMATs performed triage in its most basic format—often black-tagging the sickest people and culling them from the masses so they could die in a separate area.<sup>27</sup> Many of the patients (25,000 in all) arrived as evacuees from the city, from hospitals that could not care for them because they did not have DMATs assigned, and from hospitals that had lost power when their emergency generators were flooded.

As the waters began to recede, political issues emerged. Mayor Nagin quickly made clear his expectation that his city would quickly be resettled. In contrast, VADM Allen did not consider the mayor's priority of getting residents back to New Orleans as soon as possible to be prudent. Only after President Bush reinforced his support for Allen did the mayor reverse his earlier statements about the relative safety of returning to New Orleans.<sup>28</sup>

By 13 September, considerable order had been restored to New Orleans and the relief process had been reasonably well hammered out. There would still be setbacks, and the arrival of Hurricane Rita in late September temporarily interrupted the return of civilians to portions of New Orleans. Yet, by and large, the immediate response was over. Longer-term restoration and repair would take as long as a decade and continue to the present day.

#### **POST MORTEM: WHAT WENT WRONG? WHAT WENT RIGHT?**

The soil of New Orleans was still muddy as local, state, and federal agencies began sifting through the lessons of Katrina. Although these efforts continue to the present day, several

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\* Allen was selected as the PFO because of his experience but also because his organization (Coast Guard) reports to DHS.

key areas of agreement have emerged. These include concerns about: a lack of interagency operability, the role and performance of FEMA, the role and performance of DoD, and the question of overall command in a massive disaster.

### **INTERAGENCY INTEROPERABILITY**

Since 2001, the federal government has given \$8.6 billion to states for equipment, first responder training, and disaster exercises. In 2005, the DHS gave the states \$2.1 billion, of which \$925 million was allocated for communications upgrades. To Louisiana alone, since 1999, the federal government had allocated over \$107 million for equipment purchases.<sup>29</sup> But inaction at multiple levels of government in preparing for the expected loss of communications hindered the response effort by compromising situational awareness and command and control. This issue has been long debated among the federal, state, and local levels, but thus far remains largely unresolved. As a result, when the moment of truth arrived, the NOPD's communications system failed and was inoperative for three days.

Additionally, NORTHCOM communicates mainly through a SECRET Internet Protocol Router Network (SIPRNET). Most of the other organizations involved in a crisis operate on nonsecure networks. Converting documents to a format that can be shared among different agencies is a slow and imprecise process. NORTHCOM also experienced many of the more basic challenges that other agencies and organizations experienced following the hurricane's landfall. Much of the area infrastructure, including communications equipment, was not available. For an extended period following landfall, VOCO (Verbal Orders of Commanding Officer) was often the only viable means of getting orders to the intended organizations, and the only authoritative source.<sup>30</sup>

Ultimately, Amateur Radio Emergency Services (ARES) volunteers provided communication services as a partial solution. These ARES volunteers—known as ham operators—from across the nation served New Orleans particularly well by relaying Red Cross messages to and from the affected areas and processing 48,000 requests for emergency communications assistance, including numerous communications involving NORTHCOM.<sup>31</sup> Although some workarounds for communications, like Nextel's "communications on wheels," provided mobile cellular phone technology when most of the cell towers were destroyed, this did not even offer a partial solution until almost a week after landfall.

Lack of interoperability before, during, and following the storm was a major contributor to a degraded response. Although the State of Louisiana has, for some time, recognized the need for interoperable statewide communications, fiscal constraints and challenges of integrating multiple technologies rendered this goal unrealized.<sup>32</sup> One remedy would be a national standard for the spectrum, hardware, and even batteries (noting that rechargeable batteries may not be the best option during a crisis).

Interoperability failures also led to inadequate dissemination of information, or dissemination of inaccurate information. Perhaps the most notable example involved reports that "evacuation was halted because of gunfire directed at helicopters." The actual incident involved one individual who was arrested and then set free after being charged with firing three random shots out his window, but within 24 hours, all commentators on every major

American television news network had helped turn the helicopter sniper image into the disaster's enduring symbol of dysfunctional urbanites too depraved to be saved. The lack of communications interoperability also affected the type of response marshaled by various other organizations. For example, the Louisiana National Guard refused to approach the Convention Center until 2 September because it was erroneously reported that the crowd was hostile towards the military and that reinforcements would be needed before the building could be secured. In reality the Guardsmen received a warm welcome and were cheered when they arrived.

## **FEMA**

Created under the Carter administration, FEMA was placed under the DHS umbrella in 2003 and subsequently officially divested of its preparedness function and tasked solely with response and recovery. (The preparedness function would be consolidated under a new Undersecretary for Preparedness.) Both the director of FEMA and the undersecretary would report directly to Secretary of Homeland Security Michael Chertoff. This reorganization, however, reduced the size of the original budget and similarly pared down FEMA's workforce. Much of the talent in FEMA migrated to other agencies. The result was that FEMA was seen as a bereft "organ donor."<sup>33</sup>

In a statement by former president Jimmy Carter following Katrina:

The agency's diminished role under Homeland Security led to its recent failures. I made three promises. One was that the leader of FEMA would always be highly qualified in handling a disaster. The second promise I made was that FEMA would always be an independent agency, and would not be part of another larger agency. And the third promise I made was that FEMA would always be adequately financed. Well, as you know, all three promises have been violated.<sup>34</sup>

In testimony following Katrina, Michael Brown testified that he had asked the DHS for funding to implement the lessons learned from the Hurricane Pam exercise conducted less than a year earlier. That funding was never approved. He also testified that FEMA had suffered from a brain drain and diminished financial resources as a result of the consolidation.

The National Response Plan (NRP) and the National Incident Management System (NIMS) were crafted to provide a framework and template, respectively, for the federal government, through FEMA, to work with other agencies in a crisis. NIMS enables all responders, regardless of jurisdiction or discipline, to work effectively and efficiently using a nationally accepted template that makes federal, state, local, private sector, and non-governmental organization (NGO) cooperation possible regardless of cause, size, or complexity of the natural disaster. To make this system function, some preparation work is needed. States, localities, and NGOs are asked to align their plans and procedures with these guidelines and procedures. This preparation component of FEMA has changed dramatically since FEMA's inception during the Carter years. Former FEMA director Brown had urged then-DHS secretary Tom Ridge not to further distance the preparedness function of FEMA from response function, as it could result in ineffective and uncoordinated response efforts by FEMA.<sup>35</sup> Brown was overruled, and the program was transferred to the



Office of Domestic Preparedness (ODP). The end result was a transfer of the overall preparedness function of FEMA to another organization that, for all practical purposes, contained only a loose and distant tie to FEMA's remaining mission of response.

NGOs helped fill the shortfall in government-provided relief. According to the Center on Philanthropy at Indiana University, private donations for Katrina victims had reached \$4 billion. The Government Accountability Office reported that charitable organizations in the Gulf Coast region set a U.S. record for disaster-response donations.<sup>36</sup> The American Red Cross (ARC) amounted to a quasi-governmental agency in the context of disaster response. Under the NRP, the ARC is the primary agency responsible for mass care, housing, and human services. It is the only NGO with lead agency responsibilities under the NRP. Although the ARC produced the largest amount of money ever raised by a charity—at one point, providing almost 950,000 meals a day—Katrina ultimately strained its capabilities. The ARC had substantial technical communication problems with FEMA and had difficulty meeting the need for basic necessities. Important assistance was also provided by the Salvation Army, Catholic Charities, the United Way, and the National Voluntary Organizations Active in Disaster (NVOAD). The Salvation Army, in particular, contributed 72 mobile canteens, each capable of providing 5,000 hot meals per day, and two 54-foot mobile kitchens, each capable of providing 20,000 hot meals per day. Approximately 40 additional organizations and charities provided services. NVOAD served as the national umbrella organization that organized their collective efforts and held daily conference calls with FEMA.

Furthermore, many of the plans and much of the preparation for catastrophic events had already been in place, but both poor communication and poor drafting made the execution of these plans problematic. For example, the NRP's Catastrophic Incident Annex (CIA), in theory, is to prescribe the manner in which the federal disaster response posture would switch, upon a declaration by the secretary of homeland security of a catastrophic incident, from the traditional "pull" system, where states make specific requests, to one driven by a proactive "push" system, in which the federal government moves assets to the affected areas without waiting for state requests. Under the current CIA, however, the general operating presumption is that predeployed federal resources remain at staging areas until requested by the state and local incident command authorities. Thus, the actual employment of federal resources depends, to a good degree, upon requests from state or local authorities and very often upon their participation in delivering aid to those in need.<sup>37</sup> Accordingly, the CIA was not drafted in line with its intended purpose. FEMA was unaware of this discrepancy, however, and therefore did little to remedy it.

There were also problems with timing. For example, upon declaring an INS, the secretary of homeland security is supposed to name a PFO to manage the response. For Hurricane Rita, the PFO was designated two days before landfall; for Katrina, two days after landfall. While it is easy to see that the quick response to Rita was driven by what had happened during Katrina, it is no less true that DHS and FEMA were better prepared for Rita because they had their organization in place before the storm made landfall.

The Interagency Incident Management Group (IIMG)—essentially a multiagency federal coordination entity that reports directly to the secretary of homeland security to facilitate the strategic response to a domestic incident—had timing problems, too. It was activated at 2:00 p.m. on 30 August, well after Katrina came ashore. The IIMG consists of senior representatives from nearly 40 different organizations, including DHS components,

other federal departments and agencies, and NGOs. Its membership is flexible and can be tailored to provide appropriate subject-matter expertise depending upon the nature of the threat or incident at hand. The IIMG works in concert with other NRP coordinating structures, such as the Homeland Security Operations Center (HSOC), the nation's 24-hour nerve center for information sharing, law enforcement, and domestic incident management through vertical coordination among federal, state, territorial, local, and private-sector partners. The IIMG also works with the FEMA National Response Coordination Center (NRCC) to facilitate such things as EMAC agreements.

In terms of division of labor, the IIMG is intended to focus on strategic-level issues, while the HSOC and NRCC work in partnership to maintain situational awareness and solve operational and tactical problems. The HSOC is the primary national hub for domestic incident management, operational coordination, and situational awareness. The HSOC facilitates homeland security information-sharing and operational coordination with other federal, state, local, tribal, and nongovernmental EOCs. The NRCC, located on the campus of the University of Texas Medical Branch in Galveston, Texas, is a multiagency center that provides overall federal response coordination for incidents of national significance and emergency management program implementation. FEMA maintains the NRCC as a functional component of the HSOC in support of incident management operations.<sup>38</sup> When IIMG was ultimately activated, it was because potential long-term flooding of New Orleans represented a “catastrophic crisis within a crisis,” so that the secretary would now require the additional layer of incident management capability. It was at this point that Chertoff issued a formal memorandum designating FEMA Director Michael Brown (who was already on the ground in Baton Rouge) as the PFO under the NRP. The NRP also called for a joint field office (JFO) and emergency support function (ESF) structure to facilitate federal incident management coordination at the local level and integrated federal interaction with key state and local officials.

The emergency support functions (ESF) are found in the NRP and list the various functions and the corresponding agencies responsible for execution. For example, ESF #5 is Firefighting, and the agency responsible for its execution is the USDA (Forest Service). ESF #9 is Urban Search and Rescue, and DHS (FEMA) is the agency responsible.

The states have their own counterparts to the JFO. Each state has EOCs,\* and these organizations, in turn, have a link with the JFO through their respective coordinating officers. The EOC in New Orleans was chaotic, but no more so than the federal equivalent. One of the complaints (internally and externally) about the performance of the EOCs was that they had poor situational awareness. The relationship between the parishes and the state was similar to the link between the state and FEMA. It is generally a “pull” system, and requests need to be made for assistance and supplies. But communications often broke down. Some inefficiency may have been caused by an incessant flow of requests for information from the press and from prominent individuals like Oprah Winfrey and Sean Penn, who at times were seen “freelancing efforts” out of the EOC headquarters without coordination with the state coordinating officer (SCO).<sup>39</sup>

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\* Each parish has an EOC with full-time staff.

