

SENATE ARMED SERVICES COMMITTEE
HEARING ON THE DOWNING REPORT
OF THE BOMBING OF KHOBAR TOWERS
NEAR DHAHRAN, SAUDI ARABIA

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SENATE ARMED SERVICES COMMITTEE;

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U.S. SENATE COMMITTEE ON ARMED SERVICES

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JOHN SHALIKASHVILI, CHAIRMAN, JOINT CHIEFS OF STAFF
GENERAL WAYNE DOWNING, USA (RET), DIRECTOR
DOWNING ASSESSMENT TASK FORCE

THURMOND: The committee will come to order. The committee meets this afternoon to receive testimony on the report of the Downing Task Force Assessment of the facts and circumstances surrounding the terrorists bomb attack on Khobar Towers in Dhahran, Saudi Arabia on June 25.

Our witnesses today are Secretary of Defense Dr. William Perry; Chairman of the Joint Chiefs of Staff, General Shali; and General Wayne Downing, U.S. Army (Retired), the director of the Downing Task Force.

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Our hearing today is a follow on to the one the committee held on July the 9th at which Secretary Perry, General Shali and General Peay, the commander and chief of the CENT Command testified about the terrorists bomb attack on Khobar Towers.

Gentlemen, I'm going to recite a quote which everyone in this room and those listening to this hearing have heard many times. I can think of no other time when this quotation has been more meaningful and appropriate. And this is a quote: "Those who cannot remember the past, are condemned to repeat it".

Mr. Secretary, terrorism is a threat faced by all U.S. forces and personnel stationed or deployed overseas. Consequently, they need some understanding of the terrorists threat and how to combat it.

Our past history includes terrorists attacks against U.S. military forces stationed in Europe and in the Middle East. They include the Disco bombing in Berlin in the 1970s. A terrorist bombing attack in Beirut in 1983 and the November, 1995 terrorist attack against U.S. forces in Riyadh. Average Americans would think that we had learned something from these instances about protecting our forces and progress beyond the point at which we find ourselves today.

I have reviewed the findings and recommendations included in the Downing report. Frankly, to say that I have grave concerns with what General Downing discovered in his investigation would be an under- statement.

Mr. Secretary, it appears from the findings included in General Downing's report that we have not learned much from previous investigations of similar incidents. For example, following the terrorists bombing of the Marine Barracks in Beirut in 1983, the Long Commission found that the Command had failed to take adequate security measures commensurate with the increasing threat levels.

Thirteen years later, the Downing Task Force has determined in the results of its investigation that U.S. forces and facilities in Saudi Arabia, and the region were vulnerable to a terrorist attack and that the command had failed to take adequate security steps. In 1995, an assessment of the shoot down of two U.S. Army UA-60 black hawk helicopters over Iraq, while not an act of terrorism recommended a review of joint task forces world wide to determine the appropriateness of their structure for their mission.

THURMOND: Specifically, their questions were the appropriateness of the structure and manning of temporary, short-term contingency operations, which for all intents and purposes have turned out to be a long-term operational commitment.

I understand partial reviews took place and recommendations were made to establish oversight programs to correct these situations. However, there was no adjustment to the structure and manning levels of its forces in areas of responsibility of the Central Command.

Despite the long-term presence of U.S. military forces in Saudi Arabia and threatening conditions which were increasing, the Air Force continued to maintain manning levels at a minimum level to reduce the visibility of U.S. forces in Saudi Arabia and to limit the impact on Air Force units worldwide.

According to the Downing Report, the minimum manning levels and the frequent rotation of personnel contributed to and hampered the ability of the security police to sufficiently man its post when the threat level increased.

In general, the Downing task force reviewed the recommendations of previous commissions. And based on my review, the bottom line is that this administration and the Department of Defense specifically has learned very little, if anything, from the past commissions and reports.

Over the past four years, as admissions of the Joint Task Force Southwest Asia have increased the threat level and environment has increasingly become more hostile, yet the force structure and its support process have not changed, despite the November, 1995, terrorist attack against U.S. personnel and the office of the program manager for the Saudi National Guard.

Once again, a commission investigating a terrorist attack against U.S. military forces is pointing to manning levels which are insufficient to handle the mission and the terrorist threat to military forces in the region.

Mr. Secretary and General Shali, the American public has a right to know, as does the Congress, exactly what steps were taken by the administration and the Department of Defense following the November, 1995, terrorists bomb attack.

At a press conference last Monday, Deputy Secretary of Defense White commented that following the November, 1995, terrorist bombing terrorism in Saudi Arabia became a top security priority. Again, I will have to say that I am concerned by the failure to take appropriate action. Based on my understanding of the Downing Report, there were no standard policies and directives regarding post protection issues.

THURMOND: I would like to know what policy guidance was issued either by the secretary of defense, the chairman of the joint chiefs, or even by the commander in chief of central command and military services to their troops in the region with regard to enhancing post protection to guard against another attack of this nature?

Did also determine that sufficient attention was being placed on insuring that post protection guidance procedures and standards were adequate or that they would have time to develop them and implement them at a future date?

I will end with this comment with regard to the defense budget. I am astounded at lack of support from this administration regarding the amounts recommended by the Congress for fiscal year 1997 defense budget.

Despite the high priority placed on countering terrorism throughout this administration's tenure, the fiscal year 1997 Defense budget sent to the Congress did not contain adequate funding for counter terrorism.

I am concerned about recent White House attempts to negotiate reductions -- I repeat reductions in the fiscal year 1997's Defense Appropriation Bill. Despite recommendations of the Downing task force to increase the budget for counter-terrorism for post protection. This comes on top of our recent moves to reinforce our forces in the Persian Gulf region with additional air power, sea power and ground forces.

Additionally, there's is an increasing likelihood that we will have to maintain some military presence in Bosnia after the scheduled withdrawal date of December 20. I would ask both Secretary Perry and General Shalikashvili to address this issue in their comments today.

I will note for the benefit of committee members that a closed session will follow the open portion of this hearing. It will be conducted at the top secret level in the intelligence committee hearing room in Hart 219. Senator Nunn, do you have any comments to make?

NUNN: Thank you very much, Mr. Chairman. I, too, welcome our witnesses. Secretary Perry, General Shalikashvili, and General Downing. I commend Secretary Perry for appointing General Downing to head the assessment task force. And I commend General Downing for a comprehensive, no-holds-barred and prompt assessment report. I also commend Secretary Perry for taking -- and I believe -- very serious action in response to General Downings recommendations.

I want to express my deep condolences, once again, to the families of those fine Americans who lost their lives. And my heartfelt wishes for a speedy and full recovery for those American air men and the personnel of our allies who are still recovering from their injuries.

NUNN: I also take note of the fact that one of the principle purposes of the Goldwater-Nickles Department of the Defense Reorganization Act of 1986 was and I quote from Section 3 of that act, "To insure that the authority of the commanders of the unified and specified combatant commands is fully commensurate with the responsibility of those commanders for the accomplishment of missions assigned to their commands."

The act contained a number of provisions to effectuate that policy including specifying that the authority of the combatant commanders include the command functions of A: Giving authoritative direction to subordinate commands and forces necessary to carry out missions assigned to the command including authoritative direction over all aspects of military operations, joint training and logistics.

B: Prescribing the chain-of-command to the commands and forces within the command.

C: Organizing commands and forces within that command as he considers necessary to carry out missions assigned to the command.

D: Employing forces within that command as he considers necessary to carry out the missions assigned to the command.

And, E: Assigning command functions to subordinate commanders.

I was surprised to read in General Downing's report, a finding that stated, "Current U.S. Central Command relationships do not contribute to enhance security for forces operating in the region."

That finding, to me, raises important questions including since the joint task force commander of Southwest Asia was in charge -- as I understand it -- of the mission and the operation, really, did it make sense to assign the protection forces to component commanders located thousands of miles away? And I believe that was what happened. I'll go into questions on that?

B: And this raises the Goldwater-Nickles question. Is the policy of the Goldwater-Nickles legislation to enhance the authority of the combative commanders? Is that authority adequate and clear? Or is further direction in law needed? Next, is force protection part of the operational mission of the combative commanders?

And finally, have the command relationships that quoting General Downing, "Did not contribute to enhance security for the forces operating in the region." Has that been corrected, the command functions? Has that been corrected.

I'll have other questions as we go along but having gone through command problem in Lebanon and seeing the result there -- the tragic result -- I certainly think that this question of command relationship deserves all of our careful attention.

Thank you, Mr. Chairman.

THURMOND: Senator Perry, glad to have you with us. You may make a statement.

PERRY: Thank you, Mr. Chairman.

On Monday night I returned from a trip to the Arabian Peninsula at Turkey in the United Kingdom. I went there to consult with key Arabian, Gulf and coalition allies about how to respond to Saddam Hussein's latest acts of aggression and provocation. Let me give a very quick trip report.

PERRY: Because what I did there it's closely related with the forest protection issue we are discussing today. In three days, I traveled 14,000 miles and met with the leaders in five countries, the heads of states and defense ministers of Saudi Arabia, Bahrain, Turkey and Kuwait. And then I stopped in London on the way home and met with my British and French counterpart ministers.

I am happy to report to you that the coalition is alive and well. And it is united in its determination to contain Saddam Hussein and to continue Operation Southern Watch in its expanded form. We are flying additional sorties from Saudi bases to enforce this expanded no-fly zone. We have bedded down an additional strike aircraft, F-117s in Kuwait and F-116s in Bahrain. And we are sending 3,500 additional troops to fall in on the pre-positioned, heavy-armor equipment in Kuwait.

Our British allies are in full agreement with us. And have joined us in a warning to Iraq to stop all operations that threaten our air crews. And the French, while they are not in full agreement with us, are supportive and continue to participate in Southern Watch.

While I was in the region, I also visited our military forces there to review the measures which I have directed to protect them against terrorism. In particular, I visited our air crew at the Prince Sultan Air Base in Saudi Arabia. These are the forces that we moved from Riyadh and Dhahran after the bombing at Khobar Towers. I was there six weeks ago to get the approval of the Saudi government for that move.

The transformation in six weeks is stunning. Six weeks ago, it was a large base, but a base which had not been used for several years. It had no housing. Today, it is a fully, functioning facility supporting more than 100 sorties a day, flying into southern Iraq.

This is a tribute to the outstanding work of General Peay and his central command team. We should also credit the very strong support we've gotten from Prince Sultan, the Saudi Arabian Minister of Defense and the Saudi air force. So, the terrorists who attacked our forces in Saudi Arabia last November and last June failed in their first objective.

They failed to drive to drive a wedge between the United States and Saudi Arabia. Now we must insure that the terrorists do not succeed in their other objective to undermine

America's will so that we will abandon our military presence, our interests in our allies, and go home. We must not do that.

So, we need to start then with what is at stake. What is at stake are the save vital interests for which America fought in Desert Storm. To protect the vast energy resources of the region, to protect the stability of the region, to prevent Iraq from developing nuclear, biological and chemical weapons. And to protect freedom of navigation in the air and sea lanes in the region.

These are vital American interests. We are not in Saudi Arabia as a favor to any other country. We are there to protect our vital interests. We do have close cooperation of friends in the region. And after my visit, I can state to you flatly, that they want us to remain and that cooperation will continue.

Desert Storm ejected Saddam Hussein's armies from Kuwait. But, it did not end his threats to the region. He has continued to ignore or obstruct the U.N. Security Council Resolutions that define the terms of the cease fire.

He has also taken overt acts threatening peace in the region. Each time we have answered quickly and decisively. Each time he has crossed the line, we have responded, when necessary, with military force. We can do that only because we maintain a robust military force in the region. Therefore, I reject the option of withdrawing our forces. But, clearly the threat of terrorist attack against our forces poses a direct challenge to our force presence in Saudi Arabia.

PERRY: Indeed, the attack at Khobar Towers dramatically underscored that for our forces overseas, terrorism is a fact of life. We can expect terrorist to try again to attack our forces.

The next target could be anywhere in the region or anywhere in the world. The next target could -- their next weapon could be a larger bomb, or a chemical weapon, or a nerve agent.

We still mourn for the five Americans killed in Riyadh and the 19 Americans killed at Khobar Towers. But we cannot restore them to their loved ones. What we can do is learn lessons from these tragedies, and the most important lesson is that Khobar Towers is a watershed event that points the way to a radically new mindset, and dramatic changes in the way we protect forces from a growing terrorist threat.

We learned lessons after the Riyadh bombing last November. In response to that terrorist attack, we recognized that the Saudi oasis of calm in that region had vanished. And we raised the threat assessment level in the kingdom to high.

We beefed up security, including more than 130 separate force protection measures at Khobar Towers alone. These measures did succeed in preventing a penetration of the security perimeter, thereby undoubtedly saving hundreds of lives.

