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MEMORANDUM

To: Members of the Subcommittee on National Security, Veterans Affairs, and International Relations

From: Christopher Shays 
Chairman

Date: October 15, 1999

Subject: Briefing memo for October 20 subcommittee hearing

Attached find the briefing memo required by Committee rules for the hearing Wednesday, October 20, 1999 entitled, "Combating Terrorism: Assessing the Threat." The hearing will convene at 10 a.m. in room 2247 Rayburn.

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October 15, 1999

MEMORANDUM

To: Members of the Subcommittee on National Security, Veterans Affairs, and International Relations

From: Michele Lang

Re: Briefing memo for the hearing "Combating Terrorism: Assessing the Threat," scheduled for October 20, 1999 at 10:00 a.m. in Room 2247, Rayburn House Office Building.

PURPOSE OF THE HEARING

The purpose of the hearing is to examine the findings of the General Accounting Office (GAO) report entitled, "Combating Terrorism: Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attack." (Attachment 1)

HEARING ISSUES

1. What are the scientific and practical capabilities of non-state sponsored terrorists to conduct a chemical or biological attack?
2. How are these capabilities assessed for purposes of federal policies to combat terrorism?

BACKGROUND

This Subcommittee, along with the Senate Committee on Veterans' Affairs and Representative Ike Skelton (D-MO) of the House Armed Services Committee, requested the GAO to examine one aspect of the terrorism threat: "the technical ease or difficulty for terrorists to acquire, process, improvise, and disseminate certain chemical and biological agents that might cause at least 1,000 casualties (physical injuries or deaths) – the number DHHS uses for planning purposes – without the assistance of a state-sponsored program." (Attachment 1, p. 2) GAO issued its report in September 1999.

The report finds the easiest way for a terrorist group to conduct a WMD attack is by using toxic industrial chemicals. GAO believes that terrorist organizations would have to overcome a number of obstacles to successfully conduct a WMD attack using non-industrial chemical or biological agents in the United States. According to GAO, these obstacles include safety concerns, acquisition and production difficulties, and effective dissemination techniques. Types of chemical agents are nerve agents, choking agents, blister agents, and blood agents. Types of biological agents include bacterial agents, viral agents, and toxins.

According to GAO, the use of a toxic industrial chemical would provide the easiest method for a terrorist to conduct a mass casualty attack because industrial chemicals can generally be bought on the commercial market. Thus, without the need to manufacture, "little if any expertise or sophisticated methods" would be required to cause mass casualties.

For non-industrial chemicals, acquiring precursor chemicals to manufacture the chemical agents would be difficult. Precursor chemicals are materials from which chemical agents are synthesized. The GAO cites the Chemical Weapons Convention (CWC) as an effective impediment to acquiring precursor chemicals. According to GAO, the illegal acquisition of precursor chemicals in the amounts required to effectuate mass casualties would "raise suspicions and attention" due to the CWC.

GAO also states that producing some chemical agents would be difficult, especially in sufficient quantities to cause 1,000 casualties. Production of some agents "requires the use of high temperatures and generates corrosive and dangerous by-products," while others are relatively easy to produce. For example, the nerve agent tabun and blister agents like sulfur mustard, nitrogen mustard, and lewisite can be manufactured with ease or only moderate difficulty.

Dissemination of chemical agents could be in vapor, aerosol or bulk droplet form. Additionally, either mechanical delivery or an explosive device can be used to disseminate the agent. However if disseminated by explosive, the chemical agent would need to withstand the heat produced from the explosion to be effective.

Acquiring a biological stock would be difficult because access to proper strains is

lacking. GAO does not address the possibility of a rogue scientist or official illegally providing precursor chemicals or a biological agent to a terrorist organization.

GAO states that cultivation, production, and dissemination of many biological agents would require specialized knowledge. For biological agents to be effective, the particles must be small enough to remain airborne a sufficient time to be ingested and reach the victims' alveoli (air sacs of the lungs). Larger particles will either fall to the ground or become trapped in the victims' respiratory tract, causing infections but not death.

Biological agents can be processed into a liquid or a dry form for dissemination. Liquid agents are easy to produce, but difficult to disseminate. Technical hurdles for dissemination of liquid biological agents are "obtaining the proper size equipment to generate proper size aerosols, calculating the correct output rate, and having the correct liquid composition." Dry agents are more difficult to produce, but easier to disseminate. Production is difficult because biological agents can be destroyed during the drying process. In analyzing the ability of terrorist groups to deliver a chemical or biological attack, GAO focused on "improvised weapons or devices and not through contamination of water, food supply, agriculture, or livestock."