The Defense Coordinating Officer (DCO) is in charge of the Defense Coordinating Element (DCE) at the federal level. The states' equivalent is the EOC and it is run by the SCO.

Within the federal government, communications among DoD, DHS, and, in particular, FEMA during the immediate week after landfall reflected a lack of information sharing, near panic, and a lack of knowledge of formal process and standard operating procedure. In the event, the reliance of FEMA upon DoD during the Hurricane Katrina response prompted a DoD takeover of FEMA's responsibilities as logistics manager. The military, which had the resources to appraise the situation more effectively and readily than FEMA, and actually drafted its own requests for assistance and sent them to FEMA, which in turn copied them and then sent them back to the DoD for action.<sup>40</sup> As a result of this convoluted process, the origin of many of the requests for DoD to provide active-duty forces was difficult to determine. Some requests were made directly to LTG Honoré instead of going through FEMA.<sup>41</sup> The procedure is the source of a lingering dispute between DoD and DHS. DoD maintains that it honored all FEMA requests for assistance in the Katrina relief effort, refusing no missions. FEMA officials insist that DoD effectively declined some missions in the informal coordination process that preceded an official FEMA request, such that when DoD thought a mission was inappropriate, FEMA was pressured simply not to request the assistance from DoD.

## **DOD**

Pursuant to the NRP, the planned response for Katrina incorporated a JTF, leaving NORTHCOM in charge of federal active troops and Governor Blanco and her adjutant general, MG Landrenau, in charge of the Louisiana National Guard. DoD, governors, and other state and local officials were expected to actively participate in joint planning for emergencies, both natural and man-made. That was supposed to occur under NORTHCOM's area of responsibility. An analysis of one of NORTHCOM's earlier exercises, however, revealed that there were too few civilian authorities in DoD's DSCA planning.

DSCA was the military's support link to civilian authority. Civilians often had a better understanding of how DSCA could contribute. During an exercise just a month before Katrina, NORTHCOM admitted that they did not have adequate insight into the state's capabilities in the Gulf Coast region.<sup>42</sup>

NORTHCOM's internal procedures were also problematic. Created after 9/11, NORTHCOM, in addition to defending North America, Puerto Rico, and the U.S. Virgin Islands against externally sourced threats and acts of aggression, is responsible for civil support missions that include domestic relief operations in response to such disasters as fires, hurricanes, floods, and earthquakes. The command provides assistance to a primary federal agency (PFA) when tasked by DoD. In a post-Katrina interview, CDR Rich Farrell, who works in the Operations Planning Group (OPG) of NORTHCOM, noted that while NORTHCOM generally operates in a joint environment, upon activation for a natural disaster or national threat NORTHCOM changes over to an "adaptive headquarters" type of operational environment that is more aligned to function in the operational environment appropriate to a national crisis. Both operational constructs are viable, but the transition

from one to the other is slow and cumbersome and the conversion is not entirely clean. Thus, a post-crisis performance assessment of JTF Katrina by VADM Jim Hull noted that First Army headquarters, which formed the nucleus of JTF Katrina, was not organized or resourced to operate as a joint task force. Furthermore, JTF Katrina was an ad hoc organization and had no well-established standard operating procedures. As the JTF Katrina headquarters transitioned from the very tactical mind-set of lifesaving to the operational mind-set of sustaining and enabling a joint force, the headquarters continued to be distracted by near-term tactical problems.<sup>43</sup>

DoD had other problems. One example: DoD apparently initially refused to allow the shipment of Meals Ready to Eat (MREs) on FEMA-provided transportation, claiming that it could only ship MREs on “DoD-approved carriers.” DLA “would arrange transportation within the next 24–48 hours.” Also, the communication between the National Guard and DoD was poor. The National Guard did not have a good working knowledge of the DoD strategic planning guidance that was developed at NORTHCOM concerning the military’s support to civilian authorities.<sup>44</sup> These difficulties were not entirely unexpected. Although urban search-and-rescue operations are multiagency in nature, no standardized federal system currently exists to effectively integrate operations.

The Army’s component of NORTHCOM is Army North/5th Army (ARNORTH). When asked why the response to Katrina turned out so poorly, COL John Simpson, Chief of Plans for ARNORTH, responded that “even though we may have an all-star team, we cannot expect to win unless we train and scrimmage before the day of the big game.”<sup>45</sup> There was very little in the way of long-term or permanent liaison between the major federal organizations. It is all expected to come together on the day of the “big game,” but as one might expect, many aspects that should be well established and understood (C2, logistics, contingency plans) simply fail to function under the stress of a large-scale disaster. People will indeed show up to play but often have not read the playbook.

“There is a reason for that,” said COL Simpson. “The playbooks have not been established.”<sup>46</sup> It is COL Simpson’s opinion that, in general, the major organizations expected to respond to a disaster need to think with some degree of continuity with respect to planning. “To the extent possible and feasible,” he said, “the ad hoc process of disaster response needs to move towards a more dynamic and continuous process of readiness. Incorporating permanent defense coordinating officers (DCOs) and defense coordinating elements (DCEs) into FEMA regions would go a long way in providing that continuity in planning that FEMA has gradually lost over the years.”<sup>47</sup>

ARNORTH was established in 2005 and is manned by what was previously Fifth Army. Both First Army and Fifth Army responded to the disaster. The First Army troops were assigned to JTF Katrina under the command of LTG Russel Honoré. The designation of Honoré as the DCO for JTF Katrina was made by the Department of Homeland Security.

## STATE VERSUS FEDERAL AUTHORITY?

The 1878 federal statute known as Posse Comitatus Act broadly prohibits the use of federal troops for law enforcement against American citizens, though a number of exceptions

have arisen. In accordance with the act, NORTHCOM would not normally provide law enforcement, for which the state—including the National Guard—would remain primarily responsible. NORTHCOM has few standing forces but is assigned forces whenever necessary to execute missions, as ordered by the president and secretary of defense.<sup>48</sup>

In response to a natural disaster, NORTHCOM would typically provide active-duty military personnel (Title 10 troops) for civil support functions only.

During a brief at NORTHCOM following Katrina, President Bush specifically wanted to know if there was “a circumstance in which the Department of Defense becomes the lead agency.”<sup>49</sup> Clearly in the case of a terrorist attack that would be the case, but natural disaster scenarios are more ambiguous. If the federal government, in the form of Title 10 troops, were to be first responders, a revision of the Posse Comitatus Act might be considered necessary. Under current law, disaster preparedness and response is primarily a state responsibility. Federal assistance can be requested by governors, and federal *military* assistance is handled through NORTHCOM. Posse Comitatus is not a barrier to federal troops providing logistical support during natural disasters; nor does it prohibit the president from using the Army to restore order in extraordinary circumstances, even over the objection of a state governor. The law does not apply to National Guard troops because they are called up by their respective governors and under local control.

More broadly, however, the Posse Comitatus Act reflects an enduring civil doctrine under which the American military is primarily to be used as a war-fighting force. It shields the armed forces from the burden of additional domestic duties, and ultimately from the possibility of being involved in an incident like the Kent State shootings—perpetrated by National Guardsmen—in 1970. The military is good at many things, but “our fighting forces are sometimes seen as the giant Swiss Army knife, infinitely adaptable to a wide array of tasks. Because the military is so formidably competent at its central mission, defeating our enemies in wartime, presidents and the public tend to think it can handle any job it is asked to do.”<sup>50</sup> Indeed, President Bush has supported the military’s role in disaster response, in substantial part because following Katrina it appeared to be the only organization fully competent to do so. But Pentagon officials have indicated that they do not support a new, expanded role for the active-duty military. Among other things, they argue that National Guard units can respond more quickly and have a ready understanding of the region that active-duty components would lack.

The question remained whether government authorities would be sufficiently prepared to avoid a reprise of the Katrina disaster were another terrible hurricane to score a direct hit on a major city.

## APPENDIX

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23–27 June 2002	The New Orleans <i>Times Picayune</i> publishes a series of articles that describes the likely devastation New Orleans would suffer if a major hurricane were to strike the city.	25 August 2005	0700 EDT—FEMA activates the National Response Coordination Center (NRRCC) in anticipation of Katrina’s landfall.
23 July 2004	FEMA conducts an emergency planning exercise (Pam) for a notional Category 3 hurricane striking New Orleans. The exercise concludes that the result would be a loss of life of 60,000 and billions of dollars in lost property.		1700 EDT—Tropical Storm Katrina is upgraded to hurricane by the NOAA.
19 August 2005	SECDEF approves the standing Execute Order (EXORD) for Severe Weather to prepare for the 2005 hurricane season.		1830 EDT—Hurricane Katrina makes first landfall near Miami, Florida, as a Category 1 storm.
23 August 2005	1700 EDT—The National Hurricane Center begins tracking Tropical Depression 12 near the Bahamas.		First Army deploys DCO/DCE to support operations in Florida and to Mississippi and Alabama in “exercise mode” in anticipation of Katrina’s projected path.
	USNORTHCOM JOC begins actively tracking Tropical Depression 12.	26 August 2005	Florida EOC in full operation and more than 800 Florida National Guardsmen are activated. Georgia, Alabama, and Mississippi EOCs are activated to monitor the storm’s progress.
24 August 2005	1100 EDT—Tropical Depression 12 strengthens to become Tropical Storm Katrina.		Hurricane Katrina crosses south Florida as a Category 1 hurricane, causing 14 deaths and millions of dollars in property damage.
	FEMA begins track of Tropical Storm Katrina as the first storm watches are issued for southern Florida ( <a href="http://www.fema.gov/emanagers/2005/nat082405">http://www.fema.gov/emanagers/2005/nat082405</a> ).		Louisiana and Mississippi each declare a state of emergency. Governor Blanco of Louisiana informs FEMA about her concerns of flooding in New Orleans if Hurricane Katrina strikes the city.
	FEMA activates its hurricane liaison team (HLT), consisting of FEMA, NWS, and state and local officials. USNORTHCOM also issues a warning order for supporting commands to prepare for requests for Department of Defense (DoD) assets should the need arise.		Defense coordinating officers and defense coordinating elements (DCO/DCEs) are activated in Georgia, Alabama, Mississippi, and Louisiana.
			2300 EDT—Track of Hurricane Katrina adjusted west, with landfall projected near Buras, Louisiana (near New Orleans).