But clearly, they were not enough. The Khobar Towers explosion was of unprecedented magnitude. Our defense special weapons agency, whom I assigned more than a month ago to make an assessment of this, assesses that the bomb was more that 20,000 pounds equivalent TNT.

That is about 100 times larger than the previous bomb used in Riyadh. The attack was of an unexpected sophistication. The terrorists had well-developed intelligence. They

maintained tight operational security, and they penetrated the extensive Saudi domestic security apparatus.

The scale of the attack partially circumvented the extensive force protection measures we took after the Riyadh attack, and in response to intelligence indications. We now know that we face an unprecedented threat. We must fundamentally rethink our approach to force protection. And we have done that along three lines. We are relocating, we are restructuring, and we are refocusing.

First, we are relocating. The location at Khobar Towers made defense against such an attack almost impossible. Therefore we are moving our combatant forces to the Prince Sultan Air Base, whose remote location permits much more extensive security protection against terrorist attack.

I had the opportunity to review that when I was visiting the Prince Sultan Air Base. They have, for example, a 1,200-foot security perimeter all around the base. A single access road with very, tight controls.

Our non-combatant forces in Riyadh perform missions that require them to remain in that urban area.

PERRY: So we are consolidating them at Eskan Village and undertaking new security precautions there.

Secondly, we are restructuring. We are changing assignment policies, and we are bringing home most family members.

And third, we are refocusing. We realize that incremental fixes and force protection can always be defeated by attacks of greater magnitude.

Force protection in this new threat environment is not simply more barriers and more guards. It requires a fundamental re-evaluation of how we prepare for, equip and posture to do missions.

We have always been concerned about force protection, but now we must factor into our force protection plans the threat of sophisticated and massive terrorist attacks. As we decide where and how to deploy our forces overseas, we will place the threat of terrorism front and center.

Force protection against terrorism attacks will now be one of the most important considerations we weight, along with other key mission tasks when we decide how best to undertake a deployment. And we are examining our current missions in light of this threat to make sure that we have thought through force protection in the way we are carrying them out.

This message has gone out to all other commanders. Hasn't force protection always been important? Of course it has. A good example is in Bosnia, where we face a variety of threats. When we approve the Bosnia mission, force protection was given a high consideration. Indeed, it was determined by the force commander to be a primary component of his mission.

That led to an extensive set of protection measures, including the requirement to wear flak vests when outside secure areas, a no- alcohol policy, and extensive and specific threat

training for everyone who is deployed to the theater. These were the right force protection measures for the Bosnia mission, and they have paid off very, very well for us.

So while force protection has always been important, I now believe that we must expand the scope and increase the priority of force protection in every mission because of the elevated terrorist threat. Putting force protection up front as a major consideration, along with other mission objectives, will require a change in the mindset with which we plan and carry out operations.

And it will also require structural changes in the Department of Defense. It will require tradeoffs in other areas: Cost, convenience and quality of life for our troops. This will be a tough answer for our men and women in uniform, who will live in less comfortable surroundings and spend more time avoiding and defending against terrorism.

When our air crews moved from Khobar Towers to the Prince Sultan Air Base, they're moving from an conditioned apartment building to tents. This is not an improvement in the quality of life for them, but it will be protecting their lives.

PERRY: It is also a tough answer for them and their families, more of whom must now experience the loneliness of unaccompanied tours.

The other important step I took after Khobar Towers attack was to ask general Wayne Downing to give me a fast, unvarnished and independent look at the incident and our force protection policies and practices in the CENTCOM region, and to offer ideas on how we can prevent such tragedies in the future.

General Downing's report confirms my belief that we must make a fundamental change in our mindset. And we are responding to this report with an additional set of actions beyond the ones that I'd already taken.

First of all, I am issuing a DOD-wide force protection standard.

Secondly, we will insure that designated local commanders have full authority and responsibility for force protection.

Third, the secretary of state and I have agreed to transfer responsibility for force protection for most of our non-combatant troops on the Arabian Peninsula from the State Department to the Department of Defense. And we will consider this policy for other locations as well.

Fourth, we will take steps to improve intelligence collection on the terrorist threat and making it more useful to commanders in the field.

Fifth, we will take steps to improve U.S.-host nation cooperation on force protection.

Sixth, we will raise the funding level and resource visibility for force protection, including efforts to seek out new technology.

And finally, I am designating the chairman of the Joint Chiefs of Staff as the single DOD-wide focal point for force protection, and in his testimony, he will tell you more about how is going to carry out that responsibility.

Since the first day that I have been the secretary of defense, my first priority has been for the safety and welfare of our forces. We have large forces and they are often exposed

to danger, and so we do have incidents where our military personnel are killed in accidents, in terrorist attacks, in military conflicts.

Each time this happens, I feel the loss deeply. And each time, I review what we can do to reduce the risk to our military forces in the future.

It was in this spirit that I asked Wayne Downing to conduct a study. I did not want a whitewash. I did not want a cover up. I wanted a hard-hitting analysis that gave thoughtful recommendations for reach change.

Those of you who have had time to read this report will see that I got what I asked for, as I knew I would when Wayne agreed to be the chairman of this commission.

Now it is up to General Shali and me to carry out those recommendations.

I have already completed action on very extensive changes to improve protection of our forces in Saudi Arabia, which I have partly described to you by describing the move to the Prince Sultan Air Base.

PERRY: I have approved and initiated action on the other important changes recommended by General Downing, and I have restructured our institutions so that these changes will endure. Endurance is important because I believe that the terrorists pose a serious threat to our forces today and will for many years to come.

Most of what I've described to you looks forward. It describes actions we are taking to provide and improve the protection of our forces from now on. But I must also be concerned with looking back.

What led to the tragedy? And how do we determine responsibility?

The day that I received the Downing report, even before I read it, I sent it to the secretary of the Air Force with the request to determine accountability and consider possible disciplinary actions.

The Air Force has subsequently established a convening authority for that purpose which will report the findings no later than December the 4th, and we will take appropriate actions at that time.

I cannot comment further at this time on the culpability of individuals without exerting command influence which would prejudice their findings.

But I also have to consider my own accountability. As the secretary of defense, I am responsible for the safety and welfare of all of our forces, and I feel this responsibility very deeply.

How do I manifest that responsibility? I cannot inspect every security fence or determine the adequacy of every base force protection plan. But I can manifest this responsibility in four important ways.

First of all, by establishing the policies and the guidance for our commanders, including the policy and guidance on force protection.

Secondly, by organizing and structuring the Department of Defense in such a way that force protection is optimal.

Third, by allocating resources to our commanders, including resources for force protection.

And finally, by carefully selecting and supervising the military and civilian leadership in the Department of Defense.

These are the criteria by which I judge myself whether I am meeting my responsibilities. How well have we done on establishing the policy affecting force protection? We did have policy guidance for force protection which spelled out in considerable detail how force commanders should carry out their force protection responsibilities.

General Downing has point out that they were not directives and that they were not given sufficient emphasis and attention.

I believe that Wayne is right on that. This was my responsibility and I've already taken the actions to change these two directives and to send orders to all commanders to increase the emphasis and priority.

PERRY: Secondly, how well did we organize to carry out force protection responsibilities? Goldwater-Nickles made fundamental changes in our command structures. These changes have been incorporated and I believe serve us very, very well.

General Downing in his report has argued that we are -- while we meet the letter of Goldwater-Nickles in the force protection area, we do not meet the spirit because the commander who has the responsibility is 7,000 miles away from the scene of the operations.

I believe and General Shali believes that he has a good point. We are adding that force protection responsibility to the joint task force commander, who is on-site, and are considering more extensive changes. General Shali will discuss that more in his testimony.

How well have we allocated resources for force protection? We spend literally billions per year on force protection, and I believe that it is well-spent. But General Downing is correct in saying that we do not have a budgetary focus on force protection, nor do we have a budgetary focus in our resource allocation process -- in the institutional process by which we decide how to pass funds out to different programs.

This is also my responsibility, and I have concluded that it has to be changed.

I'm changing it in two different respects. First of all, I have directed the controller to organize and isolate and then aggregate all of the force protection features in our budget so that we can look at force protection as an entity and this, then, gives us a handle on what is happening in force protection.

Having that handle, we then need somebody who can grab the handle and turn it. And so the second change is that I've designated the chairman of the Joint Chiefs of Staff as the focal point -- focal responsibility within the Department of Defense for overseeing that responsibility.

That means, then, that is commanders in the field see issues or see problems and want support that require budgetary support, that require new R&D, that require more resources, they can go directly to the chairman and he can grab that handle and get something done.

We have that handle if we want to build a new fighter airplane or if we want to build a new submarine. We do not have it for force protection, and this change will accomplish that.

Finally, I have thought very carefully about my responsibility for the selection of our senior military leaders -- in particular, General Shalikashvili and General Peay.

PERRY: I recommended both of them to the president with full confidence in their ability, and I still recommend them, and I still have full confidence in their ability. They are superb soldiers with a distinguished combat record. They are strong military leaders. They are dedicated to the safety and welfare of their soldiers.

In spite of that, this tragedy occurred, and they are now working day and night to try to take actions which can prevent a recurrence of the tragedy.

If this nation ever gets into a real military conflict again in Southwest Asia or any other place in the world, we will thank God that we have military leaders like General Shalikashvili and General Peay.

So to whatever extent they are responsible for this tragedy, then so am I, for I supported them, and I still support them.

This is how I see my personal responsibilities. From my first day as the secretary of defense, I have put all of my energies and talent into carrying out the responsibilities of this vitally important job. I have enjoyed some substantial successes, and I am of those successes. But Khobar Tower was a tragic failure.

In the wake of this failure, many in Congress and the media are asking who is to blame. I will not participate in the game of passing the buck. We have a systematic and judicious process of military justice. We will let it proceed carefully and objectively.

In the meantime, I will not seek to delegate the responsibility for this tragedy to my military leaders. They have served their country with enormous distinction and considerable sacrifice. They deserve our gratitude, not our blame.

To whatever extent you judge that this tragedy resulted in failures of leadership, the responsibility is mine.

Mr. Chairman, that concludes my statement.

THURMOND: Thank you, Dr. Perry.

General Shali, would you care to make a statement?

SHALIKASHVILI: Thank you very much, Mr. Chairman and members of the committee.

Before I elaborate on some of the major initiatives that we have undertaken following the terrorist attack on Khobar Towers, I too would first like to again express my deep condolences to the families of those 24 service men and women who lost their lives to terrorism in the last ten months in Saudi Arabia.

I would also like to briefly reflect on the magnitude and the complexity of the mission of Central Command, as well as the dedication and the professionalism and the heroism of the men and women of that command.

SHALIKASHVILI: Now, since 1992 CENTCOM has flawlessly executed many diverse missions. Of course the most widely known of which is Operation Southern Watch, the enforcement of the no-fly zone over southern Iraq. This mission alone requires on the average over 2,300 air sorties per month, but this was only the beginning.

Within the last two years, CENTCOM also conducted continuous maritime intercept operations as well as five major contingency operations. And most recently, the air strikes in the southern no-fly zone. All of this was accomplished over lines of communication stretching more than 12,000 sea miles between the United States and the Gulf.

But CENTCOM hasn't just been busy, they have been highly effective at getting the job done as well. First, ejecting Saddam Hussein from Kuwait and then deterring further attacks against our allies and the region's oil supply. And enforcing U.N. Security Council resolutions. Thus, protecting America's vital interest.

And until recently, CENTCOM's demanding military operations could safely be its primary focus. But as Secretary Perry mentioned in November, 1995 when a bomb exploded near a U.S. security assistance facility in Riyadh, this focus had to be broadened, for terrorism in Saudi Arabia had become a high priority security issue. And in the Gulf, our forces did in fact aggressively begin to improve their security posture against terrorism.

In Saudi Arabia, force protection improvements were extensive. In the half year after the November bombing, CENTCOM personnel conducted security reviews at nearly every installation in the region. At Khobar Towers alone, CENTCOM personnel completed more than 130 anti-terrorists improvements. Indeed some of those measures, as Secretary Perry alluded, barriers, sentries, roving patrols, extremely effective entry control procedures kept the terrorists from penetrating the compound and thus undoubtedly saved hundreds of lives, preventing an even greater tragedy.

After the attack at Khobar Towers, more lives were saved by the sentries who risked their lives to alert the occupants by their buddy system teams who attended to each other before themselves; by the physicians and medical technicians who were flown in within hours and by the dedicated people all along the evacuation route through Europe to the United States.

And don't forget, CENTCOM's joint task for Southwest Asia, was back flying again, doing its mission within 48 hours after it had been attacked.

SHALIKASHVILI: This command is now operating in a radically different environment. After the bombing at Khobar Towers, it was clear that terrorism, and especially terrorism in the Persian Gulf region, had reached a new level of destructiveness and sophistication. And to meet this challenge requires we change the way we go about the business of force protection.