GAO qualified its information on biological agents by noting that a less sophisticated agent and dissemination method can produce illness and/or death in numbers less than the 1,000.

Based upon its findings, the GAO makes two recommendations. First, that "the Attorney General direct the FBI Director to produce a formal, authoritative intelligence threat assessment that specifically assesses the chemical and biological agents that would be used by domestic-origin terrorists – non-state actors working outside a state-run laboratory infrastructure." Second, that "the Attorney General direct the FBI Director to sponsor a national-level risk assessment using national intelligence estimates and inputs from the intelligence community and others to help form the basis for and prioritize programs developed to combat terrorism." While "several federal government organizations apply some formal threat and risk assessment process in the programs", GAO believes that national assessment could provide a "strategic guide to help shape, focus, and prioritize federal efforts to combat terrorism." (Attachment, p22)

DISCUSSION OF HEARING ISSUES

1. What are the scientific and practical capabilities of non-state sponsored terrorists to conduct a chemical or biological attack?

Experts say terrorist organizations would have to overcome a number of obstacles to successfully conduct a mass casualty attack using non-industrial chemical or biological agents in the United States. This is contrary to the fear of catastrophic consequences that

some federal officials and popular press have recently hyped. (Attachment 2) Statistics and current science show that a mass casualty attack in the United States is a very low risk. Yet, the intelligence community has stated it is not a matter of "if" but "when" a chemical or biological terrorist incident at some level of casualties will occur in the U.S.

It is important to note the relative capability to successfully conduct a chemical or biological attack can change dramatically depending on the established casualty mark. GAO examined the technical ease or difficulty for terrorists to develop chemical and biological weapons "that might cause at least 1,000 casualties (physical injuries or death)...without the assistance of a state-sponsored program." However, a crude chemical or biological weapon can be made with less sophistication, but would be "less likely to cause mass casualties." So, how should the federal government allocate and prioritize federal programs to combat terrorism?

GAO remarked that no federal agency defines what constitutes mass casualties and the 1,000 casualty mark is an arbitrary number the Department of Health and Human Services (DHHS) uses for its planning purposes. Yet, given its potentially dramatic effect on capability, should agencies establish a minimum casualty level for determining the threat?

Is mass casualty always a goal of terrorist group? Wouldn't 50 or 100 victims rather than 1,000 be satisfactory, if the goal of a terrorist group is public terror? The only terrorist use of a biological weapon in the United States occurred when the Oregon-based Rajneeshee cult contaminated salad bars with salmonella. Yet, the group's goal was not to kill, but only to make voters ill so they could effect the outcome a local election. The Rajneeshee attack caused 751 people to become ill.

Additionally, GAO only looked at non-state sponsored terrorist organizations and did not take into account the possibility of a terrorist group acquiring biological stock, equipment, expertise, or a chemical or biological weapon itself from a rogue scientist or government official. In such a situation, the capability factor is minimized, or in the case of receiving an actual chemical or biological weapon itself, non-existent.

2. How are these capabilities assessed for purposes of federal policies to combat terrorism?

Capability is only one factor in the threat equation. A terrorist group's motivations, history, intentions, and access are some of the other factors that need to be considered in a threat assessment. For example, while a group may have the capability to conduct a chemical or biological attack, it may not have the motivation to do so. Or, a group may have the capability and motivation to do so, but it may not have the organization structure or access to carryout an attack within the United States.

Given the numerous factors that go into assessing the threat, how does the United States develop sound and practical federal policies to combat terrorism? GAO argues for the need to conduct a formal national risk assessment. A risk assessment determines the likelihood that a threat will harm an asset or individual with some severity of consequences. The threat assessment is the first step of a risk assessment. By conducting threat and risk assessments, GAO contends that the federal government can manage risk through the deliberate, analytical approach to prioritize risks and selecting the countermeasures to create a certain level of protection or preparedness. Is such an assessment feasible?

The second panel, consisting of terrorism experts from RAND and the Monterrey Institute of International Studies will discuss the scientific and practical capabilities of a terrorist organization to conduct a chemical or biological attack and the other factors that are considered in threat assessment. (Attachment 3)

ATTACHMENTS

1. General Accounting Office report (GAO/NSAID-99-163) entitled, "Combating Terrorism: Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attack."
2. Ragavan, Chitra and David E. Kaplan. "The boom in bioterror funds: The U.S. government is spending billions fighting an elusive enemy." U.S. News & World Report. October 18, 1999.
3. Tucker, Jonathan B. and Amy Sands. "An unlikely threat." The Bulletin of the Atomic Scientists. July/August 1999, Vol. 55, No. 4.