27 August 2005	<p>0500 EDT—Hurricane Katrina is upgraded to Category 3, with additional strengthening predicted.</p> <p>0700 EDT—FEMA begins 24-hour operations in the NRRC.</p> <p>0800 EDT—NOAA announces a hurricane watch for Louisiana.</p> <p>President Bush declares an emergency exists in the state of Louisiana and authorizes FEMA to provide “resources necessary to alleviate the impacts of the emergency” (<a href="http://www.whitehouse.gov/news/releases/2005/08/20050827-1.html">http://www.whitehouse.gov/news/releases/2005/08/20050827-1.html</a>).</p> <p>Throughout the day different parishes call for a mix of voluntary and mandatory evacuations.</p> <p>1700 EDT—Governor Blanco and Mayor Nagin hold a joint press conference to warn residents of the danger posed by Hurricane Katrina. Mayor Nagin encourages residents in low-lying areas to leave immediately but does not call for a mandatory evacuation. Mayor Nagin announces the Superdome will be available as a “shelter of last resort.”</p> <p>National Hurricane Center Director Max Mayfield calls Mayor Nagin late on 27 August to warn him that “this was the worst hurricane he had ever seen and that public officials ought to do everything in their power to get people out of the way” (<a href="http://seattletimes.nwsourc.om/tml/hurricanekatrina/2002486672%5Fkatresponse11.html">http://seattletimes.nwsourc.om/tml/hurricanekatrina/2002486672%5Fkatresponse11.html</a>).</p> <p>Fifth Army Crisis Action Team (CAT) is activated at Fort Sam Houston, Texas, and the Louisiana DCO is repositioned in the</p>	<p>Louisiana State Emergency Operations Center (EOC) in Baton Rouge.</p>
28 August 2005	<p>0100 CDT—Hurricane Katrina is upgraded to Category 4 and is predicted to continue growing in strength and to strike Louisiana with a storm surge of 15–20 feet above normal tide levels.</p> <p>0700 CDT—Hurricane Katrina is upgraded to Category 5.</p> <p>USNORTHCOM deploys LNOs to USACE and FEMA Headquarters.</p> <p>The Joint Staff activates the Hurricane Katrina Joint Staff Response Cell and begins 24/7 operations to support disaster response.</p> <p>0800 CDT—The Superdome opens as a shelter and houses 26,000.</p> <p>0930 CDT—Mayor Nagin orders a mandatory evacuation of New Orleans, calling Hurricane Katrina the “storm most of us have feared” (<a href="http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#074564">http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#074564</a>).</p> <p>Alabama declares a state of emergency.</p> <p>FEMA reports that at least 100,000 residents of New Orleans lack the transportation to evacuate (<a href="http://www.fema.gov/emanagers/2005/nat082805">http://www.fema.gov/emanagers/2005/nat082805</a>).</p> <p>Louisiana requests 700 buses from FEMA to assist with the evacuation of New Orleans and receives 100 (<a href="http://www.boston.com/news/weather/articles/2005/09/11/chronology_of_errors_how_a_disaster_spread/?page=6">http://www.boston.com/news/weather/articles/2005/09/11/chronology_of_errors_how_a_disaster_spread/?page=6</a>).</p>	<p>0100 CDT—Hurricane Katrina is upgraded to Category 4 and is predicted to continue growing in strength and to strike Louisiana with a storm surge of 15–20 feet above normal tide levels.</p> <p>0700 CDT—Hurricane Katrina is upgraded to Category 5.</p> <p>USNORTHCOM deploys LNOs to USACE and FEMA Headquarters.</p> <p>The Joint Staff activates the Hurricane Katrina Joint Staff Response Cell and begins 24/7 operations to support disaster response.</p> <p>0800 CDT—The Superdome opens as a shelter and houses 26,000.</p> <p>0930 CDT—Mayor Nagin orders a mandatory evacuation of New Orleans, calling Hurricane Katrina the “storm most of us have feared” (<a href="http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#074564">http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#074564</a>).</p> <p>Alabama declares a state of emergency.</p> <p>FEMA reports that at least 100,000 residents of New Orleans lack the transportation to evacuate (<a href="http://www.fema.gov/emanagers/2005/nat082805">http://www.fema.gov/emanagers/2005/nat082805</a>).</p> <p>Louisiana requests 700 buses from FEMA to assist with the evacuation of New Orleans and receives 100 (<a href="http://www.boston.com/news/weather/articles/2005/09/11/chronology_of_errors_how_a_disaster_spread/?page=6">http://www.boston.com/news/weather/articles/2005/09/11/chronology_of_errors_how_a_disaster_spread/?page=6</a>).</p>

- First reports of water exceeding the height of the levees (overtopping) along Lake Pontchartrain reported late night on 28 August by the *Times-Picayune* ([http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola\\_Times-Picayune/archives/2005\\_08.html#074667](http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#074667)).
- 29 August 2005 0300 CDT—NOAA buoys in the Gulf of Mexico begin to record wave heights in excess of 40 feet.
- 0500 CDT—U.S. Army Corps of Engineers (USACE) receives first reports of levee breaches from civilians. USACE confirmation does not take place until 1500.
- 0610 CDT—Hurricane Katrina makes landfall near Buras, Louisiana, as a Category 3 storm, only 18 miles off from the National Hurricane Center's storm track prediction issued nearly 56 hours before. Tidal surge is more than 30 feet high.
- The president of the United States signs a Declaration of Major Disaster authorizing federal assistance for Louisiana, Mississippi, and Alabama.
- Northern Command issues a "be prepared order" to establish JTF Katrina. (NORTHCOM) Order MOD 4 directs First and Fifth Armies to commence JTF planning. As commander of First U.S. Army and in anticipation of First Army designation as the JTF Headquarters, LTG Honoré directs First Army (Forward) to position at Camp Shelby, MS.
- NORTHCOM Battle Staff is recalled, and Interagency Coordination Group begins 24/7 operations.
- At approximately 0800, the New Orleans levee system fails and water quickly floods the homes of hundreds of thousands of people. Mayor Nagin appears on the *Today Show* and reports overtopping of the levees and the loss of at least one pumping station. Thousands of residents who had remained in their homes rather than evacuate had only minutes to reach their roofs.
- 1100 CDT—President Bush appears in Arizona and assures the residents of the Gulf Coast that "the federal government has got assets and resources that we'll be deploying to help you." He goes on to say that he had a conversation with Secretary Chertoff of the Department of Homeland Security that morning to discuss immigration issues. (<http://www.whitehouse.gov/news/releases/2005/08/20050829-5.html>).
- Looting and disorder occur in New Orleans because many law enforcement personnel were also victims of the storm.
- Immediate response efforts begin in earnest. Navy SEABEES begin clearing roads of trees and other debris. Later they are joined by National Guard units assigned to Mississippi and Alabama. As soon as the winds allow, the United States Coast Guard (USCG), joined by Air Force Search and Rescue helicopters, begins rescuing survivors on rooftops and floating debris. Rescued persons are taken to dry land and encouraged to seek shelter at the Superdome.
- 1400 CDT—New Orleans officials confirm the 17th Street Canal breach; many parts of New Orleans are under 6–10 feet of water.



1630 CDT—President Bush appears at a California senior center to discuss his Medicare drug benefit plan. During the appearance he tells the victims of Hurricane Katrina, “We’re in place. We’ve got equipment in place, supplies in place” (<http://www.whitehouse.gov/news/releases/2005/08/20050829-11.html>).

1700 CDT—Secretary Rumsfeld attends a baseball game in San Diego as a guest of the Padres owner (<http://sports.espn.go.com/mlb/recap?gameId=250829125>).

30 August  
2005

As late as 0500 EDT the FEMA National Situation Update for 30 August fails to mention the flooding in New Orleans and even references Pentagon spokesman Lawrence Di Rita’s statement that “states have adequate National Guard units to handle the hurricane needs.” There is no mention of flooding in New Orleans in the update (<http://www.fema.gov/emanagers/2005/nat083005>).

0540 EDT—LTG Honoré departs Atlanta in the mobile command center.

Midday—Secretary Chertoff first becomes aware that the levees failed in New Orleans. It is his impression they failed late Monday night or Tuesday morning, when in fact they were breached 24 hours before (<http://www.msnbc.msn.com/id/9179790/>). Later Secretary Chertoff declares the devastation an Incident of National Significance and appoints FEMA Director Brown as the PFO for coordinating the response (<http://www.realcities.com/mld/krwashington/12637172.htm>).

Approximately 80 percent of New Orleans is under water.

1700 CDT—President Bush announces he will cut his vacation short to lead the federal response to Hurricane Katrina ([http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola\\_Times-Picayune/archives/2005\\_08.html#075205](http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#075205)).

2200 CDT—NORTHCOM designates First U.S. Army as the JTF HQ.

FEMA requests from DoD a deployable hospital with a 500-bed surge capacity. The USS *Bataan* sits off New Orleans with a 600-bed capacity and six operating suites. The *Bataan* generates its own power, purifies its own water, and has its own medical evacuation assets. The *Bataan* assumes TACON of all DoD aviation assets assigned to JTF Katrina.

The secretary of defense authorizes all appropriate measures to push forward available assets that could be useful to FEMA. The USS *Truman*, the USS *Iwo Jima*, the USS *Shreveport*, and the USS *Tortuga* are deployed by verbal order to provide humanitarian assistance. Transportation Command’s C-5, C-17, and C-130 aircraft are placed on alert. Over 19,200 cases of MREs are identified as prestaged at Fort Polk, Louisiana. Another 583,000 are requested by FEMA. Fort Polk and the Naval Air Station (NAS) New Orleans are activated as homes for displaced Americans.

The Navy hospital ship USNS *Comfort* is ordered to prepare to

- deploy, and the USS *Bataan*, which is operating near the Gulf of Mexico and carrying Marines, is ordered to the vicinity of New Orleans, Louisiana. Per the preexisting Emergency Management Assistance Compacts (EMAC), all Army National Guard aircraft positioned in Florida, Alabama, Texas, Louisiana, and Mississippi are made available to support operations in the affected areas.
- 31 August 2005 President Bush asks Air Force One to fly low over New Orleans so he can view the devastation while returning to Washington from his vacation in Texas (<http://www.mercurynews.com/mld/mercurynews/news/politics/12527455.htm>).
- LTG Honoré represents the Department of Defense at a briefing by city leaders and to assess the magnitude of the damage in New Orleans. He then flies directly to Baton Rouge, Louisiana, to discuss with the governor courses of action for evacuating the Superdome. Collectively, the state of Louisiana, FEMA, and LTG Honoré determine that the most efficient and quickest method of moving these citizens is evacuation by bus.
- Governor Blanco orders the evacuation of New Orleans, including the Superdome, and uses her executive powers to direct school and commercial buses to the Superdome to immediately begin transporting evacuees to the Astrodome in Houston, Texas.
- National Guard units and members in 17 states remain on standby, ready to provide assistance. The Guardsmen remain under their respective governors' control, which enables them to provide law-enforcement support in the affected regions, something the Posse Comitatus Act prohibits active-duty forces from doing within the United States (<http://www.fema.gov/emanagers/2005/nat090105>).
- Elements of First Cavalry Aviation Task Force (four UH-60s and four CH-47s) with crews and maintenance support arrive in Baton Rouge.
- Additional DoD aviation and communications support arrives in the joint area of operations (JOA) to support recovery operations.
- The governor of Louisiana makes an urgent appeal for more security forces, calling the “devastation greater than our worst fears.”
- 1 September 2005 LTG Honoré conducts a reconnaissance of New Orleans and learns of approximately 15,000 citizens in the New Orleans Convention Center in need of evacuation. He immediately coordinates a large delivery of food and water. JTF Katrina coordinates and monitors the bus evacuation of the Superdome. Nearly 5,000 displaced persons move to the Houston Astrodome.
- NORTHCOM issues a Be Prepared to Deploy order to XVIII Airborne Corps, to provide a brigade to operate distribution centers and conduct crowd control.
- The U.S. Department of State announces “we will accept all offers of foreign assistance.” Secretary Rice continues her vacation in New York City, watching the U.S. Open.
- DHS Secretary Chertoff and FEMA Director Brown aware from news

sources of the nearly 3,000 people stranded at the New Orleans Convention Center (<http://www.cnn.com/2005/US/09/02/katrina.response/index.html>).

DHS Secretary Chertoff announces that 1,400 military police from other states will arrive on each of the next three days. Governor Blanco is requesting 40,000.

National Guard and active-duty personnel from all services continue to flow into the region. Total DoD assets deployed to the JOA number nearly 15,000 (3,000 active and 12,000 National Guard).

Governor Blanco signs a request for assistance from other states under the EMAC.

The U.S. Senate passes an emergency relief package to assist in recovery operations.

2  
September  
2005

More than 1,000 firefighters and first responders sent to aid the victims of Hurricane Katrina still remain in Atlanta, some as long as four days, waiting for FEMA approval to move into the disaster area. Most think they are coming to assist in firefighting, search and rescue, or paramedic activities. In fact, FEMA requested their assistance to “work as community-relations officers.” Firefighters (50) are quickly ushered into New Orleans prior to President Bush’s visit ([http://www.sltrib.com/utah/ci\\_3004197](http://www.sltrib.com/utah/ci_3004197)).