So let me highlight some major areas that I elaborated on in the secretary's report to help us meet this new challenge. Let me begin with unity of effort.

Secretary Perry said he has directed that I, as the chairman of the joint chiefs of staff, assume the duties as the department's focal point for all force protection matters. In turn,

I'm establishing a permanent office within the joint staff under the direct supervision of a general officer to deal with all matters of combating terrorism. I will also draw on the Joint Requirements Oversight Council, the JROC, existing combat support agencies and others in and out of government, to help in this effort.

Among its many tasks, this new office will help me assist field commanders and to ensure that force protection considerations are included in every aspect of our activities worldwide.

To do this we will focus on force protection doctrine, on standards, on training and requirements, as well as force protection programs and levels of funding. We will pursue innovative technologies and work closely with our allies who face many of the same threats that we do.

To ensure better coordination overseas, and in agreement with the secretary of state, CINCCENT has been given force protection responsibility and authority for all Department of Defense activities on the Arabian Peninsula other than those that are an integral element of the U.S. ambassador's country team.

Just yesterday, when I met with our unified commanders, I asked them to advise me whether this agreement might not also be a prototype for the force protection arrangements in their regions as well.

Along with improving our unity of effort, command and control is a critical consideration in the organization of every joint task force.

As an immediate step, we have given the commander of joint task force in Southwest Asia the specific authority and responsibility for force protection for all combatants units in the region operating in support of Operation Southern Watch.

And as a further step, we're investigating the feasibility and advisability of establishing a Central Command forward headquarters that then could assume force protection responsibility for all forces in the Arabian Peninsula.

To achieve key leader stability and reduce personnel and unit turbulence, we have lengthened the tours of senior leaders and we're extending the tours of other individuals, as well as units.

SHALIKASHVILI: And to strengthen our posture further, we require viable force protection standards, sound force protection doctrine and appropriate force protection training.

While we did have advisory force protection standards, we have now reissued them as a directive, and we will be further refining these standards to ensure that they fully address the new terrorist threat.

Let me give you some examples of the current efforts to improve doctrine development and training.

First, we will be reviewing our extensive joint and service doctrine publications to ensure that they also address the new threat and that we have common guidance, procedures and standards at all levels of command.

Second, we will also review our force protection training to ensure that our schools and training centers teach the right material and that we have force protection training and requirements that are tailored to the specific needs of each regional command.

Third, we have learned a great deal about specialized pre-deployment training from our efforts last year to prepare our forces for deployment to Bosnia. Drawing on that experience, the U.S. Atlantic Command, in conjunction with the services and the other unified commands, has developed a draft anti-terrorism training plan to ensure that we provide theater-specific training to individuals and units before they deploy to a theater.

Finally, I have directed the National Defense University to review the status of anti-terrorism instruction in our professional military education system to include risk management training for our leaders.

Now, the last area I would like to address is intelligence.

Despite our best efforts, improvements in tactical intelligence are certainly warranted. Our intelligence goal must be to preempt and disrupt terrorist cells before they can plan and carry out acts of terrorism against our forces. Thus, the collection, analysis and dissemination of timely and predictive tactical intelligence on the plans, methods and intentions of terrorists is of utmost importance.

This requires the use of all types of intelligence assets, including technical intelligence and human intelligence, to accomplish all source intelligence analysis on anti-terrorism matters.

We have already increased the number of analysts who are working in anti-terrorism cells at every level, from the Pentagon down to the joint task force. Our primary concern today is to make sure we have enough analysts who are properly trained in terrorism related issues assigned to these critical analytical positions.

At the user level, we must continue to ensure that the intelligence we acquire about terrorists can be sanitized and then quickly passed to the lowest classification level possible to the individuals who must act on it to protect our men and women.

SHALIKASHVILI: Overall, we must take action to increase the emphasis on terrorist-related intelligence and improve intelligence sharing with host nations. The department and the DCI are working in unison to determine what further improvements must be implemented.

Mr. Chairman, in conclusion, we will neither be deterred from pursuing our interests, nor will we be prevented from protecting our forces. While future terrorist acts are certain, just as certain must be our resolve to protect the lives of our men and women in uniform, and Americans everywhere from terrorist attacks. And to ensure that this happens, we are moving out with dispatch on these and other initiatives outlined in Secretary Perry's force protection report.

Thank you very much, Mr. Chairman.

THURMOND: General Downing.

DOWNING: Thank you, Mr. Chairman, members of the committee.

Our charter as given to us by the secretary of defense directed the task force to assess the extent to which the casualties and damage sustained at Khobar Towers were the result of inadequate security policies, infrastructures or systems. Dr. Perry also asked the team to recommend to him measures that could minimize casualties and damaged from such attacks in the future.

Within 24 hours of receiving this charter, we began to form a task force composed of officers, noncommissioned officers, DOD civilians and retirees from the Army, the Marine Corps, the Navy and the Air Force located throughout the United States. The task force also included representatives of the Department of State, Department of Energy and the Federal Bureau of Investigation.

We interviewed over 400 individuals, and this included everyone from General Peay, commander-in-chief Central Command, to the sentries on top of the roof of building 131 at Khobar Towers. We analyzed literally hundreds of documents.

And I must report to you that we received the full cooperation from not only the defense command -- or Defense Department -- but also all federal agencies, the Saudis, the governments of Kuwait, Bahrain, Qatar, the United Arab Emirates and Egypt, as well as our allies and friends the British, the French, the Israelis and the Jordanians.

All recognized the importance of the task force mission to the future security of U.S. forces deployed overseas, and all fully supported our efforts to find more effective ways to deal with terrorism.

Ladies and gentlemen, terrorism represents an undeclared war against the United States. The military forces of this country are clearly superior to all others in the world, and this margin of superiority grows with every day.

Convinced of the futility of challenging our forces directly or challenging them head on, some enemies are attempting to wage war against us asymmetrically.

DOWNING: Some of these enemies feel that our greatest vulnerability is in American intolerance to casualties. If we prove ourselves incapable of responding to terrorism, then terrorists will continue to represent a significant threat to us. They will continue to attack us, especially our servicemen and servicewomen stationed overseas.

The secretary's report to the president, in our estimation, adequately addresses the main findings and recommendations of the task force. Perhaps the most important point or points are the institutionalizations of some of the things that are going to be needed to make this effort continue in the future.

And that's the key to this, because the devil is in the details. How will this be enacted? What will the follow-through be to ensure six months from now, a year from now, five years from now, that we actually implement those actions that are needed? Because if we have a successful anti-terrorism program, nothing is going to happen, we're going to be successful. And when nothing happens, that is when we can be lulled into a false sense of security.

Since Secretary Perry and General Shalikashvili have discussed the majority of our major findings and recommendations, let me just highlight a few.

The first is unity of command. In order to have a unified approach to force protection, one man must be in charge in the Gulf region. Goldwater-Nickles assigned great power to

the unified combatant commanders. I believe the law's intent was to strengthen joint operational command while allowing the services the mission of training, equipping and sustaining the force.

Force protection is an operational issue, it's a commander's business. It always has been and it always will be. There are training and equipping pieces to it, but ultimately it is an inherent function of command.

Placing two of the service components -- Air Forces's Central Command and Army forces Central Command -- in charge from a distance of 7000 miles away in the United States satisfies the letter of Goldwater-Nickles, as the secretary said, but it does not satisfy the spirit of the law.

And while a commander-in-chief under Goldwater-Nickles may delegate operational control of his forces in-theater to service components, doing so dilutes this principle of the unity of command, and it circumvents the real intent of Goldwater-Nickles, which was to put the joint commander clearly in charge of operational matters.

Now, as the secretary's report states and as the chairman has just told you, establishing a CENTCOM forward headquarters is one example of how such unity of command could be achieved. But we believe it is important that we do not extend these lines of command back to the United States and that operational control of all forces operating in Saudi Arabia and the Gulf are exercised by one man, one forward-deployed headquarters.

DOWNING: Our units overseas must have the resources to do the job, especially when conditions change. It's a new world out there. Missions start. We think they're only going to be going on for 90 or 180 days and they go on for months and then years.

When short-term missions become semi-permanent, we've got to re-evaluate what is going on, and we're doing that.

When additional missions are added, when the missions advance, we need to also look at our structure to make sure we've got the right people out there and the right skills.

When a major new element is introduced like a terrorist threat, we again must re-evaluate our force structure to make sure we've got the right people there.

And the manning policies of the services must support continuity and cohesion of our units overseas.

We stated very strongly in the report that intelligence did provide warning of the terrorist threat to U.S. forces in Saudi Arabia. As a result of that warning, those responsible for force protection had time and motivation to reduce vulnerabilities.

However, as has already been stated, it was not enough. Tactical details were needed, and these tactical details could only have been provided by human intelligence.

The Long Commission investigating the 1983 Beirut bombing found that our human intelligence capability and counterintelligence capabilities had eroded. And Admiral Long recommended that we take immediate action to address these significant shortfalls.

Today, we still have enormous difficulty in gaining first-hand knowledge of terrorist plans and activities. The Department of Defense must invest more time, people and funds

to develop human intelligence and counterintelligence in threatened areas if we are going to be able to thwart further attacks.

The director of Central Intelligence has assured me that he will carefully examine the perceptions of this task force that there exist restrictions on the recruitment of sources and these currently hamper the efforts of our national intelligence agencies.

The task force found a manpower intensive approach to force protection used in the Gulf. We saw sentries with only their personal weapons and binoculars standing 12-hour shifts in 120-degree-plus heat.

We saw bomb dogs used to detect explosives in vehicles, who had an effectiveness span of 15 to 30 minutes in those kind of environmental conditions.

We saw crude highway traffic control barriers -- like you see out on 395 to route traffic when we're doing construction being used as the primary means of protection from blast.

Ladies and gentlemen, American technology is the best in the world. We can and must provide our forces with state-of-the-art sensors, blast protectors, automated entry points and cargo inspection devices.

DOWNING: We also need teams to assist our commanders in applying this technology.

We have enough inspectors. We've got enough people going over and telling these commanders what's wrong in the field. What we need now are people to help them, to point deficiencies and then stay there and work with them and correct those deficiencies. And one of the ways they can do this is by going over and installing some of this very modern and sophisticated equipment that is available right now commercially in markets here around the United States.

We believe that the Department of Defense estimate of a 20,000- pound bomb is inaccurate. Our estimates approximate the bomb size to be three to eight thousand pounds, most likely about 5,000 pounds.

Now, why is this important? A 20,000-pound bomb might be seen as indefensible, an excuse for not taking appropriate countermeasures and that's not -- that's wrong.

More importantly, our proceedings for estimating bomb size must be refined and accurate if we are to use these estimates and this approach to estimation in order to design structures and devices to protect our forces in the future. We've got to know what the size of these weapons are.

In any event, the task force found that even a 220 pound bomb -- the size of the device used in the November 1995 bombing in Riyadh -- if that size package had been detonated 80 feet from building 131, we would have still had significant loss of life and casualties.

Finally, I also would like to offer my personal sympathy and condolences to the families of those brave Americans who were killed on June 25th at Khobar Towers. I want to tell you that the loss of your loved ones was our motivation to make this assessment as thorough and as objective as possible. And it is our most sincere desire that the recommendations that we have made will help prevent such tragedies in the future.

Thank you, Mr. Chairman.

THURMOND: Secretary Perry and General Shali, I appreciate your statements accepting responsibility for the failure of the chain of command. I also join you and other members of the committee in expressing my condolences to the families of the airmen killed in the bombing.

The best we can do in memory of those who died is to ensure it does not happen again.

Now, we will have six-minute rounds in order for everybody to get around as soon as possible, and I will now start.

Secretary Perry, following the bombing of our office of the program manager, Saudi Arabia National Guard, in November 1995, where five American military personnel were killed, one would expect that, beginning at the very top, there would have been a very strong and renewed emphasis on force protection that would literally reverberate through the chain of command.

THURMOND: I find no evidence that this occurred at any level of the chain of command. Why wasn't there more command emphasis at every level at the very top?

PERRY: Mr. Chairman, I challenge the assumption. There was, not only an interest in counterterrorism before the November bombing throughout the Defense Department, but at the time of that November bombing, it became clear that we had special problems in Saudi Arabia.

We did take a number of very significant actions. I visited Saudi Arabia a short -- just a few weeks after the bombing along with the CENTCOM commander. General Shali visited at about that same time.

I followed up with a visit to the Central Command to review the actions that were being taken.

Through an extensive set of actions at Khobar Towers alone, there were more than 130 separate actions that were taken.

These actions clearly were not enough. I think, in retrospect, it is quite clear that our actions implicitly, at least, were assuming bombs of about the same size, assuming attacks of the same nature, which proved to be quite wrong.

But there were many actions taken. They were successful in one very important respect in that they did prevent the penetration of the security perimeter which happened in the Lebanon bombing. And in fact, the Lebanon bombing was one of the examples that was used in discussing with commanders what they should be prepared for.