President Bush says, “Brownie, you’re doing a heck of a job” (<http://www.whitehouse.gov/news/releases/2005/09/20050902-2.html>).

LTG Honoré meets with city officials. Through extensive

collaboration and cooperation they refocus efforts on evacuating the city and on how to best employ additional state and federal resources. By end of day, the group develops a plan to evacuate the citizens at the Convention Center.

National Guard troops secure the Convention Center by 12:00. They distribute food and water.

Governor of Alabama requests Title 32 status for National Guard troops called to duty for disaster response.

Late Friday evening the Bush administration asks Governor Blanco to “request a federal takeover of the evacuation of New Orleans.” Officials in Louisiana reject the request, fearing it will lead to declaration of martial law and allow the federal government to blame local authorities for the poor disaster response (<http://www.washingtonpost.com/wp-dyn/content/article/2005/09/03/AR2005090301680.html>).

3  
September  
2005

Over 23,000 displaced Americans are evacuated from New Orleans.

President Bush, during a visit to the region, orders an additional 7,000 active-duty troops to the region, to arrive in the next 72 hours.

USNORTHCOM orders units from the 82d Airborne Division, First Cavalry Division, 24th MEU, and 11th MEU into the JOA.

Military helicopters are used to assist in sealing breaches in the levee system.

The lead elements from the 82nd Airborne Division and the Division Tactical Command Post (82d TAC

	CP) arrive at the New Orleans Airport.	6	The mayor of New Orleans orders a full evacuation, by force, if necessary.
	Governor of Mississippi requests Title 32 status for National Guard troops called to duty for disaster response.	September 2005	Some members of Congress begin to call for the resignation of FEMA Director Brown ( <a href="http://mikulski.senate.gov/record.cfm?id=245299">http://mikulski.senate.gov/record.cfm?id=245299</a> ).
4	Evacuation of the Superdome is complete. Many displaced Americans are taken to the New Orleans International Airport for transport to the Houston Astrodome and other destinations around the country where relief efforts can assist them.	7	The departments of State and Defense are working nearly 100 offers of assistance from other countries. DoD begins airlift of German pumping equipment to New Orleans. Mexican Army relief convoy arrives at the FEMA distribution site in Dallas.
September 2005	Large influx of active-duty troops arrive in region. Security, medical, preventive medicine, logistics, and transportation (air and ground) significantly increase the ability of the federal government to respond to the crisis.	September 2005	Title 10 assets deployed in Mississippi are redirected to Louisiana.
	Title 10 (active-duty federal forces) strength numbers 10,952, and Title 32 strength reaches 29,187 (42 states).		The 13th Corps Support Command (COSCOM) advance party arrives in the JOA, and its main body begins movement from Ft. Hood, Texas.
5	The 17th Street Canal breach is closed, and pumping of the city commences.		The First Cavalry Division reports all movement via air, bus, and convoy complete.
September 2005	The USS <i>Iwo Jima</i> is directed pier side in New Orleans. JTF Katrina (Forward) relocates onboard the USS <i>Iwo Jima</i> .		JTF Katrina issues FRAGO 17 restricting service members deployed in support of JTF Katrina from participating in forced evacuations of citizens.
	The USS <i>Shreveport</i> , USS <i>Grapple</i> , and USS <i>Whidbey Island</i> arrive in the JOA.	8	Military Sealift Command charters four cruise ships to provide berthing for up to 8,000 personnel for six months.
	Air crews conduct thousands of air- hoist sorties to rescue citizens.	September 2005	The Centers for Disease Control take the lead for combating the spread of disease in the disaster area. The 910th Air Wing stands by to provide assistance.
	Governor of Louisiana requests Title 32 status for National Guard troops called to duty for disaster response.		SECDEF signs request for assistance from the governor of Louisiana.

	USS <i>John F. Kennedy</i> is ordered to deploy.		North Carolina governor to direct mandatory evacuation of Outer Banks, North Carolina.
9 September 2005	FEMA Director Brown is replaced by Vice Admiral Allen, chief of staff for the Coast Guard, as PFO for Katrina response.		DoD presence in the JOA peaks at 68,859 (22,670 active duty and 46,189 National Guard).
	Some Title 10 troops begin redeployment to home station to prepare for upcoming OIF deployments.	13 September 2005	The primary search of 161,750 of the 225,750 homes in New Orleans is complete. Of those homes searched, 129,000 stood in one foot or more of water.
	USNS <i>Comfort</i> arrives off Mississippi.		Power is restored in a number of large hotels downtown, but potable water is still not available.
10 September 2005	A total of 376 rotary-wing aircraft deploy (peak number) to the JOA. Received FORSCOM WARNORD 2 for Tropical Storm (TS) Ophelia directs First Army to "Be Prepared To" deploy DCOs to Florida, Georgia, Alabama, and North and South Carolina.		Commercial air passenger travel service resumes at New Orleans's Louis Armstrong Airport.
11 September 2005	First U.S. Army issues FRAGO 1 to exercise Ophelia PLANORD tasking DCO/DCE and SEPLO teams to support FEMA. The JTF receives FORSCOM EXORD in support of Ophelia, deploying DCO/DCE to North and South Carolina and placing DCO/DCE to Georgia and Virginia in a "Be Prepared" status.		Tropical Depression Ophelia becomes a tropical storm. South Carolina announces a voluntary evacuation for the northern counties and establishes shelters for smaller populations. North Carolina announces the opening of shelters and the establishment of reception and distribution points. The Virginia EOC is fully manned, with relief distribution points identified.
	Aircraft for the 910th Air Wing begin mosquito abatement spraying.	14 September 2005	Hurricane Ophelia brushes the North Carolina coast but does not make landfall. The storm's eye wall approaches the Outer Banks at 1315 (EDT) as a Category 1 hurricane with maximum sustained winds near 80 mph. FORSCOM directs DCO/DCE deployment to Virginia no later than 15 September.
12 September 2005	FEMA Director Brown resigns his post. 100% of a more cursory search is completed in the JOA. The 14th Combat Support Hospital closes at the New Orleans airport.		
	Hurricane Ophelia threatens the Atlantic coast, prompting the	15 September 2005	Two cruise ships arrive to provide housing for 3,500 persons.

	Title 10 members of the Mortuary Affairs teams are authorized direct handling of deceased Americans.		Efforts to shore up levees weakened by Katrina continues.
	FEMA does not use Title 10 troops to conduct secondary searches for survivors or casualties because the task requires forced entry into private property.	24	In anticipation of Hurricane Rita's
16	Primary search and rescue missions are completed, and the main effort transitions to humanitarian assistance operations.	September	landfall, JTF Katrina repositions
2005	Title 10 troops continue redeployment to home stations.	2005	forces into the western part of Louisiana to respond to possible emergency needs.
	Hurricane Ophelia is downgraded to a tropical storm.		Some JTF Katrina forces are reassigned to JTF Rita, which is stood up to manage Department of Defense (DoD) efforts in Texas and commanded by LTG Clark, Commander, Fifth U.S. Army.
	NORTHCOM receives the draft reentry plan for New Orleans from Mayor Nagin.		At approximately 0400, Hurricane Rita makes landfall as a Category 3 hurricane at Sabine Pass and Cameron Parishes, Louisiana. The brunt of the storm devastates Cameron and Lake Charles.
	USACE debris removal plan is received by NORTHCOM.		NORTHCOM orders JTF Katrina to assume responsibility for the area west of New Orleans to the Texas border.
18	Less than 2,000 of the 8,000 available beds on four cruise ships are occupied.	25	JTF Katrina units respond immediately to conduct search and rescue operations by the early hours of 25 September. Additional support (82nd) includes feeding hundreds of stranded farm livestock and ensuring temporary trailers are provided for both living and office space.
19	Louisiana and Mississippi adjutants general meet with their respective governors to discuss the Title 10 to Title 32 transition plan.	September	
2005	Reentry into New Orleans begins in an orderly and controlled fashion. Local leaders are already concerned about the track of Hurricane Rita.	2005	
	Reentry into New Orleans is stopped. Emergency and rescue personnel relocate to "hurricane havens."	26	JTF Katrina transfers responsibility for relief efforts to FEMA, the National Guard, and state and local authorities in western Louisiana. Elements of the JTF return to their home stations to prepare for other missions. The JTF headquarters (forward) remains at Camp Shelby to monitor levee repair and dewatering efforts and to ensure the
20		September–	
2005		4 October	
		2005	
23	Hurricane Rita heads toward Houston, with outer bands bringing significant rainfall to the New Orleans area.		
September			
2005			

lead federal agency has the DoD support needed in New Orleans.

The JTF Katrina FWD CP moves from Camp Shelby, Mississippi, to NAS New Orleans at Belle Chasse and becomes the Assault CP under the C2 of BG Graham of Fifth U.S. Army.

12 October 2005 Commander, NORTHCOM directs Commander, JTF Katrina to stand down and redeploy to home station.

All military support to FEMA and state/local authorities is placed under the command and control of DCO-Louisiana.

## Notes

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# After the Cedar Revolution: America's Policy in Lebanon

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In 2005, the world watched as the citizens of Lebanon raised the banner of the Cedar Revolution, drove out the occupiers, and chose new leaders in free elections. . . . A thinking enemy watched all of these scenes, adjusted their tactics, and in 2006 they struck back. In Lebanon, assassins took the life of Pierre Gemayel, a prominent participant in the Cedar Revolution. And Hezbollah terrorists, with support from Syria and Iran, sowed conflict in the region and are seeking to undermine Lebanon's legitimately elected government.

**P**resident George Bush spoke those words at his sixth State of the Union address on 23 January 2007. During this speech, the president made three references to Lebanon, which is exactly as many as he had in all five of his prior State of the Union addresses combined (and those prior references to Lebanon were only in passing). While Iraq and Afghanistan occupy center stage in the U.S. list of foreign policy initiatives, and America faces a number of other pressing concerns, the future of Lebanon is likely to occupy a prominent place on this list. Israel's recent war in Lebanon is a major reason for Lebanon's state of political upheaval and for the international community's increased attention. This conflict has both unsettled the Middle East, and complicated U.S. calculations of its national interests in the Central Command area of responsibility.

Just prior to its 2006 war in Lebanon, Israel had already been in a state of heightened alert as it conducted military operations in Gaza following the kidnapping of an Israeli soldier as the result of a Hamas operation in July 2006. Israel launched a major campaign in Gaza in a response—attacking militants, but also bombing Palestinian infrastructure and capturing Hamas ministers.<sup>1</sup> Then, on 12 July, Hezbollah conducted a raid into Israeli territory that resulted in eight dead and two captured Israeli Defense Forces (IDF) soldiers. Israel promptly responded by bombing the runways at the Beirut Airport and targeting sites in southern Lebanon. Hezbollah, in turn, immediately replied by launching the first of what would be thousands of Katyusha rockets fired into northern Israel, injuring three Israelis on that day alone.<sup>2</sup>

Israeli Defense Forces Chief of Staff Lt. Gen. Dan Halutz eventually escalated to a broad ground campaign in southern Lebanon, seeking to deal a powerful blow to Hezbollah. (Many argued that Halutz, an Israeli Air Force officer, was slow to shift to ground power when it was needed in Lebanon.) But though he mobilized reserve troops and bombed areas of Lebanon—including urban Beirut—where Hezbollah fighters were thought to be hiding, Hezbollah was able to launch rockets throughout the war, including a record high of

246 Katyushas on the last day of the conflict.<sup>3</sup> At one point, a sophisticated shore-to-ship missile, potentially provided by Iran, heavily damaged an Israeli corvette.