They put a very heavy emphasis on those measures which prevented penetration of the security perimeter. That was not enough, as it turned out, against a bomb of this size.

But had that security perimeter -- had those measures not been taken, and that security perimeter been penetrated, I have no doubt that there would have been hundreds -- hundreds -- of fatalities.

General Shali, do you want to comment on that?

SHALIKASHVILI: Mr. Chairman, even before the bombing of OPM/SANG in November of '95, there was in fact policy guidance in the field. There were procedures for how to operate in a terrorist environment, procedures that prescribe threat conditions and the steps that need to be taken at each particular condition.

SHALIKASHVILI: Central Command had JCS guidance and built their planning based upon that guidance. And the procedures were supportive of each other.

When OPM/SANG bombing occurred in November, Secretary Perry dispatched a threat assessment team, not just to the region, but really to our worldwide commands, to assess the status of our force protection measures.

Central Command had a number of threat assessments ongoing. Specifically in Khobar Towers, there were two conducted by the Air Force that came up with some specific 40 or so recommendations.

All but a handful of those were completed. And they dealt with not only what they also perceived to be the most serious issue, which was terrorists gaining entrance into the compound, but also with such things as ensuring that chemicals could not be put into the water supply system, and trying to look at as many threats as possible.

Why they did not look at the issue of stand-off distance, I cannot tell you. But it is important that we understand that they took an awful lot of measures. As a matter of fact, Secretary Perry and I had already said, as you count them up, some 130 separate measures, trying to first of all understand what the most serious threat was, and then working on all of those other things. And they had not yet completed everything by the time the bomb went off.

And we wish they had. But they had not. But it was not because they were not in high gear trying to fix it. And not because they had not asked outside agencies to come in and give an assessment of what they ought to be doing. They did, on two separate occasions. It just was not enough.

THURMOND: General Shali, one of the tenets of command is that a commander must check those things that matter most. Yet no one in the chain of command above the 4404th Provision Wing, including the service component, had raised them with combatant commanders. This is Khobar Towers military complex.

Both of these key commanders should have been aware of the threat and the force protection shortcomings, and should have visited the complex to get a personal view. Can you explain why this was not done?

SHALIKASHVILI: I have discussed the matter with General Peay, the CENTCOM commander, on more than one occasion.

SHALIKASHVILI: He, like I, regrets that he personally did not visit that facility. But he visited many, of his facilities, and this is just one that he did not come to.

These, however, absolutely convinced that not only the 4404th commander visited that facility, but also the component commander and the staffs that were looking into those issues for him. And that a lot of senior people had visited Khobar Towers, and had looked at what General Schwalier was doing.

I was in the vicinity at the air base, and reviewed with General Schwalier what security measures they were taking. I was not at Khobar Towers myself, but I had no indication after getting briefed that anybody on the ground perceived any difficulty in either what they were doing or getting support for what they were doing.

And I spoke with more than just him, but with a large number of people, senior people, who were in and around Khobar Towers and that air base. And I think the same thing probably happened to the CENTCOM commander, that all the reports and indications that you were getting -- he was getting from his subordinate commanders was that that operation was proceeding alright, and that it was -- that security was being strengthened strongly.

I myself concentrated more on the facilities in Riyadh, and so I went to OPM/SANG and I went to Yursmidem (ph) to get detailed briefings and a walk-through on those actions that they were taking to correct that which had not been corrected at the time of the OPM/SANG bombing.

THURMOND: My time has expired. Senator Nunn.

NUNN: Thank you, Mr. Chairman. General Downing, on the question of force protection, you make it very clear in your report and in your oral statement that force protection, in your view, is an operational issue. Is that correct?

DOWNING: That's correct, Senator.

NUNN: And who had operational control in this situation?

DOWNING: The operational control for the Air Forces was maintained by the Ninth Air Force at Shaw Air Force Base, South Carolina.

NUNN: For force protection?

DOWNING: That's correct.

NUNN: So they were located thousands of miles from the scene.

DOWNING: That's correct.

NUNN: In your opinion, who should have been given the operational control, in terms of force protection?

DOWNING: In my opinion, I think the commander JTF, Schwa (ph) -- the joint task force commander, should have been given operational control over those forces and given the resources to execute operational control.

NUNN: Now, in your opinion, did you find that would have made a material difference in what happened? Is that speculation, or what's your...

DOWNING: Well, I think it would have made a material difference. You would have had a commander out there on the scene, who lives it, breathes it, smells it, knows it, is threatened himself. And he would have been in charge.

I'd like to point out to you that there is one component commander forward, and that's NAVCENT. Naval Forces Central Command is in Bahrain. And...

NUNN: It's the...

DOWNING: You have Vice Admiral Tom Fargo, the commander, and I can tell you the difference in the approach of that command to what we saw at the other locations was clear and noticeable.

DOWNING: So, the presence of that commander forward who has operational control with the forces makes a significant difference.

NUNN: So, there's really not the question of whether a component commander per se is given the operational control for force protection. The question is whether that component commander is on the scene and what you're really saying in this case a component commander was not on the scene.

In other cases, giving this operational control over the component commander that is on the scene would meet your standard, is that right?

DOWNING: Senator, not exactly. The joint doctrine that applies Goldwater-Nickles gives the commanders flexibility to structure as they see fit to accomplish the mission.

But I believe the principle is is that joint commander should have operational control of the forces. The services still retain command, less OPCON. This includes the training requirement for the service peculiar forces and also logistics and administration.

So, you do not burden down that warfighter with those type of responsibilities. But you do give him the ability to directly go into that -- to those forces that he has and direct them to do the kind of things that Goldwater-Nickles let us do, which is structure themselves and conduct themselves as he directs in order to accomplish the mission.

NUNN: Did the combatant commander, General Peay, have authority, clear authority to be able to designate any person he chose? Could he have designated the joint task force for this job, or is anything above him that prevented that.

DOWNING: My understanding of the way all this functions is that he had to do that. I would defer, though, to the chairman, because I..

NUNN: General Shali, same question to you on this. But the other question I'd like to ask is is this the way this command arrangement the way other forces are being operated around the globe? What about Bosnia, what about Korea, what about Europe, what about other places?

Was this an aberration in separating force protection so far from the scene or was this standard operating procedure now?

SHALIKASHVILI: Let me first say that Goldwater-Nickles makes it clear that the combatant commander must have the full authority and has the responsibility for all combatant forces in his command.

And clearly, all our regional CINCs have that authority, including, General Peay. Therefore, he has the authority in turn to appoint any commander that he sees fit as that commander who has operational control of the forces and who has force protection responsibility.

And there's nothing above him in either doctrine, directive or innuendo that would have prevented him from doing it. General Peay and the condition with Joint Task Force Southwest Asia is unique in our command arrangements. All other joint task forces are organized essentially along the lines that General Downing states.

NUNN: So, this was unusual and is not what -- the way we operating, for instance, in Bosnia?

SHALIKASHVILI: That's correct, it is not.

NUNN: In Bosnia, the commander on the scene has force protection responsibilities?

SHALIKASHVILI: That's correct.

NUNN: How about in Korea and Europe and other places?

SHALIKASHVILI: That's correct.

NUNN: So, this...

SHALIKASHVILI: In each case, it is different than it was here. Now, when the shootdown of the Blackhawk helicopters occurred, I directed all CINCS in the name of the secretary...

NUNN: That's when -- northern Iraq...

SHALIKASHVILI: That's right, in northern Iraq. I directed all CINCs in the name of the secretary to re-examine their joint task forces to ensure that we were in compliance with doctrine -- published doctrine -- and were structured and equipped to ensure that missions could be carried out.

And that if missions had changed or broadened since the last time the joint task forces were established, that necessary adjustments were made to the joint task forces. In the case of Joint Task Force for Southwest Asia, this was accomplished in great detail. And General Peay's point was that he wanted to remain organized as he was because of the unique nature of his operations compared to other CINCs.

So it is the great geographic separation and the necessity for his command to be able to transition from peace to war very rapidly, because we could never tell at what point Saddam Hussein would begin to move against Iraq again.

NUNN: Or looking...

SHALIKASHVILI: Which is very different than with other task forces that we had.

NUNN: But looking back on it, was General Peay correct or was General Downing correct in his assessment that it should have been on- the-scene commander having responsibility -- operational responsibility -- for force protection? How do you assess it now looking back on it?

SHALIKASHVILI: Because I was not satisfied after we looked at it the first time -- on two separate occasions -- I sent a team from my staff to go back and investigate how joint task force was operating. I did that in 1995 and I did this again in the Spring of '96.

Each time, the teams came back and said that while he's not -- while he has organized himself slightly different than doctrine recommends, he is able and is, in fact, conducting his missions extraordinary well.

NUNN: But in this case, on this particular point, getting away from the general statement, who was correct looking back on it? I know this is retroactively, but who was correct; General Downing in his recommendation that force protection be on the scene or General Peay and his recommendation that because of uniqueness, it would be removed from the scene?

SHALIKASHVILI: It is my belief that General Downing is right. That in light of the force-protection threat that we now -- the threat to force-protection that we now -- have in the region, particularly, that we should give one man forward-deployed, the responsibility and the full authority to handle force protection.

And so, we have directed that Commander Joint Task Force Southwest Asia be given full authority and responsibility for all combatant forces assigned to his command in support of Operation Southern Watch.

SHALIKASHVILI: But that's not the only point that General Downing makes. General Downing also says that all forces, all forces including combatant and non-combatant, should be under a single commander for force protection. To do that will require quite an extensive headquarters and as a balance between increasing our presence over there with another large headquarters or leaving it as we have it now.

That's why in my statement I said we're investigating the feasibility of establishing such a headquarters in Saudi Arabia and the advisability, because there will be potentially a price to pay for it. But if we can, I happen to be of the view, we will be best served if we can have that kind of a robust headquarters forward that could provide force protection for all forces, not just combatant forces, but the non-combatant forces there as well, like OPM/SANG and U.S. MIDIM (PH).

NUNN: So, you've taken action on the combatant forces but you studying the non-combatant?

SHALIKASHVILI: That's right because I have to do something different in an area forward in order to do that.

THURMOND: Senator Warner.

WARNER: Mr. Chairman, and others, I associate myself with all expressions today of sympathy and sorrow for the victims and their families.

General Downing, may I say to you, well done. It's not easy for a military professional to be active retired, to issue a report of this nature. It appears to have been done thoroughly, objectively and fairly. It's a commendation to you personally and those who worked with you.

Mr. Secretary and General Shali, in your forthright statements of accountability today, I hope that that will be followed in a similar fashion by all those who feel accountable subordinate to you, right down the chain so that we know a full and complete story on the issue of accountability.

I'd like to go to the year 1983, I remember so well our distinguished chairman, John Tower, went to Beirut and the area, to the airport to see the bombing of the Marines. I was privileged to accompany him on that trip.

And I refer back now to a New York Times editorial today entitled, "Pentagon Negligence," which I shall put in the record. In the last paragraph, "it should not have taken another truck bombing to get the attention of the Pentagon. More American servicemen, 265 have been killed in three terrorists attacks in the Middle East since 1982 than have died over the same period in combat operations worldwide including Grenada, Panama, Somalia and the Persian Gulf War."

That's an absolutely astounding statistic and I go then to the Long report.

WARNER: I knew Admiral Long very well, worked with him when I was in the Department of Defense.

I'd like to read part of the report issued. The bombing was a terrorist attack, was October 23, 1983. The report was issued 20 December '83.

On page six and seven:

"The Long Commission found that the security measures in effect in the Marine Amphibious Unit Compound were neither commensurate with the increasing level of threat confronting the Marines, nor sufficient to preclude catastrophic losses such as those suffered on the morning of 23 October.

"That the USCINCEUR" -- that was the chop chain up at that time -- "operational chain of command shares in the responsibility for the events of 23 October '83."

Page 130: "The Long Commission basically concluded that the threat was severely underestimated."

Page 132: "Terrorism is a threat to all U.S. forces and all military personnel assigned overseas can expect to encounter terrorism in some form. Consequently, they need some understanding of the terrorist threat and how to combat it."

Page 15: "The commission concluded that the Marines were not trained, organized, staffed or supported to deal effectively with the terrorist threat in Lebanon. The commission further concludes that much needs to be done to prepare U.S. military forces to defend against and counter terrorism."

"Lastly, the commission recommended that the secretary of defense direct the development of doctrine, planning, organization, force structure, education and training necessary to defend against another counterterrorism."

And that last paragraph is what you have done recently and informed the committee today. Am I not correct?

PERRY: That is correct, Senator.

WARNER: Now, my concern is we had the Long report in '83. We had this tragedy here in '96. How do we know that a future secretary five years hence won't sit here and say that the report that was issued by Secretary Perry and General Shali was not followed?

What assurance can you give us that you and your successors will follow the report that you've submitted to this committee?