The fallout from the war since the cease-fire in mid-August has, in general, not favored Israel. The Israeli military reported that it destroyed about 1,600 missiles during the fighting.<sup>4</sup> But at least 1,100 Lebanese civilians were killed. 159 Israelis died, including 116 soldiers.<sup>5</sup> Israel claimed to have killed hundreds of Hezbollah fighters. Hezbollah claims the number is no more than a hundred. Initially, many Arab governments blamed Hezbollah for recklessly and needlessly provoking the IDF. As the war dragged on, however, Arab public opinion turned against Israel.<sup>6</sup> The Egyptian opposition press compared Hezbollah chief Hassan Nasrallah to former Egyptian President Gamal Abdel Nasser.<sup>7</sup>

International organizations expressed strong reservations as well. After the war, the United Nations appointed a panel to investigate Israel's conduct.<sup>8</sup> Human Rights Watch has accused Israel of inappropriate use of cluster munitions,<sup>9</sup> weapons that continue to injure Lebanese civilians. The State Department has launched an investigation, and some leaders in Congress are concerned. Europe has also been critical. In a YouGov poll, 63 percent of British citizens stated that Israel's response to Hezbollah's attack was "disproportionate." The figure for a similar poll in Germany was 75 percent.<sup>10</sup> Israel responded it acted appropriately, offering video images that show Hezbollah fighters firing rockets from residential areas.<sup>11</sup>

Most U.S. citizens see a close friend in Israel, a comrade in the war on terror. Americans tend to see Israel's perspective in the Palestinian-Israeli dispute more than do Europeans.<sup>12</sup> President Bush is stalwart in his support of Israel, even more so than previous presidents. According to one political scientist's perspective, there has been considerably less debate of the 2006 Israel-Lebanon war in the United States than there has been in Israel or Lebanon.<sup>13</sup> President Bush has repeatedly argued that Israel shares the front line with the United States in the war on terror. Major Democratic figures have been similarly unreversed in their support for Israel. During the 2004 election, both presidential candidates—President Bush and Senator John Kerry—were strong in their support for Israel. Pro-Israeli lobbying groups, such as the American-Israeli Political Action Committee (AIPAC), frequently weigh in on national debates over U.S. policy in the Middle East.

In Israel itself, there were fierce recriminations over the conflict. Only a week after the cease-fire, a group of Israeli reservists protested over the unsatisfactory conduct of the war. They complained of inadequate training, uncertain missions, and poor equipment.<sup>14</sup> Halutz later resigned based on what was seen as his mismanagement of the campaign.<sup>15</sup> Israeli Prime Minister Ehud Olmert remains embattled.

Hezbollah has a long history of conflict with Israel and of direct involvement in international terrorism. Hezbollah was founded when Iran, with Syria's approval, dispatched between 700 and 1,500 Iranian Revolutionary Guards to Lebanon shortly after Israel's 1982 invasion.<sup>16</sup> Tehran saw itself as not only taking the initiative against Israel but also seizing a chance to forge a lasting bond with the larger Shia community. Hezbollah (literally, "Party of

God”) was initially a secret organization, but publicly announced its existence in 1984, stating that its goal was the “liberation of Palestine.” While its primary purpose had been to oppose the Israeli occupation of Lebanon, it also saw itself as an agent in the struggle against the political, cultural, and hegemonic influences of the West, in particular the United States.<sup>17</sup>

In addition to the Marine barracks bombing of 1983 that killed 241 U.S. Marines, Hezbollah has been involved in attacks in Argentina. Iran remains Hezbollah’s chief backer and is believed to have supplied Hezbollah with sophisticated weapons and communications equipment prior to the 2006 war. Hezbollah enjoys considerable legitimacy in Lebanon, where it is primarily known as a social and political organization (though this may be changing following the 2006 war with Israel). The organization has successfully fielded political candidates in a number of elections. Hezbollah’s political activity may actually serve as a constraint on the group. As Daniel Byman notes, its role in Lebanese politics “has made Hezbollah stronger but has also forced it to become more cautious, cunning, subtle.”<sup>18</sup> Its armed wing is one of the most disciplined of the world’s armed groups. Richard Armitage (then deputy secretary of state) has noted that “Hezbollah may be the A team of terrorists[;] . . . al Qaeda is actually the B team.”<sup>19</sup>

The fact that Israel retreated to its security zone in southern Lebanon in 1985, and later from all of Lebanon in 2000, is seen as a demonstration of Hezbollah’s tenacity. And, of course, the United States itself withdrew in 1984. These successes, for both Hezbollah and other terrorist groups, have “only confirmed and accentuated the logic of its resistance.”<sup>20</sup> There is a danger that future successes will embolden and inspire other terrorist groups. Al Qaeda and others, especially Hamas and Islamic Jihad, refer to Hezbollah’s campaign as a model. At the same time, there is also room to wonder whether terrorist leaders simply use such “victories” as justification for attacks that would occur in any event.

A key player in Lebanon is, of course, Syria. The United States has long branded Syria as a threat to stability in the region. Robert G. Rabil argues that “the evolution of U.S.-Syrian relations was seriously hobbled when Syria appeared on the U.S. State Department’s ‘terrorism list’ created in 1979.”<sup>21</sup> The United States instituted the list as a means of increasing pressure on state sponsors of terrorism. While far from a magic bullet, formally identifying those states involved in terrorism has arguably made state support for terrorism more difficult. Syrian President Bashir al-Assad, the leader of Syria following the death of his father in 2000 (he was, by “arrangement,” unopposed in a national plebiscite following his father’s death), shows no signs of engaging in democratic reforms.<sup>22</sup>

Syria’s influence in Lebanon was shaken following the 14 February 2005 car bomb that killed former Prime Minister Rafiq Hariri. Hariri had been opposed to an unconstitutional extension of the term in office of Emile Lahoud, the Syria-backed president of Lebanon. Outrage in Lebanon and the international community following the assassination compelled Syria to withdraw most of its troops in April 2005. In May, a parliament composed largely of politicians opposed to Syrian influence was elected in Lebanon. This was an example of a development favoring U.S. interests that had come about with little American involvement.

Lebanon has, at times, been seen as one of the few nondemocratic nations in the region to offer significant promise of transforming into a stable democracy. Spreading democratic institutions has, in general, been a long-standing U.S. policy. The spread of liberal political institutions could foster the growth of like-minded democratic states. And the democratic peace—the finding that democracies, by and large, do not fight each other as often as non-democracies do—suggests that the spread of democracy will greatly further the goal of fostering international stability.<sup>23</sup> Both Democratic and Republican administrations have made the cultivation of democratic governments an element of their foreign policies.

But it is not clear that democratization will be a reliable aid in the struggle against terrorism. For example, some argue that states undergoing the *process* of democratization are more likely to descend into civil strife. This is in part because democratization can exacerbate nationalistic fervor and ethnic conflict before a stable democratic system can take hold.<sup>24</sup> Furthermore, democratization in the Middle East could bring fundamentalist or anti-American governments to power. The recent election of Hamas in the Palestinian territories, as well as the rise of President Mahmoud Ahmadinejad of Iran,<sup>25</sup> suggests the potential for democratic reforms to yield political leaders who do not share Western perspectives. And some have argued that democratization is unlikely to provide a powerful counter to terrorist organizations, since terrorists are quite willing to employ illegitimate means to impose their will.<sup>26</sup>

U.S. influence to shape political developments in the region is hampered by the fact that international public opinion is not favorable. A 2007 BBC poll of 26,000 people in 25 countries shows that the percentage of people who agree that U.S. influence in the world is mainly positive has dropped to 29 percent, from 36 percent in 2006.<sup>27</sup> Over two-thirds (68 percent) believe that the U.S. military presence in the Middle East provokes more conflict than it prevents.

President Bush's domestic political influence received a serious blow in the 2006 midterm elections. Both the House and the Senate shifted to Democratic control, though the Senate is Democratic by a razor-thin 51–49 margin. Democrats have seized the political initiative, passing many of their priority legislative acts in the first 100 hours of the new Congress. While it is common for two-term presidents to see a decline in their party's congressional representation in the sixth year, the 2006 election has nonetheless been interpreted as an indication of the country's reservations over President Bush's foreign policy.

On that front, the Democratic leadership appears ready to oppose President Bush's deployment of an additional 21,000 combat troops to Iraq. Representative John P. Murtha (D-PA) has stated, "if we have our way, there will be some substantial change and tremendous pressure put on this administration to change direction." Other Democratic voices share Murtha's reservations, but only to an extent. Senator Carl Levin (D-MI) argues Congress should not use "the power of the purse" to stop the president from enacting his plan.<sup>28</sup> The two leading Democratic candidates for president in 2008, Senators Barack Obama and Hillary Clinton, have voiced their opposition to the troop increase.

The Bush administration has replied by stating that the president's plan should be given a chance. National Security Advisor Stephen Hadley predicted that "once they get in harm's way, Congress' tradition is to support the troops." And Vice President Dick Cheney has said that he has "yet to hear a coherent policy out of the Democratic side" and believes "you cannot run a war by committee."<sup>29</sup> Secretary of State Condoleezza Rice has initiated an effort to jump-start the Israeli-Palestinian peace process. But the recent violence has made this an especially difficult time to make such an attempt.<sup>30</sup>

American efforts to foster stable governments in both Iraq and Afghanistan face profound challenges. In Afghanistan, the Taliban has undergone a resurgence and is evidencing an increased level of activity. Some observers argue that Iraq's insurgency now qualifies under the formal definition of a civil war.<sup>31</sup> American military dead number more than 3,000. The United Nations reported that 3,709 Iraqi civilians were killed in October 2006, more than in any other month since the U.S.-led invasion.<sup>32</sup> In 2006 as a whole, over 34,000 Iraqi civilians were killed. Iraq has become a considerable drain on U.S. resources, and both the toll and the trajectory of the insurgency speak to the grim scope of the task. The officer nominated to take command of U.S. forces in Iraq, Lt. Gen. David Petraeus, has testified that "the situation in Iraq is dire" but reminded the American people that "hard is not hopeless."<sup>33</sup> The president's spokesman argued that the president "is not somebody who is going to cease to be bold . . . because right now people are concerned about the progress of the war."<sup>34</sup>

While Iraq will continue to be the main focus of Central Command, the decision to name Adm. William J. Fallon as the commander of CENTCOM is seen in some quarters as an effort to increase pressure on Iran. Action in the Persian Gulf would doubtless involve numerous naval assets, and Fallon's expertise would be urgently needed. Others point to Fallon's diplomatic experience, crediting him with defusing Japanese anger over the sinking of a Japanese fishery school ship in 2001. Fallon is also praised for improving military ties to China while at PACOM.<sup>35</sup>

Washington is also concerned about Iranian support for the insurgency in Iraq. President Bush has stated that Iranian agents are supplying "advanced weaponry and training to our enemies" in Iraq, and he has promised to "seek out and destroy" the Iranian networks involved.<sup>36</sup> The Bush administration recently succeeded in convincing a number of U.S. allies in the region—Kuwait, Saudi Arabia, Qatar, Bahrain, Oman, the United Arab Emirates, Egypt, and Jordan—to issue statements opposing Iran's meddling in Iraqi affairs and proposing a "principle of noninterference" be applied to Iraq.<sup>37</sup> Saudi Arabia has been particularly concerned, and recently warned the United States that, in the event of the dissolution of Iraq, the Saudi kingdom might well throw its lot in with Iraqi Sunnis. In mid-January of 2007, Defense Secretary Robert Gates reassured King Abdullah of Saudi Arabia that the United States wanted Iraq to act as a bulwark against Iranian influence in the region.

The Iranians, of course, are not deaf to these assurances—indeed, Tehran was concerned about whether the United States would be a dominant influence in a reconstructed Iraq from the outset. Kenneth Pollack observes that Iranian involvement since the end of the war has not been nearly as extensive as it could be, considering Iran's wealth and close

proximity to Iraq. "Had the Iranians wanted to cause trouble for the U.S.-led reconstruction of Iraq, they could have made the situation much worse than it already was."<sup>38</sup> Of course, the Iranian perspective may be that further involvement in Iraq is unnecessary. Iran could be leaving itself room to escalate its involvement in Iraq, should Tehran decide that it is in its interest to do so.

Iranian involvement in Iraq remains a major concern for the administration, however. Gates has raised the issue of Iran's support for the insurgency in Iraq. "Iran is doing nothing to be constructive in Iraq at this point. . . . The initiative needs to rest with the Iranians," he said in January 2007.<sup>39</sup> The pressure on the president to demonstrate progress in Iraq is considerable; a number of prominent members of his own party (most recently Senator John Warner of Virginia) have expressed reservations about the president's troop increase and his Iraq policy in general. But the global war on terror remains the primary element of the Bush administration's foreign policy, and Bush argues that the United States cannot shirk from the "decisive ideological struggle" the United States faces in the war on terror.<sup>40</sup> President Bush has recently given the U.S. military considerable latitude to target Iranians in Iraq who are aiding the insurgency.

Relations between Iran and the United States remain poor. Last year, Iran announced its intention to flout international opposition to its nuclear research program, and pledged to continue what they argue to be legal activity. The United States, concerned about the possibility of an Iranian nuclear weapons program, has won considerable support from European and other nations for its position that Iran must be confronted. While one report suggests that Iran's effort to install thousands of centrifuges to begin the large-scale enrichment of uranium is behind schedule, this has generated little comfort to those concerned with the Iranian program.<sup>41</sup>

At the same time, there are early signs of congressional reservations about setting a course toward confrontation with Tehran over its nuclear program. The new chairman of the Senate Intelligence Committee, John D. Rockefeller IV, expressed strong concerns regarding the classified intelligence he had viewed concerning an emerging Iranian threat. Rockefeller argued that, "to be honest, I'm a little concerned that it's Iraq again" and called the idea of taking action against Iran "bizarre."<sup>42</sup> He did, however, agree that Iranian operatives were in Iraq working against U.S. efforts at reconstruction.

What direction will U.S. policy on Lebanon take in the future? U.S. policy is currently an effort to strengthen the hand of the anti-Syrian government coalition and prevent Hezbollah from gaining political influence. There are, of course, concerns about whether there Lebanon presents an opportunity to stem Iran's influence in the region. The two states that play the strongest role in Lebanese affairs are Syria and Iran. Syria is clearly no friend of the United States but a country that continues to be led by autocrats and where "political reforms are simply not a priority."<sup>43</sup> Iran is a major regional concern, but a deeper confrontation would raise the prospect of significant economic and geostrategic repercussions, and the outcome would be difficult to predict. Yet some in the United States, both inside and outside the administration, argue that the window of opportunity to prevent Iran from acquiring nuclear weapons is closing. In this light, the specter of 9/11 looms large.

Lebanon, a nation that has had too little time to fully repair the damage to the social fabric caused by its long civil war, is in danger of fracturing again. For two months, Hezbollah has engaged in an effort to turn the political tide against the coalition government that has controlled the Lebanese parliament since the withdrawal of Syrian troops in 2005. On 23 January, Hezbollah supporters engaged in a strike that paralyzed Beirut; the next day, an argument between students at Beirut's al-Arabiya University escalated to a gun battle that killed four and wounded 35.<sup>44</sup> Nasrallah has claimed that Hezbollah could bring down the government at any time, but does not do so out of a "desire to preserve the civil peace."<sup>45</sup> International donors, concerned about Lebanon's prospects, have pledged \$7.6 billion in aid to the government of Prime Minister Fuad Saniora.<sup>46</sup>

It is not difficult to imagine a fresh deterioration in Lebanon's situation, or a military provocation by Hezbollah or Israel, that would return Lebanon to the forefront of world attention. The United States would face complicated choices at such a juncture. Should the United States encourage Israel to confront Hezbollah, mindful of the need to counter Iran's newly assertive foreign policy? Or would confrontation risk another setback to the United States and its foremost ally in the region, Israel?

### Notes

- NOTE: Endnotes contain no information needed for exam.
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# The United States and Russia: Rekindling the Cold War

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In 1991, Russian President Boris Yeltsin made history by defying communist hard-liners and promising a new Russia based on Western-style democracy.<sup>1</sup> Following the collapse of the Soviet Union and during this attempt at a transition into a democratic society, Russia's military, economic, and political landscapes were marked with corruption and lawlessness, along with rising poverty and unemployment. Russia was no longer a major player on the world stage and was struggling to find its identity.

Today, the Cold War has long since ended and fifteen years have passed since the breakup of the Soviet Union, but Russia still holds the interest of Washington policy makers. Flush with profits from high-priced oil and gas exports, the Russian economy is booming. Russia is the second-largest producer of oil in the world and the world's largest producer and exporter of natural gas.<sup>2</sup> The soaring fuel prices have enabled Russia to pay off its foreign debt while building the third-largest gold and hard-currency reserves in the world, worth an estimated \$425 billion. Using this energy revenue, the Russian government has accrued nearly \$150 billion in a "rainy-day" account dubbed the Stabilization Fund.<sup>3</sup> Consumers are spending money at upscale malls throughout Moscow and construction of new high-rise office buildings is proceeding at breakneck speed. The profits from these vast reserves of oil and gas are responsible for pushing the Russian economy to levels not seen since well before the collapse of the Soviet Union.<sup>4</sup>

Some experts fear Russia's current economic success is hiding a dark political movement under the Putin administration. Recent disputes with the United States over a variety of topics, ranging from the deployment of missile defense systems to nuclear energy control, highlight a growing chasm in the U.S.-Russian relationship. Other actions by Putin inside Russia point toward a Russian political shift to a structure reminiscent of the former Soviet Union. Moreover, Putin stepped down from the presidency in March of 2008, but remained at the forefront of Russian politics by becoming prime minister. This move was a clear indication of Putin's desire to dominate the political landscape after turning over the presidency to a successor.<sup>5</sup>

## PUTIN'S RISE TO POWER

Until 1996, Vladimir Putin was a little-known political figure who had spent most of his career working in the KGB and, for several years in the 1980s, working clandestine operations in East Germany. Always considered fiercely loyal to Russia, Putin was invited to

Moscow in 1996 to work in the Yeltsin administration and in 1998 he quickly became the head of the Federal Security Service, the successor to the KGB.<sup>6</sup>

As President Yeltsin struggled to maintain power and stability, in August of 1999 he appointed Putin as prime minister. Yeltsin was gravely ill and many saw this appointment as an attempt by Yeltsin to find a successor to run in the upcoming elections.<sup>7</sup> Putin's tough rhetoric and promises of restoring Russia to great-power status once again appealed to the Russian masses following a decade of post-Soviet governmental corruption.<sup>8</sup>

After Putin was installed as prime minister in August of 1999, he immediately took a hard-line approach to the Chechen Islamic militants who had attacked the Russian region of Dagestan by ordering the Russian army to "rub them out in the outhouse."<sup>9</sup> At the same time, a series of bombings occurred in several Russian cities, which the Kremlin blamed on Chechen rebels. This provided Putin the opening he needed to order troops into Chechnya to find and destroy the rebel forces. The attack on Russian soil and the swift response by Putin endeared him to the public, and by late fall his public approval ratings soared.<sup>10</sup>

On New Year's Eve of 1999, a visibly ill Yeltsin announced his resignation on national television. In his place, he named Putin as acting president. Most Russians, weary of the last decade of post-Soviet humiliation and corruption, saw in Putin a strong-willed leader dedicated to reestablishing order and, to a certain degree, a sense of Russian pride. Putin's political stance was still murky, as he seemed to subscribe to Yeltsin-inspired capitalism. His authoritative actions after taking office, however, illustrated his strong desire to make Russia a relevant global power once again, even at the cost of the democratic movement.

### **RUSSIAN DOMESTIC UNREST**

Upon taking office, Putin immediately went to work reforming the Russian political landscape through the removal of regional governors in the upper house of parliament, many of whom he considered corrupt. The ousted governors were replaced by presidential appointees overseeing seven regional districts.<sup>11</sup> Economically, Putin realized that Yeltsin's attempts at the privatization of former state enterprises had bred extensive corruption, particularly in oil and gas companies. As a result, he attacked some of Russia's largest and richest companies through numerous investigations. Many corporate leaders were arrested on charges of fraud, and their holdings, to include major media outlets such as television stations, newspapers, and magazines, were placed under the direct control of organizations close to Putin.<sup>12</sup> Many reformers inside Russia saw Putin's actions as a serious blow to an independent press—an integral part of any democratic society. The Putin regime effectively took control of the bulk of the Russian media and, by January 2002, the last major independent television station in Moscow was shut down due to what many believed was government pressure. In May of 2007, the U.S. State Department issued a report on press freedom throughout the world. Russia ranked 158th globally, and was assessed as being "not free" in terms of freedom of the press.<sup>13</sup>

Despite the perception of Putin as trampling upon Russia's attempt at democracy, many experts outside of Russia saw his actions as necessary to expunge rampant crime and

corruption and bring runaway inflation under control. But as the economy began to prosper, Kremlin attacks on dissenters continued. In 2003, the wealthiest man in Russia, oil tycoon Mikhail Khodorkovsky, was arrested on charges of fraud and embezzlement.<sup>14</sup> Many believe his arrest was a reaction to his acquisition of a very high-profile newspaper staffed by journalists known to be very critical of the Kremlin.<sup>15</sup> Following Khodorkovsky's arrest, most of the assets of his oil company were sold in a closed auction to a state-controlled company. The "nationalization" of Khodorkovsky's company raised eyebrows even in Putin's inner circle, including those of his economic advisor, who denounced the move as the "scam of the year."<sup>16</sup> This marked the beginning of the Russian government's movement to reestablish control over the country's energy industry, while at the same time removing wealthy power brokers perceived as threatening to Putin. The U.S. Congress responded with a wary eye toward Russia, and the chairman of the Committee on Foreign Relations, Senator Tom Lantos, referred to Putin's actions as "singularly unforgiving and punitive to anyone who threatens his hold on the economy."<sup>17</sup>

While the Kremlin was taking steps to wrangle control of the economy in 2003, Putin and his United Russia party established firm control over the Russian legislature, taking 300 of the 450 seats in the Duma during the December 2003 elections. This all but guaranteed Putin a landslide reelection victory in March 2004 and virtually handed him power over the Russian legislative process.<sup>18</sup> However, the December election results drew the ire of international observers, particularly the international monitoring group known as the Organization for Security and Co-operation in Europe (OSCE), of which Russia is a member. The OSCE claimed the parliamentary elections did not meet the international requirements of a free and fair election and accused the state-controlled media outlets of showing unfair bias to the United Russia party. The OSCE investigation concluded that the democratization process in Russia had clearly regressed.<sup>19</sup> The White House sided with the OSCE's report and voiced its own concerns over the election process. Putin rebuffed the allegations, stating that the elections had "strengthen[ed] democracy" and shown "the state has ensured that the elections were fair, free and open."<sup>20</sup>

The OSCE voiced similar concerns during the parliamentary elections in November of 2007. However, it did not send a delegation to Russia to monitor the elections due to restrictions imposed by the Russian government. Putin's party swept 70 percent of the seats in the new legislature following a tense campaign that many inside and outside of Russia claim was based on intimidation. The vice president of OSCE called the elections "strange" and "problematic" and further stated, "There was the strange situation that the executive branch almost chose the legislative branch. It's supposed to be the other way round."<sup>21</sup> The White House voiced its opposition and requested Russia look into the effects of the Putin-biased media influence on the election results.<sup>22</sup>