PERRY: That's a very good question, Senator Warner. I would answer that two ways.

First of all, I am confident that some future secretary of defense will be sitting here and trying to explain why some terrorist attack has succeeded against our force. We will not have a zero defect system. There will be attacks that will succeed against our force no matter what we do.

Having said that, to get to the heart of your question then, the key part of the changes that we are making is to institutionalize them, to build them into the system, build them in the system in such a way that after General Shali and I have passed on to other jobs, they will continue to be carried on.

PERRY: They will be part of the system, part of the institution.

And you should judge the effectiveness of our recommendations not only by how well they fix the problem today or this month or this year, but the extent to which they are becoming institutionalized. That is a very important test of what it is we are doing.

WARNER: Mr. Secretary, can you take such steps to ensure that the posture statements by secretaries of defense, and indeed, chairmen of the joint chiefs, hereafter contain a specific section relative to compliance with these reports?

PERRY: You can be sure of that.

I might say parenthetically that the first guidance that I issued when I became the secretary, for the first time moved readiness up to a first priority, and it had a profound effect on the way the system functioned.

WARNER: Well, it would be...

PERRY: And by the same token, this will have an effect.

WARNER: It will be a part of the responsibility of this committee to address those sections.

My last question is on page 10, Secretary Perry, you state as follows:

"On the whole, I accept General Downing's recommendation."

That qualification seems to me to indicate, to take exception with some sections of the Downing report. Can you so state with specificity what sections of that report which you have a professional...

PERRY: Yes.

WARNER: ... view otherwise or disagreement?

PERRY: I am in agreement with what General Shali has already described to you relative to the report, relative to the recommendation on changing the command structure.

That is to say we accept the recommendation -- have already acted on the recommendation to give the force protection responsibility to the JTF commander. We are reserving whether we should make that same -- the full sweep of the change recommended by General Downing because we also clearly see the downside of moving a large headquarters over there which simply introduces more people to the terrorist threat.

WARNER: Mr. Secretary, I'm going to...

PERRY: Nevertheless, we take that very seriously.

WARNER: ... interrupt you to say if there are other responses to my question, would you put it in the record/

PERRY: Of course.

WARNER: In fairness to my colleagues, I want to have strict adherence to the time.

Senator Exon.

EXON: Mr. Chairman, thank you very much. Welcome, gentlemen.

I want to congratulate both you, Mr. Secretary, and you, General, for your upfront recognition of the responsibilities that you have in this area.

And I thought that your comment to the question asked by my colleague from Virginia was right on point. There are going to be in the future people sitting here answering questions from people like me and we are in a very dangerous world.

Now I know both of you so well and I have seen you with troops. I know that you're hurting as much as anyone right now with regard to searching what you might have done to prevent this.

EXON: The facts of the matter are we have got to be more vigilant than ever. But the facts of the matter are still that these things are going to happen in the future.

With that regard, let me ask you, Mr. Secretary, because I brought it up at one of our earliest meetings after this latest tragedy with regard to dependents.

I happen to feel that if there had been a shortcoming for a long, long time, it is with regard to dependents in areas where we face unusual danger. I believe, since our discussion that you may remember, you have taken action. I read in the press about it. It wasn't given much attention.

But have you significantly changed the number of dependents that were just like the people serving? What have you done about that? And has there been a significant change?

PERRY: Senator Exon, there has been a very significant change and I might say a very painful change, and a change that I made against the advice and even the pleading of some of my commanders in the field, and some of my diplomatic representatives in the field.

Nevertheless, it was a change which I thought was necessary.

Nearly all of the families and all of the school children who were in Saudi Arabia have been moved back to the United States. I can assure you that was a very difficult decision made against -- in the face of quite a bit of contrary advice.

EXON: I could tell that you were under some pressure when I asked you that question as to why it wasn't done.

I congratulate you for doing it. That takes some courage also.

General, I want to add my statements to others to the very...

PERRY: Excuse me, Senator Exon, let me just for a moment to give you the criteria we used for who stayed and who went.

EXON: Yes.

PERRY: The relatively few people whose missions required them on multi-year assignments, we allowed their families to stay with them, but we are changing it so that nearly all of the assignments over there will be one year or less, and those will be unaccompanied tours.

And so that meant that the great majority -- maybe 90 percent -- of the dependents were then sent home.

EXON: Well, I think we have -- I'm glad we're taking a look at that. As a soldier who was away from my family for two straight -- two whole years, I recognize that's a difficult sacrifice. But those are what we expect of our people today and I think now that you have made the suggestion, they will understand, too.

General, let me once again thank you for the good job you've done. I know it hasn't been easy.

Let me ask you this question. In your review of the situation over there, were there any instances where you discovered or were concerned about the protection of our forces there being hobbled in any way by lack of adequate funds or budgeting?

DOWNING: We actually, Senator, found no instances where we were hobbled by lack of funds. There were times when we found that people had the perception that they were hobbled by lack of funds.

But when we went back and actually looked at the requests that had gone in with I think one exception, every request for security type things had been granted.

And, but some people had the perception that these monies were not available.

EXON: But their perceptions were incorrect?

DOWNING: Their perceptions were incorrect.

EXON: This is, I want to digress to a just something else very important right now, Mr. Secretary. It's not directly related to the subject of this hearing. But I think it's timely. As you know the New York Times carried a story yesterday based on declassified information from the 1950s indicating that the Eisenhower administration knew that North Korea had failed to turn over some 900 American prisoners of war.

Do you have any comment on that, or have you had a chance to take a look at it?

PERRY: General Shali, do you know anything about that?

SHALIKASHVILI: No, I do not other than that article.

PERRY: All I can say is we have been investigating for years whether there might be any living Americans, POWs in North Korea. We have no evidence to support that.

We know that there have been deserters, American deserters from the Korean War who went to North Korea and some of them whom are still alive. But in spite of years of investigation over many administrations and many secretaries of defense and chairmen we have found no evidence of living American POWs in North America and North Korea.

EXON: Thank you, Mr. Secretary. Mr. Chairman, my time is up.

THURMOND: Senator Cohen.

COHEN: Thank you very much, Mr. Chairman. Mr. Secretary, and General Shali and General Downing. Comparisons are said to be odious most of the time. But we have learned that sometimes they're also quite relevant.

As Senator Warner has indicated the Long Commission report provided some comparison for where we were then and where we are today. I was thinking of another example or comparison. We are currently still trying to determine whether or not a TWA flight leaving Kennedy Airport was destroyed by a bomb a missile or some sort of mechanical failure.

But I want to go back to 1974. There was another TWA flight that left Tel Aviv on its way to JFK with stopovers in Athens and Rome. And the flight left Israel, landed in Athens and then left Athens on its way to Rome. And about 18 minutes after taking off from Athens it exploded in mid-air, killing some 79 passengers, another 9 crew members.

And the National Transportation Safety Board conducted an investigation, came to the conclusion that, in fact, it was a bomb that had caused the -- probably had caused the explosion -- had recommended that expeditious development of explosive detection equipment be developed and deployed as quickly as possible.

COHEN: That was in 1974. Twenty-two years later, we still have not deployed bomb detection equipment.

It seems to me it's relevant in the sense that we created, this committee was very instrumental in creating a Special Operations Command, SOLIC, as far as also creating in the Department of Defense a Special Operations Low Intensity Conflict Department, assistant secretary for it.

It came, I might say, over the objections of the Pentagon at the time. There was strong objection coming from the Pentagon to the creation of such a special command or giving that command the kind of authority that we felt was necessary. And ultimately we prevailed.

There was strong opposition to Goldwater-Nickles. Ultimately we prevailed in that regard and we either call it macromanagement or micromanagement, but nonetheless

Congress played an important role in that. And it seemed that it's difficult to overcome institutional opposition in key areas of our operations.

I mention that because one of the key components for creating the Special Operations Command was the new emerging threat. We had gone from the Cold War threat to what we were told at that time, the new threat is going to be terrorism, global terrorism heading our way, either at our bases abroad or here even domestically at home.

And so we have heard report after report that the new threat, emerging threat is terrorism, and so I'm somewhat surprised and -- not surprised, perhaps, Mr. Secretary, but you used the word we have to radically rethink force protection. And I guess the question that comes to mind is why do we have to radically rethink force protection since we have known that radical terrorist action has been the way of the, not only the future, but the present and even in the past? And only now we are starting to radically rethink how we go about protecting our forces.

And the question comes to my mind at least is, is there some sort of institutional opposition to this that remains? Is there some reason why there was not a more aggressive mindset at least that force protection is as important as force projection, particularly in an area that is the hotbed of terrorism?

We talk about terrorism, what are we talking about? We're talking about the Middle East. We're talking about Iran and Iraq and Libya, et cetera. So why does it come of any kind of a surprise that we are seeing the results of a terrorist action directed toward U.S. forces?

Mr. Secretary, you indicated this was a hundred times more powerful, I think, than the bomb that exploded in November. I believe, General Downing, you indicated that it was much smaller, a 280 pound bomb also would have inflicted a great deal of damage. And I don't think we want to get into the whole question of whether it's 280 pounds or 5000 pounds or 2000 pounds.

COHEN: But I have at least a problem in terms of whether there's an institutional opposition to this kind of protective measure being taken.

Initially, I would point out, some of the press reports, American press reports indicated that according to the Pentagon, it was the Saudi government that was in opposition to a request for expanded perimeters. General Downing, you've indicated in your report there was no such -- you could find no such request having been made.

And so I guess, Mr. Secretary, the question I would ask is, has there been any attempt to track down where these reports came from? Has it caused problems with the Saudi government, first pointing the finger at them, saying they're the ones who didn't give us the permission to expand, when in fact it appears that we didn't make the request in the first instance?

PERRY: I think General Downing's report is the most authoritative description we have of that. The reconciliation between the two accounts is that there was a request made. It was made informally, not in writing, at relatively low levels, and made of civil authorities in Saudi, not military authorities. So everybody who was stating, yes it is, or no it didn't, were telling the truth from their own point of view.

COHEN: Mr. Secretary, we're going to go into closed session at the conclusion of the open session, and I'll just talk in general terms perhaps about intelligence matters.

The question I would have -- and we'll talk about the numbers of threats that were received -- but was there any overall, either you, General Downing, or Secretary Perry, or General Shali, was there any overall assessment as to whether these threats that were made toward the United States forces there or observations that caused people to suspect that something might be up in nature of a threatening movement, of spying on the facility, cars driving up, taking notes, et cetera? Were any of the threat assessments of such compelling evidence that would warrant reaction to that, either individually or collectively?

In other words, were there simply loose strands of information coming in that were not collated or collected or disseminated? What has happened, what did in fact happen with the threats that were passed along so that there could be a reaction on the part of the commanders?

PERRY: The threat assessment for the entire Saudi Arabia area was high, that is the message to the field was that this is a high threat area. Specifically, it was known that it was high at Khobar Towers because of some specific suspicious incident that occurred there. Certainly they were known to the commander because they were reported to us by the commander.

COHEN: I guess what I'm asking is, was there a point, was there a critical mass of information that developed? If you could take one incident -- a car drives by, they use binoculars to start surveiling the facility -- that might not be sufficient to warrant any kind of large reaction on our parts, security measures. But then you have a second and a third and a fourth and a fifth and a sixth.

Is there some critical mass at some point in time where you believe we should have reacted more quickly and didn't take action, General Downing, looking at it in hindsight?

DOWNING: The assessment that we did discovered that of course after OPM/SANG, you know, everyone -- that was the wake up call. There was a lot of different information out there and a lot of different levels. A lot of it had threads, a lot of it did not.

There were several surge periods when all of a sudden attention was focused. We got reports, a string of reports, different kinds of reports about large amounts of explosives being smuggled into the kingdom, and we're talking about tons. We're not talking about pounds, we're talking about tons.

A Saudi citizen was arrested on the Kuwait border with about 75, 80 pounds of high grade military explosives, professionally secreted in his car. Everything got hot then the hajj period came, the Islamic pilgrimage period in April and May, and this was another place where in the past they have had some very serious incidents at the holy places. And so, the entire kingdom was on a very, very high alert, to include the U.S. forces.

After that was over in May, things started to ease and then with very short notice we got the report, notified by the Saudi government that they were going to behead the four people involved in the Riyadh bombing. Immediately, everyone because of the threats that had been coming out of the dissident groups in London and in other places, said if this happens we're going to attack and attack the U.S. forces. Immediately, everybody went on another very, very heightened alert period. And we were just starting to come off that period on the 25 of June when the event took place.

So, what we didn't have though was the point I made in my opening statement. We did not have that tactical intelligence that says there is going to be a bomb at Khobar Towers on

this night. But what we did know was there was a lot of information out there and we had three soft targets identified on the peninsula and Khobar Towers was one of them.

COHEN: Thank you, my time is up,

WARNER: Thank you very much, Senator Cohen.