In September of 2004, Putin faced a major domestic crisis when Chechen rebels took more than 1,000 people hostage at a school in the Caucasus region. The rescue attempt turned bloody and it is estimated that 330 hostages lost their lives in the rescue.<sup>23</sup> Immediately following the crisis, Putin abolished popular elections of Russia's regional governors,

favoring presidential appointments instead. Putin argued that these measures would help decrease regional corruption while at the same time unifying the country in its fight against international terrorism. International critics were once again wary of Putin's motives. President Bush, Secretary of State Powell, and numerous members of Congress, although sympathetic to fighting terrorism, expressed deep concern over Putin's increasing authoritarianism and the threat to Russian democracy.<sup>24</sup>

Human rights groups inside Russia have also come under pressure from the Kremlin. Outspoken critics of the government are often threatened or marginalized and, in two highly publicized cases, were found dead. Anna Politkovskaya, a highly respected journalist and outspoken critic of Putin and the war in Chechnya, was murdered in October of 2006. Many feel Politkovskaya's investigations into war atrocities in Chechnya made her a prime political target. Putin, however, criticized her work as irrelevant and vehemently denied that her death was the work of government agents.<sup>25</sup> In November of 2006, Alexander Litvinenko, an outspoken critic of Putin, died in a London hospital from being poisoned by a highly radioactive substance. From his deathbed, Litvinenko blamed the president for his poisoning. The highly publicized deaths of some of the Kremlin's most adamant opponents have many comparing these actions to the way the KGB operated during Soviet times.<sup>26</sup> Some rights activists complain that they have no public support or funding. Lev Ponomaryov, a leading rights activist, claims that numerous former KGB officers loyal to Putin populate top government posts and operate with a police-state psyche. Ponomaryov claims, "People are afraid of funding human rights activities in Russia. Businesses are afraid and Western organizations are leaving."<sup>27</sup>

Russia has also clamped down on opposition-group demonstrations. If demonstrations are conducted, riot police quite often outnumber the protesters themselves. Moreover, the Kremlin recently passed a bill stepping up control over the activities of human rights groups and other like-minded nongovernmental organizations (NGOs). Some Kremlin critics also claim this law gives the government the power to shut down NGOs it perceives as troublesome or threatening. The U.S. government and many European governments have formally stated their concern about this law and its implementation.<sup>28</sup>

## **RUSSIAN FOREIGN POLICY SHIFT**

Since the breakup of the Soviet Union, American presidents have sought to create a strategic partnership with Russia. Every administration has made a point to engage Russia in common interests such as weapons nonproliferation, energy, and the Global War on Terror. Early in Putin's presidency, Russian national security policy strove to cooperate with the West and the United States. Putin believed this strategy was needed to realize the economic revitalization that he envisioned, and that this could only be accomplished through cooperation with the United States, not confrontation. However, the feeling of goodwill between the United States and Russia has eroded significantly over the past few years, particularly during Putin's second term of office. The growing number of disagreements between the countries has resulted in the current Bush administration's rethinking the future prospect of a true partnership with Russia.<sup>29</sup>

There are several areas that illustrate where U.S. and Russian interests have diverged.

After the attacks of 9/11, the United States welcomed this new spirit of cooperation especially when seeking international help for the War on Terror. A key component in military operations against Al Qaeda and the Taliban in Afghanistan is the use of bases in several central Asian countries. However, in July of 2005, wary of U.S. motives for long-term military presence in central Asia, the Shanghai Cooperation Organization (SCO), composed of China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan, approved a Moscow plan calling for withdrawal of U.S. and coalition military bases from Uzbekistan and Kyrgyzstan. The SCO approved the plan despite ongoing military and humanitarian operations being conducted from the bases in Afghanistan—an effort previously supported by Russia. Uzbekistan evicted American forces later the same year.<sup>30</sup> Some viewed this as an attempt to stem what Russia and China perceived as a growing American influence in the region.

In June of 2002, Putin and Bush began what was known as the “strategic energy dialogue,” designed to increase coordination and cooperation between energy officials and companies. Part of this dialogue resulted in a U.S.-Russian agreement to build a privately owned pipeline to the deepwater port city of Murmansk to enable export of oil to the United States. However, the long-awaited completion of this pipeline was delayed and is now in question. Another casualty of this new Russian attitude was the revocation of long-standing licenses to Western energy companies for access to Russian natural gas fields. Moreover, recent developments with Russian oil and gas pipelines that transit through Ukraine is another example of a growing rift between Russia and the West. In 2006, Russia stopped pumping natural gas through Ukraine and to Europe due to what many perceive as a Russian response to the outcome of a very contentious Ukrainian election in 2004. The independent, pro-Western candidate for prime minister, Viktor Yushchenko, won the prime minister election over a Putin-backed candidate. This was a serious blow to any hopes of Russia’s reestablishing dominance over Ukraine—the former Soviet state considered the most important geographically and economically to Russia. Russia eventually resumed pumping gas to and through Ukraine, but at nearly twice the previous price.<sup>31</sup> This severely weakened Yushchenko’s political capital and provided the opening Moscow needed to reinsert its candidate as prime minister in 2006.

Also during this time, Moscow, while not especially keen on NATO enlargement in central and eastern Europe, seemed to accept its inevitability. Russian reaction to the admission of seven new members to NATO, to include the former Soviet republics of Estonia, Latvia, and Lithuania, was surprisingly muted. In fact, NATO and Russian leaders signed the “NATO at 20” agreement, laying out formal terms under which Russia and NATO members would participate as equals on some issues.<sup>32</sup> Although NATO invitations in 2002 to the former Soviet-bloc Baltic states evoked only modest negativity from Moscow, by 2004, it was obvious that Russian frustration was rising. Defense Minister Sergei Ivanov warned that full membership into NATO and integration into NATO defenses by these countries could cause a recalculation of the Russian nuclear strategy. In November of 2007,

Putin angrily lashed out against NATO for what he perceived as overly aggressive expansion saying, "In violation of previous agreements, military resources of NATO members are being built up next to our borders. . . . we cannot allow ourselves to remain indifferent to this obvious muscle-flexing."<sup>33</sup> He didn't stop just with heated rhetoric. Putin recently suspended Russian obligations under the Conventional Forces in Europe Treaty, which limits the deployment of tanks, aircraft, and heavy conventional weapons across the continent. This suspension has the grave potential to leave NATO allies and Russia uncertain at any given time over how and where the other side has deployed its conventional forces. Putin's argument is based on fear of a possible buildup of NATO forces in the Baltic region, to which Russia now has the right to "redeploy heavy weaponry along its western and southern borders, but would do so only in response to any possible NATO redeployment."<sup>34</sup> Both the European Union and NATO have called Russian actions "regrettable" and have appealed repeatedly for renewed talks.<sup>35</sup>

One of the most important areas of cooperation between the United States and Russia was related to Iran's nuclear activities. In 2002, Russia was a key supporter of U.S. and European attempts at blocking Iran from nuclear weapons production. Russia even agreed to take the matter to the UN Security Council (UNSC) for deliberation. As late as March of 2007, Russia sided with the United States and voted on the UNSC to toughen sanctions imposed on Iran.<sup>36</sup> Even more significant, Russia withdrew most of its nuclear scientists from its unfinished nuclear reactor construction project with Iran. While cooperation on the Iranian issue seemed to be heading in the right direction, Russia's ties with Iran via construction of nuclear reactors and its history of missile technology transfers have been a major U.S. concern for many years. In this regard, policy objectives pursued by the White House and Congress have been consistent through many administrations: promoting nonproliferation principles and strengthening diplomatic/economic tools aimed at punishing states pursuing nuclear or weapons of mass destruction capabilities outside of the international legal framework.<sup>37</sup>

Despite some initial misgivings, Russia has continued to support the U.S.-backed plan in its treatment of Iran. This approach called for a two-track strategy to press for sanctions while calling for Tehran to disclose information surrounding its nuclear programs. After Iran failed to comply with these resolutions, the United States called upon the UNSC to step up the pressure with a new, tougher set of sanctions on Iranian financial institutions and Iran's military that were designed to roll back even further critical elements of its nuclear weapons development. During negotiations among UNSC members, the United States was especially disappointed when Russia delivered enriched-uranium fuel rods to Iran's Bushehr power plant in 2007. This delivery came on the heels of an admission for the U.S. intelligence community that Iran had ceased its nuclear weapons program in 2003.<sup>38</sup> At that time, the Russian foreign minister was unconvinced during a NATO security meeting that Iran was still pursuing a nuclear weapon and stated Russia would not support a new round of sanctions, stating, "It fully confirms the information we have: that there is no military element in their nuclear program."<sup>39</sup> Although not entirely unexpected, the Bush administration had hoped Russia would continue to stall delivery of the fuel with the hope of

fostering a united U.S., European, Chinese, and Russian stance on the Iran nuclear issue. All permanent members of the UNSC, except China and Russia, endorsed crafting a new UN resolution to increase pressure on Iran.<sup>40</sup> China, like Russia, has significant financial ties with Iran. Iran is said to have the second-largest pool of untapped petroleum in the world behind only Saudi Arabia. An unquenchable thirst for energy has made China the number one importer of oil and natural gas from Iran, and the two countries are purportedly bound by future energy deals in excess of \$120 billion.<sup>41</sup>

However, the United States continued to push for additional sanctions and in March of 2008 the UNSC, with China and Russia in agreement, passed a resolution to tighten restrictions on Iran's nuclear activities. This new round of sanctions also called for increased vigilance over certain Iranian financial institutions and shipments of suspect cargo in and out of Iran.<sup>42</sup> Analysts at the UN state these measures represent "the lowest-common-denominator sanctions that even China and Russia, who maintain closer links with Iran than the Western powers, would support."<sup>43</sup> Iran remains defiant in the face of the newest round of sanctions as it continues to pursue uranium enrichment, claiming the enrichment is for peaceful nuclear power purposes only.

#### **UNITED STATES, RUSSIA, AND MISSILE DEFENSE**

No other recent issue has soured relations between the United States and Russia more than the proposed development and deployment of an American missile defense system. The friction began early in the Bush administration's first term of office when Bush laid the groundwork to pursue a missile defense program. The system is designed to guard against so-called rogue states that may possess weapons of mass destruction capability and the means to deliver them via ballistic missiles. Serious discussions ensued with Russia on the relevance of the Anti-Ballistic Missile (ABM) Treaty, which prohibited the deployment of ABM systems. The United States argued this treaty was a relic of the Cold War and in a post-9/11 environment, a missile defense capability is needed to counter new and emerging threats. Russia initially showed hesitation to these discussions, but gradually acquiesced to most of the elements of the program. In December of 2001, the United States made formal notification to Moscow of its intent to abrogate the ABM Treaty in six months.<sup>44</sup>

Despite Russia's initial misgivings on missile defense, Putin and Bush were determined to push forward with serious dialogue on strategic arms reduction. Moscow called the U.S. decision to proceed with missile defense a mistake, but did not allow this disagreement to derail negotiations. Russia did react negatively, however, to Bush's plans to store, rather than destroy, any warheads it planned to withdraw from its nuclear mission. Once again, Russia relented and negotiations continued. The result could be considered a coup for Bush. The final agreement, signed in May of 2002 and known as the Moscow Treaty, achieved all of the Bush administration's goals: lower deployed warheads to 1,700–2,000 by 2012 with no requirement for destruction of the retired warheads and no considerable backlash on the ABM Treaty decision.<sup>45</sup> In June of 2002, the United States was no longer bound by the ABM Treaty. The Kremlin bristled at the news and announced that it would continue deployment of its advanced intercontinental ballistic missile (ICBM) forces



equipped with multiple warheads for another 10–15 years. Two years later, Russia unveiled the development of the SS-27 ICBM. This missile combines a hypersonic boost phase with a maneuverable warhead—capabilities designed to defeat a missile defense system.<sup>46</sup>