Senator Glenn.

WARNER: In the order of arrival, the clerk indicates that you were there, Senator.

GLENN: OK, thank you.

I think we have a tendency, Gentlemen, that we want to find somebody that's going to be a scapegoat for some of this. And that's not -- I don't think that's the way to be going. We're not going to have 100 percent security anywhere we go in the world unless we hunker down some place and just don't do anything, don't perform our mission while we're there. We're going to be vulnerable to some extent, I believe.

This time it happened to be an apartment building. We got a lot of people killed and we regret that as much as anybody has ever regretted anything. But if it's not apartment buildings, one of these days we'll have buses blowing up with Americans on it; cars targeted with Americans in it, individuals shot as going clear back to '46 in China. They were going to shoot a Marine a day until we got out of China. Well, we stayed there but they carried it out.

The first couple of days there was a Marine shot each day. This stuff is not just at buildings, it's not just big bombs, it's not just fertilizer bombs or whatever else they can put together.

GLENN: And to me, it's not just bombs, because they could use mortars, they can use gas, they can use biological warfare one of these days. What if the berm had been out there 200 yards away, and we dump some canisters of anthrax or something over the thing and let them drift into the site in there? How many people would have been killed from that? I don't know.

We tend to just go for the -- whatever the last emergency was. One of these days we'll have some Stingers fired at airplanes over there. We'll shoot down some transport planes probably with Stingers on them. How are we going to protect against that kind of stuff?

Now I don't really know the answer. And neither does anyone else, of course, on all this kind of stuff, but I know we -- I know that you're giving new authorities and policies and directions and supposedly, and we say, oh yes, that's very good, but I don't know how the policies relate to, say, fertilizer bombs, and -- or how they relate to mortars or gas or biological.

How does -- if you're a commander out there, you just have to take your best judgment of the moment and hopefully you have the funds and the detection and best technology. And I come back, Mr. Secretary, and on page 15 of your statement, you say that you on August 23, I requested additional funding for fiscal '96 and '97 force protection anti-terrorism requirements in Saudi Arabia and around the world.

How much was the request, who was it made to, does this committee need to take a more immediate action on that before we're out of session one of these days? Or where

does that stand? Because to me, it isn't -- we can put forth all the directives in the world, but unless those people out there that are on the firing line in effect have the equipment and have the intelligence -- and that's their key element.

Senator Cohen mentioned a moment ago, if we don't have the best intelligence in the world, trying to find out who's doing this stuff, I think we're going to continue to see it at some level, whether it's buses or individuals or cars, or whatever it is, or Stingers. What's the status of your request for additional funds so we can really, honestly, do some of this stuff?

PERRY: Two comments, Senator Glenn. First of all, thank you for your support on providing those additional funds. I do not need the help of the Senate at this time, because I have the authority under the feed and forage act to take immediate actions that are necessary for force protection, and that is what I have done.

But that act requires me to come to the Senate in due time and request supplemental appropriations. There's no need to do that between -- in this term.

GLENN: The reason I brought that up, I just read the last sentence. The sentence before that on page 15 says, for example, on August 9, after the Khobar Towers attack, Deputy Secretary White invoked the food and forage authority to pay for moving our forces in Saudi Arabia and improving security."

And then the next sentence, which I read to you. What kind of operation is this? We've got to go back to get money to move people out, we've got to go to feed and forage? Is that a normal -- that's not a normal source of funding for moving troops around, is it?

PERRY: It will become a normal source of funding because, in due time, under that act, we have to come to the Congress and get authority to do that and get -- we'd have to come for supplemental appropriation...

GLENN: Yes.

PERRY: ... or reprogramming. And we will do that. We just felt it was not necessary to do it this month, when you have some many other things on your plate.

GLENN: The Saudis were supposedly responsible for security outside the fence; the commander of the 4404th was for security inside the fence. All this depends a lot, though, on intelligence. And, General Downing, did you look into the intelligence setup over there?

Is it adequate -- I know it's never adequate, because we'd always like more information on what our potential adversaries are going to do. But where do we stand with that, and are we improving that situation?

DOWNING: Senator, the intelligence was sufficient to provide warning in certainly. The intelligence apparatus that the commander of the 4404th Wing had under his control was oriented almost primarily on flying air operations into the box in southern Iraq. And you got to remember, that's what those forces were there for.

They're going over there to defend their perimeter. That became an inherent part of it. But when they went over there, there was no terrorist threat. So their orientation has always been on flying those air operations. The terrorist threat then came up.

There was not any kind of an adjustment. He still have the right kind of intel apparatus to do his air mission, but what he didn't have was the kind of dedicated support and analysis that he needed to help him with that ground threat, with that terrorist threat.

And so he was forced to get this in an ad hoc manner, from a variety of different sources. He only had a handful of people, and they weren't oriented towards a ground threat, so he's got people telling him stuff direct. He's got people coming from other places in the intelligence agency, telling him the kind of things that he needed to know.

But he did not have the apparatus that he needed to really do this, as he would have, say, in an Army brigade, or a Marine Corps regiment, where you've got those things organic to those formations, and they are oriented towards ground-type threats.

GLENN: I wonder how much more time I have here. But I would just like -- how are we doing with -- in regard to technology and sensors and protectors and that sort of thing? Are we going to have enough money to get the best out there so we get the best protection for all of our troops?

PERRY: We have -- I don't have any concerns about providing funding for R&D programs that are promising. And there are a good many of those. But some of the things you would most like to be able to do, like a really reliable, low-cost, hand-held bomb sniffer, is a pretty damn tough problem.

We know it can be done, because dogs do it. We have not yet figured out how to reproduce it in a machine what it is that the dog -- in a practical machine -- what it is that the dogs do.

But to the extent we can identify promising approaches to this, we can make the funds available...

GLENN: Just one other thing, if we're getting into chemicals and things like that, General, do all of our troops out there have -- and are they fully trained with regard to gas and chemical warfare? And do they have that with them all the time in case there's an attack like that?

SHALIKASHVILI: I think that we certainly need to look at whether units that are not routinely combat units that in fact have good protection.

SHALIKASHVILI: But, the administrative units and others that are forward deployed now in this environment, whether they also have the adequate training, the various sensors that they need to have and so. So, I would tell you probably the picture right now is spotty on that and we need to fix that.

I feel fairly comfortable about the ground and other combat units that are more attuned to operating in that environment and training in that environment. I'm not so sanguine at all about the support units that now, also, find themselves on the front line because the front line is where ever they are now.

GLENN: Wherever they are. My time's up. Thank you, gentlemen.

(UNKNOWN): Senator McCain.

MCCAIN: General Shalikashvili, we haven't got much time left in the session here before we go out into the election season. I'd like to ask a questions on unrelated topic that's important to, certainly, the people of my state and I think most Americans.

In December will we have completed our mission in Bosnia?

SHALIKASHVILI: I believe, sir, that in December we will have completed the military tasks that are outlined in the Dayton agreement. And it has been my recommendation all along that at that time we bring our soldiers back from IFOR.

What is now being discussed is the issue whether NATO would feel that there is a follow-on military mission different than the one now for which a different military force should be put together and sent over there. I don't know the answer to that.

I am fairly certain that the United States will participate in that debate. But, I don't know how this will come out. All I can tell you is what I've recommended all along that IFOR constituted as it is, with the missions it has, I believe can terminate and should terminate in December.

MCCAIN: Well in all due respect, General, when we had a hearing last December and many of us alleged that an exit strategy was not a date-certain -- when you and Secretary Perry said that the troops would be coming home after 12 months -- there was no one who was left with the impression that there would be some kind of residual force.

Now, that's what unfortunate about this whole scenario because you and Secretary Perry -- and I certainly want Secretary Perry to respond if he wants to -- gave the clear impression that our mission -- our mission -- in most American's view when the mission is done the troops come home and no further troops are required. That we would have no more obligations in Bosnia.

Now, that's clearly not the case. We all know that after the election that the president of the United States -- upon your recommendation -- will come forward and say that we have to have another force in the region because the Europeans have already stated clearly, and unequivocally that they can't or won't do it themselves.

Now, that stands in direct contrast to your comments on December 6, 1995 -- quote -- "There's no doubt that by the time we leave in 12 months are mission will be completed."

MCCAIN: Quote -- "Twelve months is the right time set to bring the forces home."

To bring the forces home, not "but, we may have to leave forces there." To bring the forces home -- you didn't say IFOR -- "the forces."

And what disturbs me is this lack of candor with the Congress -- which by the way has characterized the whole lack of consultation over the situation in the Persian Gulf -- leads to skepticism, and then mistrust.

Secretary Perry said on December 6, I was the one that recommended to the president that this be a 12-month mission. I cannot conceive how the military tasks that have been given to us could possibly take longer than 12 months -- quote -- "I firmly believe that in approximately 12 months, this force can withdraw."

There was not mention in response to repeated questioning at that hearing, well we may have to have another force there for an indefinite period of time.

So, I have to tell you, perhaps I and other members of this committee were not very comprehending of what you said. But, when reading the English language, we were under the impression, despite our protestations to the contrary -- at least some of us -- that you couldn't set an exit date and call that a strategy that we are clearly not going to have our -- quote -- "forces home."

You may change the name. You may change them to some other alphabet soup name. But, the fact is that they're going to be there, and it's going to be very disappointing.

And I have to tell you, when you come back here for additional authorization and appropriations -- because there will be several more billion dollars probably at risk -- there will be a much larger level of skepticism as to whatever commitments you make at the time. I would be glad to hear the response of either you or Secretary Perry.

SHALIKASHVILI: When we were discussing IFOR prior to its deployment in December, it was my clear understanding that we were deploying that force to execute the missions very narrowly prescribed in the Dayton agreement. And people were questioning whether the military tasks outlined in the Dayton agreement could, in fact, be completed in one year.

Although I don't remember my exact words, I do believe that I repeatedly stated that I thought the military tasks outlined in the Dayton agreement could be completed in less than a year, but that we ought to stay through the elections -- and for good measure a year to make sure that everything was done. And that at the end of that, that mission and that force that had that mission could be brought home.

I'm still of that view.

MCCAIN: But at no time, General, did you or Secretary Perry in any way intimate that there would be additional requirement for American forces -- many of them the same people, maybe, under a different name -- to remain there in harm's way in Bosnia.

Now, I can tell you that that is what we were concerned about. And unfortunately I think it's very clear that's not going to happen. And it's very clear in January, you're going to be back here and we're going to be talking about some force that must remain there because the Europeans failed to do their job, even though those same Europeans failed to support us in the Persian Gulf. And to say that, by the way that, well, I won't go into that.

MCCAIN: I ask, Mr. Secretary, in retrospect, did we do every thing that we could as far as the inspection of facilities in Saudi Arabia that would have helped us either preclude or make better preparations for the attack on Khobar Towers?

PERRY: In my opinion, Senator McCain, there were quite adequate inspections. We had two different inspection teams that were there. They wrote extensive surveys, and made extensive recommendations.

It was also true that nearly all of those recommendations had been implemented by the time of the bombing. It is also clear that those recommendations did not go far enough given the threats we actually had.

MCCAIN: Thank you very much, Mr. Secretary. My time's expired.

COHEN: Before calling on Senator Lieberman, would you care to comment, Secretary Perry in response to what Senator McCain has indicated about the troop withdrawal and deployment?

PERRY: Yes, I would.

First of all, on the question of completion of the IFOR mission, I associate myself almost word-for-word with what General Shali said. And I think any reading of the full testimony we gave there would say that the 12-month mission we were talking about was the mission to complete the Dayton -- the military tasks in the Dayton agreement.

That is being done on schedule, and will be completed by the end of the year. If I had any questions about that, it was whether there might be some major altercation occur at the elections. We're now past the elections, so I have some confidence in saying now that that mission will be completed by the end of the year.

The second point I would make is that I do not accept the presumption that Senator McCain makes that we are going back with a second mission in January.

That is an issue which will be discussed and debated, seriously beginning at the NATO defense ministers meeting next week. The outcome of that discussion is not at all clear. And I have neither a open or covert conclusion on that question, and I wanted to see what the -- how the analysis goes, what the facts on the ground are.

I think that sending an American unit back in there next year will pose a very substantial problem, not the least for which the reasons given by Senator McCain.

COHEN: Thank you, Mr. Secretary. Senator Lieberman?

LIEBERMAN: Thank you, Senator Cohen. Secretary Perry and General Shali, it has been an honor for me to get to know you in my time on this committee when you've been in your positions of leadership. And I think you know that I have the greatest respect for you.

And I think I have some sense of you as human beings beyond the titles, and I'm sure that this experience at Khobar Towers was one of the most painful, if not the most painful moment in your time of leadership.

LIEBERMAN: I appreciate and admire what I would call the sense of responsibility and courage that you demonstrated in appointing General Downing and giving him a charter to go ahead without limit to do the investigation he has done. I must say that I find his conclusions to be deeply troubling. And of course, ultimately heart breaking because the result of this episode was the death of 19 American servicemen.

General Downing, you have said in your statement, and I quote. "In a far-reaching charter, the secretary of defense directed me to assess the extent to which the casualties and damage sustained were the result of inadequate security policies, infrastructures or systems."

My conclusion, having read your very thorough and thoughtful and I think balanced report, is that you conclude that to some significant degree the casualties and damage sustained were the result of inadequate security policies, infrastructures or systems. Am I correct?

DOWNING: That's correct, Senator.

LIEBERMAN: Secretary Perry, you have -- I mean -- I'm sad to say that I read General Downing's report as a finding of a kind of negligence in various ways. And again, acknowledging that hindsight is always clearer than foresight and that we will never be able to do enough to protect -- as Senator Glenn has said, against every possible terrorist's action. It does seem to me, in the way you said it in response to an earlier question, a lot was done but not enough was done.

I want you to just, if you would, set out what the -- and let me step back and say -- in other words, someone is to blame here, for these inadequacies that General Downing has found. And I just for the information of the committee and the families of those who died and the American people, if you would indicate for the record what is the process of military justice that would be -- is convened in this case?

Obviously, I'm not expecting any comments or references to any particular individuals but what is the process that you set in place here now?

PERRY: I have requested the secretary of the Air Force to conduct a full investigation and recommend and take the necessary disciplinary actions. The Air Force has convened an authority to do that.

PERRY: That's under way, and they will have their findings completed by the 4th of December. If there is any culpability that requires disciplinary action, there will then be the appropriate disciplinary action to any Air Force personnel under their authority.

And if they -- in their findings, they believe that any other person outside the Air Force at any level is culpable, they should recommend and pass that on to me for further action.

LIEBERMAN: Thank you, and we'll obviously await with some interest the results of that proceeding.

General Downing, let me ask you a very different kind of question. At the time -- in the days and weeks after the explosion at Khobar Towers, there were suggestions, particularly in the media, that the Saudis -- the Saudi government or Saudi personnel had blocked attempts to improve security at Khobar Towers.

I read your report to say that those accusations were not fair. Is that correct?

DOWNING: That's correct, Senator. They were -- we did not find those to be founded.

LIEBERMAN: So that in the sense that you did not find that American personnel there had made requests of the Saudi government for increases in, for instance, the perimeter around Khobar that were rejected by the Saudis?

DOWNING: We found that they -- that they did ask to move the fence. They asked at a lower level, but they only asked to move it 10 or 15 feet. It did not have anything to do with stand-off distance from blast. It was -- they asked to move it for observation purposes.

They asked for increased security, and they got increased security. They saw the increase in Saudi patrols in the parking lot. So -- and then this was done at the staff level and at the lieutenant colonel and colonel level.

But we did not find any serious misgivings that our forces had in Dhahran about Saudi security ever raised to them at the senior level, at the counterpart level out there in the eastern province.

LIEBERMAN: I appreciate that statement because in fairness to our allies in Saudi Arabia, I think they were getting criticized for shortcomings or blocking attempts by us to improve security.

And a number of my colleagues on the committee have raised this very important question that you've raised, General, about the extent to which the command of this joint task force was not unified and some sections of it -- service sections -- were actually reporting back or were under the command of people 7,000 miles away.

The reference points that have been made on the committee are to Beirut. But as you say in your report, you could also go back to the tragic shootdown of the two U.S. Army helicopters by U.S. Air Force F-15s in April of '94 in which the joint task force headquarters -- well, in which the question was raised by the Joint Task Force Provide Comfort about the extent to which the lack of unified command may have contributed to that tragedy.

LIEBERMAN: Secretary Perry and General Shali have indicated today that in this case, which was described as somewhat unique because of this particular joint task force, they have now unified under the commander there matters of force protection, but not as I believe you recommended in your report, overall operations of the joint task force.

Secretary Perry began to explain why. I wonder if you could make for us the argument that you -- why you believe all operations should be unified there under the joint task force commander?

DOWNING: Senator, basically, I think the man forward -- in the forward location that's physically living there, sleeping, eating, being subjected to the same threat as everyone else, I just think he has a better intrinsic feel, inherent feel, for what's going on and will do those kind of things that have to be done to protect the force.

Certainly, the commanders of Air Force Central Command and Army Central Command are magnificent officers. I mean, they're first class -- both of them.

But the fact is they are 7,000 miles away. They can't get there all the time. They can't live there all the time. And I think Goldwater-Nickles gave us the authority to do the kind of command arrangements that need to be done.

And of course, the chairman has told us that -- you know, he's taken this thing in steps. He's transferred the operational control for force protection out there to the JTF. But the component commands still retain operational control of all the other elements but he's told us that he's looking -- he's directing Central Command to look at that, and see if we should not put some kind of a headquarters out there -- a resource to take on the full operational control mission.

LIEBERMAN: Which is what you would recommend.

DOWNEY: That is what I would recommend, yes, sir.

LIEBERMAN: Thank you, General. Thank you, Mr. Chairman.

THURMOND: Senator Hutchison.

HUTCHISON: Thank you, Mr. Chairman.

I want to say, first of all, how much I respect this report, and I respect the fact that you, Mr. Secretary, were willing to say to General Downing clearly, you have your head and I want the truth and he did a straightforward report. That was very tough and I appreciate it.

And I have to say that, in the last two reports from the Department of Defense, this one plus the Air Force investigation of Secretary Ron Brown's plane going down -- that, too, was very straightforward, pulled no punches, and I respect that.

Having said that, I have to say the report is devastating.

When I think of the loss of life for what I would hope would be something that is avoidable, it is devastating.

I want to focus on one thing because I hope that there has been a change since this report has come, and I'm going to quote from the testimony of you, Secretary Perry, and General Peay in the investigation -- the first one that we had after this bombing.

HUTCHISON: Senator Levin had asked the question regarding the mid-level colonel who had evidence that perhaps we had a problem and should move the perimeter out. General Peay said, "Should the fence have been out further? Yes. Were they working on it? I think they probably were. Should they have kicked it upstairs? I don't know. I just don't know."

Senator Levin says, "What is clear is that they did not kick it upstairs. That is what we have heard from each of the three of you this morning."

Senator Lieberman came in and made a valiant effort at asking General Peay if perhaps he would reconsider. "General Peay, your comment about whether that officer on the ground who had the conversation with his Saudi counterpart about extending the perimeter to the 400 feet should have kicked it upstairs, it seems to me, and your statement -- you're not really sure. I think we've got to create a record here that sends an unmistakable message in spite of all that is going on in a theater like this that security, force protection is so important that once we have designated the security level, the threat level as high, that any question as fundamental as this one of extending the perimeter has to be kicked up almost immediately.

"It's as if there was a bomb ticking here and we could have done something, and we had one bright officer on the ground who understood that he could have done something to limit any casualties here and it was not done.

"I want to ask you," -- to General Peay -- "if you would reconsider that question, reconsider your statement about whether, in fact, that officer should have kicked this upstairs."

General Peay: "Sir, that is a great question. You are into the guts of what we call the art of command. I think we have to have latitude and judgment at every level -- platoon leader, company commander, battalion commander -- all the way up the chain of command. I do not think we can necessarily legislate that it should be kicked up.

"I guess I'm trying, sir, to point out that this is a competent chain of command that encourages openness. I don't think if I had legislated kick-up an argument at the province level that I think I could come up with another 50. I think we have to teach our youngsters to make those value judgments.

"Senator Lieberman, I regret that and say respectfully, I think that is exactly the wrong message to send."

Senator Lieberman then gave you, Secretary Perry, a chance to make another point with regard to General Peay's point, and you supported General Peay, and Senator Lieberman said, respectfully, that he did not understand.

I came in as a third member of this committee and said to General Peay, "Would you reconsider that statement?"

I'm asking you today if now that we have this report, if we now have force protection at a level of priority that if this conversation took place today at this colonel level with his Saudi counterpart, do you now have the chain of command and the instructions that he would kick it upstairs immediately?

PERRY: Yes.

HUTCHISON: Thank you.

Thank you, Mr. Chairman.

THURMOND: Senator Robb.

ROBB: Thank you, Mr. Chairman. Secretary Perry, General Shalikashvili, General Downing, thank you very much for your extended appearance here today.

I know that both the consideration of this matter in preparation for this hearing and others take a great deal of your time, and it's certainly very important, and I share the respect that all of my colleagues have indicated to you for what you've done.

I must say that I am troubled by an aspect of our hindsight that seems to be so clear with respect to assignment of blame. And in this, I probably differ with many of my colleagues -- not that we should not, indeed, hold those who make mistakes in judgment or make other mistakes accountable, and indeed, Mr. Secretary and General Shalikashvili, I very much appreciate your acceptance of responsibility and accountability in this process.

I think that's extremely important.

But I'm a little bit concerned about the assignment of blame, if we want to call it that -- it's been used -- to someone other than the -- those who carried out this terrorist act and/or ordered this terrorist act to take place. And I hope that we won't come to the conclusion in the necessary follow-up, General Downing, to your report, that we have to find specific people to blame, or scapegoats if, indeed, they are not culpable under the circumstances.

And I'm not yet convinced that there is a long list of those who are truly culpable and could meet the 20-20 hindsight test. And in this regard, I have just a couple of questions.

One, General Downing, with respect to the criteria that are both explicit and implicit that you applied to this particular situation in terms of providing a very candid and tough report to the secretary of defense and to the chairman of the joint chiefs. Are there other units either in this immediate theater in CENTCOM or deployed elsewhere around the world that could or would either meet or fail the same criteria?

In other words, are we post-tragedy applying criteria that other units might equally fail to meet if we applied the criteria in the strict sense that all of us can now sit around with 20-20 hindsight and say, "This was the critical factor that was overlooked," or ignored, whatever the case may be?

DOWNING: I would say, Senator, that probably that is true. There probably are others that would fail those criteria.

We visited not only Khobar Towers, but we visited 35 other sites in the region.

DOWNING: And the secretary directed me, asked me to concentrate my initial efforts on Saudi Arabia. I spent 11 days in Saudi Arabia at the bases there.

I then went to the other bases, high-profile bases in Kuwait, Bahrain, Qatar, United Arab Emirates, and then, because we have such a large concentration of American service people, I went to Egypt.

And we did find a string of deficiencies in these places. I've got to also tell you we found some things being done extremely well, and this was not a gotcha drill. This was a drill where we went in and looked at them as quickly as we could...

ROBB: I was not implying that motive, for your information, General Downing.

DOWNING: Yes. No, I understand that, Senator. But the spirit that we took this in was that I sat down with each commander after we had visited his base and went down with a list of things that we had found that we thought he could take an action on right away.

And then if there were some things with some lead time that he could get things, actions started to get these things going.

Secretary Perry told me when I left on this thing that if I had any problems, if I found anything very glaring, to pick up the phone and call him -- call him direct. Because we were not going to wait six months -- or six weeks or eight weeks for this report to come out and have...

ROBB: General Downing, that aspect of what happened is something that I think all of us applaud -- the fact that it was thorough and without restrictions or reservations on what you could do under the circumstances.

My concern goes to whether or not other bases, other commanders at any level would necessarily be able to meet the same criteria that...

DOWNING: There were...

ROBB: ... are implicit in this particular examination and whether that will be true in the future.

Let me ask one other question with respect to other types of activity, particularly, nonfixed bases or assets for moving assets, targets that are not in a tactical movement mode, i.e., not a rough-rider or something that may be moving as though in a combat situation or expecting imminent combat between two points.

Could the same kinds of criteria subject some subsequent commander to the same difficulty that anyone in the chain of command this time may face with respect to the movement, say, the administrative movement by service personnel between logistics facilities and forward-deployed units at any place within this theater of operations?

DOWNING: We just didn't look at stand-off bombs. We looked at everything. We looked at movement. We looked at stand-off attacks, snipers, ambushes, assassinations, surface-to-air missiles. We did not restrict ourself to stand-off bomb attacks.

We took whatever a terrorist was capable of doing, and of course, you've also got to take a very good look at what the local threat is. What are you against?

Not every terrorist group is the same.

ROBB: Oh, absolutely, which is implicit.

DOWNING: So we had to take a look at what they had, what we thought they had, what their capabilities were. And so we applied this against a wide range of threats, not just bombs.

ROBB: Have all of the units that are deployed, particularly within this very sensitive area of operations, been apprised of any of the shortcomings that may have been found in the course of your deliberations?

DOWNING: (OFF-MIKE) refer that to General Shali or the secretary.

SHALIKASHVILI: We certainly have made the report and all of the findings available to Central Command and to all the other unified commanders. I think they probably have not yet had a chance to digest it, put it into a form that needs to go out to all the commands, but they do all have the unvarnished, total report.