A major element of the U.S. missile defense program includes plans to deploy facilities in eastern Europe. Under the proposal, the United States would install 10 interceptor missiles in Poland, for which it would have to build a base, and a radar installation in the Czech Republic. The \$3.5 billion system, known as the Ballistic Missile Defense European Capability, is intended to protect Europe and the United States from limited intermediate and long-range missile attacks.<sup>47</sup> Moscow responded immediately, claiming that this plan poses a serious security challenge by counteracting Russia's nuclear deterrent capability and providing an opportunity for the United States to gather intelligence. The United States has made numerous assurances that the missile defense shield is not aimed at Russia and would be used in no capacity other than defense against incoming missiles from Iran or the Middle East region. In July of 2007, Putin offered what many Russians perceived as a huge olive branch to the United States by suggesting a regional European missile shield could be built utilizing a high-power radar facility within Russia and abandoning plans for sites in Poland and the Czech Republic.<sup>48</sup> Washington welcomed the dialogue but held firm to the plan for establishing sites in eastern Europe. The Russian radar, the Bush administration claimed, could not provide adequate coverage due to its technological limitations and location. Moscow once again voiced extreme displeasure with the plan and has gone so far as to threaten deployment of short-range missiles to its western borders that could range to both Poland and the Czech Republic.<sup>49</sup>

Despite the threats, Poland and the Czech Republic remain in negotiations with the United States over the planned missile shield. However, the recently elected prime minister of Poland, Donald Tusk, has raised questions about the cost and benefits of such a system in his country. Warsaw has now reportedly asked for millions of dollars from the United States to upgrade large portions of its Soviet-era military force and notes that the missile shield would not be effective against Russian short-range missiles should they be deployed near the Polish border. Furthermore, Tusk's government believes Poland is owed something from the United States due to its loyalty during preparations leading up to the invasion of Iraq in 2003 and the fact that Poland sent troops to both Iraq and Afghanistan in support of operations there. Pentagon spokesman Geoff Morrell responded to these new demands by reminding Poland that the United States was the primary sponsor of its invitation to join NATO in 1999 and that "[t]hey are the biggest beneficiary within Europe of defense aid. Nearly three-quarters of a billion dollars under the Bush administration has been provided to the Polish military in military aid. And because of that special relationship, we believe that we can overcome whatever differences may exist on this issue very quickly."<sup>50</sup> Although the governments of Poland and the Czech Republic back the system, public sentiment in both countries concerning missile defense is becoming more active in its opposition. Current surveys indicate that 60 percent of both Czechs and Poles oppose the missile shield.<sup>51</sup>

The Bush administration stated that it will not alter its plans to deploy the system and that the ballistic missile threat to Europe and the United States remains, whether Iran is pursuing nuclear weapons or not. "Missile defense would be useful regardless of what kind of payload, whether that be conventional, chemical, biological or nuclear," said John Rood, the lead U.S. negotiator on European missile defense issues.<sup>52</sup>

## U.S. REACTIONS

In July of 2007, President Bush invited President Putin to his family's personal compound in Maine to attempt to repair a seriously troubled relationship. On the agenda were several contentious issues, to include missile defense, the Strategic Arms Reduction Treaty (START), and Kosovo independence. The meeting was scheduled to cool tensions that had been building throughout the year and culminated with Putin's public statements on what he perceived as U.S. "uncontained hyperuse of force" and his claims that the United States is starting a new arms race.<sup>53</sup>

Russia remains a nuclear superpower and, along with the United States, is committed to significant reduction in their respective nuclear weapon stockpiles in accordance with START, which was ratified by both countries in 1991. This treaty is credited with significantly lowering the threat of nuclear war through reductions in nuclear weapons, data sharing, satellite monitoring, and perhaps most important, creating a robust system of on-site inspection protocols.<sup>54</sup> At issue is what will happen between the United States and Russia after this treaty expires in 2009. Members of Congress have become increasingly worried about the developments in Russia and hoped that this meeting would stimulate dialogue, particularly on the upcoming expiration of START. Currently, the United States and Russia have met the spirit and intent of the treaty by trimming nuclear warhead arsenals; however, both sides have not come to an agreement yet on how exactly to proceed after 2009. This has many arms control advocates worried that a decision may not be forthcoming in time to implement a plan agreeable to both sides. Daryl G. Kimball, the executive director of the Arms Control Association, stated, "The Cold War ideological rivalry may be over, but the two countries have failed to eliminate the weapons left over from the conflict. And the weapons continue to maintain a certain amount of anxiety."<sup>55</sup> Supporters have urged Bush to work with Putin in developing a new arms control pact to replace START. Unless an agreement can be reached, there exists no formal means for Moscow and Washington to verify the elements of the Moscow Treaty, which requires both sides to reduce warhead numbers to 2,200.<sup>56</sup> Senator Joe Biden, a Democrat and chairman of the Senate Foreign Relations Committee, stated that allowing this treaty to expire without a replacement "would be the single greatest negative legacy this administration could leave."<sup>57</sup> Additionally, the ranking Republican on the committee, Senator Richard Lugar, has been an outspoken critic of the administration's hesitation to engage in follow-on START negotiations. The U.S. intelligence community is also in favor of established rules when it comes to treaty monitoring. It argues that if the United States abandons a formal monitoring system, like START, determining Russian compliance with the Moscow Treaty becomes more difficult. The Bush administration's position is that the Cold War is over and the rigorous inspection

protocols under START are no longer needed, especially since warhead reductions stipulated by the treaty were met in 2001. Diplomatic analysts say this is a practice that the Bush administration has followed throughout his time in office: relying less on formal arms control agreements and more on tools such as export controls, interdiction, and sanctions. Furthermore, the Bush administration feels that informal arrangements and looser inspections allow the Pentagon greater freedom to pursue new weapons capabilities to meet new, emerging security challenges. Russia considers this line of thinking dangerous and continues to push for a legally binding document.

President Bush has remained steadfast in his belief in the missile defense system as a key military capability. Many of his top advisors have long been advocates of missile defense. Current national security advisor Stephen Hadley was an arms control negotiator working missile defense issues with the former Soviet Union during President George H. W. Bush's term of office. As Bush's deputy national security advisor in 2001, he doggedly pursued abrogation of the Anti-Ballistic Missile Treaty in order to pave the way for missile defense development. Current secretary of defense Robert Gates and Secretary of State Condoleezza Rice both served on George H. W. Bush's National Security Council as highly regarded Russia experts—and advocates of missile defense. The current President Bush relied heavily on input from Hadley and Rice on the issue of missile defense during his presidential campaign in 1999.<sup>58</sup> During his tenure as president, he has staunchly advocated for billions of dollars in research and development and approved the deployment of operational systems in California and Alaska. If negotiations between the United States, Poland, and the Czech Republic are successful, these sites would be integrated with existing radars in the United Kingdom and Greenland, as well as interceptors in California and Alaska. The U.S. objective, as stated by U.S. assistant secretary of state John Rood, "is to optimize the defensive coverage of both Europe and the U.S."<sup>59</sup> Rood further stated that the Bush administration strongly feels that the value of missile defense among the international community is "increasingly recognized." In addition, Rood claims numerous side benefits for the military industrial complex both domestically and abroad.<sup>60</sup>

Not all opposition to missile defense sites in eastern Europe is coming from Russia. The Democrat-controlled Congress proposed legislation to slash \$764 million from the missile defense budget for FY 2008. The cuts included funding devoted to missile-interceptor-site preparation in Poland. The Senate Armed Services Committee cited Russian rhetoric, concerns from both the Polish and Czech governments, and technological issues with the interceptors themselves as factors in its decision to delay funding.<sup>61</sup> On the surface, this may appear to be a clear signal from Democrats that after six years of a Republican-controlled Congress in which missile defense was given virtually a free pass, times are changing. In actuality, the proposed \$764 million cut represented a relatively small percentage of the proposed \$8.9 billion budget presented to Congress for FY 2008.<sup>62</sup> Republican supporters of missile defense, particularly from those states with interest in the programs, denounced the cuts but realized it could have been much worse. In one example, Representative Ellen Tauscher (D-CA), the chairwoman of the House Strategic Forces Subcommittee, approved a cut to the Airborne Laser Program that could have effectively killed the program for good.

But the major defense contractors lobbied vigorously for restoration of enough funds to complete a test in order to show program development. Congress responded by reinserting the money to accomplish the test. The FY 2008 DoD appropriations report reported \$8.7 billion provided for missile defense, down \$185 million from the original budget request, but a far cry from the \$764 million cut proposed earlier in 2007.<sup>63</sup> Some analysts on Capitol Hill contend that, despite early threats from Democrats to significantly slash funding on controversial programs, missile defense, although bloodied by recent funding cuts, is certainly not broken and will continue to survive.<sup>64</sup>

Ironically, it would appear that the area in which the United States and Russia are getting along the best is between their respective military forces. The U.S. Air Force enjoys strong military-to-military relations with the Russian Air Force and wants to continue to foster this relationship, according to Gen. William Hobbins, commander of U.S. Air Forces in Europe. Gen. Hobbins sees opportunity for cooperation with Russia in airlift and aeromedical evacuation, especially since the Russians have such tremendous capabilities in these areas.<sup>65</sup> In December of 2007, the U.S. Army pressed ahead with a two-week joint training exercise with Russian army forces in Germany where soldiers from both countries exercised together against global terrorism scenarios. Lt. Gen. Kenneth Hunzeker of the U.S. Army praised the exercise and said, "This is not about politics. This is about how to work (military to military) operations so that our two nations can do that in the future in the global war on terror."<sup>66</sup> Similarly, the Russian Navy has accepted an invitation to participate in the upcoming Rim of the Pacific (RimPac) naval exercises. As Russia continues to reinvest in its Pacific Fleet capabilities, including them in this exercise is important to the U.S. Navy. Adm. Robert Willard, commander of U.S. Pacific Fleet, said that inclusion of Russia in RimPac is "great progress if we believe that military to military exchange is one of the methods of finding common ground with these other navies."<sup>67</sup>

## **RUSSIAN MILITARY REVIVAL**

Increased tension with the United States and the West, coupled with international self-confidence and the influx of billions of dollars from oil and gas sales, have provided the Kremlin the opportunity to significantly upgrade its military forces. The restoration of the military is a priority of Putin's to further the renewal of Russian pride and the recovery of international influence. To this end, Putin has approved a \$200 billion overhaul of Russia's military forces. This includes the planned purchase of new-generation missiles, aircraft, and potentially even aircraft carriers.<sup>68</sup> Moreover, Russia is looking to expand its military footprint and recently announced plans to reestablish a permanent presence in the Mediterranean, the first since the end of the Cold War. This new attitude has also emboldened Russia to revive long-range bomber missions, reminiscent of flights flown routinely during the Cold War. In one case, two Russian bombers reportedly crossed the Pacific into the vicinity of Guam. In another, two bombers flew into NATO territory and briefly entered British airspace before turning back. Russia has recently conducted numerous tests of new land- and sea-based ballistic missiles, designed to replace the aging fleet of Soviet-era missiles. Also, in response to the U.S.-led missile defense system, the Kremlin is touting a project that will

include not only air defense systems but also anti-ballistic missile and space defense systems.<sup>69</sup>

Taking yet another page from Soviet-era glory days, in May of 2008, Russia plans on staging a massive military parade through the Red Square replete with missiles, tanks, and soldiers.<sup>70</sup> Many Russian analysts view this as yet another symbolic move by the Kremlin to illustrate Putin's dream of returning Russia to international prominence.

### WHAT LIES AHEAD

Much has changed since Putin and Bush first met at the 2001 summit in Slovenia where Bush declared, "I looked the man in the eye. I found him to be very straightforward and trustworthy . . . I was able to get a sense of his soul."<sup>71</sup> Seeking a strategic partnership with Russia remains a goal of U.S. foreign policy. But this goal has become vastly more elusive, given Russia's current divergence from many U.S. interests. As both leaders approach the end of their presidencies, one will leave office and one will simply change offices—and remain a force to be reckoned with in the future.

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