ROBB: I would only point out that obviously any time in implementation between the time that they're apprised of some shortcoming and the possibility of intervention by some force that didn't have our best interests at heart could place us in a similar situation.

And again we have to, it seems to me, apply the standard of reasonableness under the circumstances, and ultimately, because we would be just as tough on you from the other side, come back and apply some cost/benefit in the largest term.

There's only so much that you can do without depriving your forces that are deployed of the ability to perform all our other missions, and that's the kind of trade-off that Secretary Perry certainly made reference to in his statement, and we appreciate it.

One last single question, with a single response. Is there any reason to believe that the Saudis today are not cooperating fully with respect to every request that has been made as far as the security of any of our deployed forces are concerned?

PERRY: I went there and six weeks ago laid some very heavy requests on them which involved the movement of all of these forces, very difficult and very expensive for them to implement. They agreed to all of them, and I've gotten nothing but first rate cooperation.

Senator Robb, let me make one other point relative to the first issue you were making about the people in this joint task force. We are looking at a very pointed microscope right now at one incident, which was this bombing at Khobar Towers.

I would point out to you, that joint task force has conducted 120,000 sorties since they've been in operation. They have been engaged by surface to air missiles. They have engaged back and fired at them. They've been fired on six times by surface to air missiles. These 120,000 sorties have been conducted flawlessly, there's not been a single loss of life in any of that activity.

So we're looking at a first class operation and we are judging the people who are conducting that. We must keep that front and center.

ROBB: Thank you, Mr. Secretary. That's a point I've attempted to make in other venues and will continue to make that we ought to be very proud of the forces and what they're doing there.

Mr. Chairman, that completes my time and I thank you.

THURMOND: Senator Coats.

COATS: Thank you, Mr. Chairman.

General Downing, you indicated that in your investigation you had the full cooperation of all federal agencies in this investigation.

COATS: Were you able to assess whether or not full cooperation between federal agencies involved in our efforts in Saudi Arabia was taking place before the incident?

Was there any indication that there was lack of cooperation or sharing of information?

DOWNING: No, Senator Coats. I got no indication of that.

COATS: Secretary Perry, were you aware -- or General Shali, were you aware -- of any breakdown in communication between say, various federal departments, Department of State, Department of Defense, relative to terrorism and terrorist activities responses, that the military might make, versus what the State Department might recommend?

In other words, were there, were there any instances where the Department of State suggested that response different relative to force protection than what you desired to carry out?

SHALIKASHVILI: I know that we had different procedures between State and Department of Defense when declaring threat conditions and I guess threat conditions. And that as a result of the OPM/SANG bombing in the investigation that followed it, that came to the surface in order to correct that.

But I do not know of an incident where in the execution, there was a disagreement that caused any particular problem. General Downing might have found something, but none of those were brought to my attention.

What was brought to my attention only was after the OPM/SANG bombing that they are two different procedures and we ought to get all on the same sheet of music.

General Downing, would you like to comment on that?

DOWNING: Right, Senator. There was some of that. I didn't interpret your question as getting into that. There is a scene between DOS, between Department of State and the Defense Department on how we evaluate threats, and threat conditions.

It's just two agencies, two government agencies coming at it from different ways. One of our recommendations in the report is that we, that we resolve that. And that is something that the Defense Department is taking on.

They are trying to do that. Another one, a very significant, provision was that who's responsibility for the force -- for the DOD forces out there - and Secretary Perry -- and he states this in his letter has worked this out with the State Department as to how that division is going to be done.

So, the Department -- both Departments are addressing these two questions.

COATS: There's two questions here. One is threat assessment. And you've indicated there is a seem. But the other is response, threat response. And there have been some reports, there were some reports that it's at least in some instances threat response, there's a difference of opinion between the two departments as to what the threat response ought to be.

DOWNING: I can't, I really...

COATS: Did your...

DOWNING: ... didn't see that. I saw some very, very concerned people out there, especially in the Kingdom of Saudi Arabia. In fact, on all the country teams tremendous cooperation, very, very professional people.

DOWNING: And what I found when I was out there in all these countries that I've listed was a -- probably as good a cooperation as I have ever seen. So I'm not aware of any but I'll defer to these other two gentlemen.

PERRY: I will -- there was one area of difference in judgment, Senator Coats. My judgment was that we had to bring nearly all of our dependents out of Saudi Arabia. The State Department's judgment was that that was not a good move to make, that instead we should work harder to provide better protection for them.

So we had a difference of opinion on that. I made the decision to bring them out anyway. And once I made that decision, then they fully supported me in the move to -- in what had to be done to implement that decision.

COATS: Well, I fully support that decision. I'm sure it was a tough decision from a morale standpoint, but I think it was the right decision from a security standpoint.

Let me ask you this, Mr. Secretary, have we evaluated force protection on a domestic level for our bases here at home any differently subsequent now to the situation in Saudi Arabia?

Are we taking different measures? Or...

PERRY: The force protection initiative and the force protection measures we're describing here apply to all of our bases and they certainly apply to domestic as well as overseas bases.

How they are implemented will depend in each case on what the threat assessment is for that base. The threat assessment in Saudi Arabia today is not only high. It is listed as critical.

There are no bases in the United States where we have that high level -- that threat assessment. And so that's the difference. It's not whether it's in the United States or overseas. It's what the threat assessment is.

COATS: Is any review going on though of the force protection procedures domestically as a consequence of what was learned?

PERRY: Yes. The procedures we're talking about, the changes that we've described to you, apply to all of our bases, domestic and overseas.

COATS: It was mentioned -- I think it was Senator Lieberman that mentioned the -- asked the question regarding the convening authority. What level will that convening authority take place? Is that at the 4404th command level?

PERRY: No, no. That is a completely independent and separate unit. It's a three-star general that is appointed by the secretary of the Air Force. So it has nothing to do with the operations over there.

COATS: So they will be examining the question all the way up and down the chain of command.

PERRY: They will be examining the question all the way down and all the way up and not -- and while their actions will be limited to Air Force personnel, their findings are not limited to Air Force personnel. It can include other services as well.

COATS: Just one last brief question. General Downing indicated that it's important -- in the conclusion of his report, that it's important that we demonstrate that we are capable of responding to incidents to like that, that inability to do that invites more attacks.

Everything that we've discussed today has been a defensive response.

COATS: Is there anything you can tell us in open session here relative to an offensive response? Or is that something we ought to reserve for a...

PERRY: I would suggest we reserve that for the closed session because all of -- a good offense in this case, which is really essential, depends on improved intelligence.

COATS: Thank you, Mr. Chairman. My time has expired.

THURMOND: Mr. Bryan?

BRYAN: Thank you very much, Mr. Chairman.

Mr. Secretary, I want to compliment you as a number of my colleagues have in your selection of General Downing and the unfettered authority that you gave him to prepare this report. I think that's a mark of your integrity and reflects very favorably upon your character.

And General Downing, I know it's a difficult job to pass judgment on colleagues, people that you have professionally worked with during your career, and I think you have put together a report that is candid and very thoughtful.

And General Shalikashvili, I have a great deal of confidence in your leadership, continue to enjoy that confidence.

I must say that on the occasion of our hearing before this committee on July 12 of this year, it was my sense at the time that there was a failure of command leadership in the field. And after having read the report that General Downing has put together, I believe that that is an inescapable conclusion.

I do not know the circumstances but I regret the fact that General Peay is not here with us today as he was in July.

But it seems to me that at the time that we had the hearing in July, there was considerable media attention or speculation that there had been some failure on the part of intelligence. I must say that, as you have characterized it, General Downing, there was sufficient intelligence information provided to fairly charge those with the command responsibility of the heightened risk that was involved, particularly at the Khobar Towers location.

It seems to me the part of our responsibility on this committee is also to determine accountability as well.

And three rather modest measures may have averted all fatalities and would certainly have reduced the level of casualties -- that is the application of mylar to the exposed window surfaces, the relocation of personnel in the exposed area to interior locations, and the repositioning of the fence.

None of that was done.

In the vulnerability assessment recommendations of January 1996, a recommendation is made that is somewhat prophetic. And that is the application of mylar to the exposed surfaces, and if the cost of upgrading all perimeter windows is deemed to be too great, begin with the perimeter faces of Building 133 and 131, then work clockwise around K-T through to Building 117.

BRYAN: General Shalikashvili, my question to you -- isn't it a failure of command responsibility by our commanders in the field not to have implemented that recommendation?

SHALIKASHVILI: I hesitate for a moment to -- in my answer because I want to make sure that my reply does not complicate the ongoing action by the Secretary of the Air Force right now.

So let me say that their applic -- the recommendation that was made by OSI to put mylar on the windows, in this particular case, from where I sit now makes great sense. And in retrospect makes even more sense.

But I'm afraid to say any more than that.

BRYAN: Well, and I appreciate that. I don't want you to make a prejudgment either. But I must say that I think that the American public is entitled to a clear understanding of how little it would have taken to have substantially reduced the risk.

I'm not saying avoid all risk, because I agree with Senator Glenn and others who point out that the potential risk that one faces with a terrorist threat are unlimited and confined only by the limits of human imagination.

But I mean, this doesn't strike me as being something that is beyond the pale. The movement of personnel to less vulnerable buildings addressed indirectly in the earlier vulnerability assessments, I must say that I'm shocked if I understand the testimony elicited by General Downing, and that is Brigadier General Schwalier testified that he never thought of evacuating these rooms.

That suggests to me that there is some fundamental failure to impart, in some way, in field commanders the responsibility of taking all of the precautions necessary to protect those in their command.

He said he never even thought about it, didn't weigh it or evaluate it. And I'm taking that from page 57 of the report. If I inaccurately characterize that, I don't want to be unfair to the officer or to you, General Downing, but that's what the information indicates here that he never thought of it.

I must say that the request to reposition the fence, which we've heard considerable testimony on, it's my understanding that the only individual that we've been able to identify to have made that request is a Colonel Boyle (ph), who requested that the fence be moved 10 to 15 feet.

Is that a correct statement of the record, General Downing?

DOWNING: Colonel Boyle (ph) requested this in November of 1995 after OPM/SANG bombing from his Saudi counterpart, and then Lieutenant Colonel Trayster (ph) -- Jim Trayster (ph) in March of 1996 requested that the fence be moved 10 to 15 feet of his Saudi counterpart.

And as I think I testified earlier, both Saudi counterparts do not remember this request.

BRYAN: But two different officers then at one point of time and in reading your report, I got the impression that this wasn't a direct request. It was would you be willing to reposition the fence. Am I correct in that characterization?

DOWNING: Well no. I think they wanted to move the fence. I think they were direct about that. But it was not a substantial distance to protect the building from blast. It was to get better observation into the parking lot. It was not 400 or 900 feet, which is what you would have needed for blast protection.

BRYAN: I guess my thought is that this is an example of timidity in my opinion in terms of requesting a distance that would provide adequate protection. And one does not get the sense from the language that you've used in the report that there was any sense of urgency that was attached to the communication with their Saudi counterparts.

DOWNING: Senator, I don't think we can draw that inference.

BRYAN: OK.

DOWNING: In other words, I wasn't there. These people did care and as General Shali pointed out, they did do a lot of things to toughen that perimeter. It's not like they sat on their hands and did nothing. Colonel Jim Trayster (ph), Lieutenant Colonel Jim Trayster (ph) is a real hero. He really did some fantastic security things around Khobar Towers. He did not -- they did not get after the point of protecting from a bomb outside the fence.

BRYAN: And if I might ask the Secretary this one last question. My time is up.

You've indicated in response to Senator Lieberman's question about the process of military justice and I don't seek to prejudge that process but you indicated you've asked the Secretary of Air Force to make such a review.

And my question, at least some of the officers in the chain of command who in this Senator's judgment ought to at least be evaluated in terms of their conduct, are Army general officers. Would she have the ability to make an evaluation and a recommendation to you in terms of what course of action would need to be taken if any with respect to military justice?

DOWNING: Yes. They would.

BRYAN: And so there's no attempt to exclude anybody...

DOWNING: That is explicit in their charter.

BRYAN: And I thank you, Mr. Secretary. And I thank you, Mr. Chairman.

THURMOND: Senator Levin?

LEVIN: Thank you, Mr. Chairman. Let me commend all of you for your testimony. General, for your report. Mr. Secretary and General Shalikashvili for the direction which you gave that the report be unvarnished. It's all very helpful including your testimony and I think it's in the greatest tradition of our military and the Department of Defense what you've attempted to do both in the report and through your testimony today.

I want to pursue Senator Bryan's line of questioning because I too am troubled by the field command's lack of action here. Commanders in the field, the way I read this, had authority to ask for mylar. They didn't. They had authority to request that the fence be moved and they didn't.

And whether or not someone will later on judge that that in some way makes them responsible in terms of their duties and their obligations is for a different assessment and a different place than here.

LEVIN: But the way I read the Downing report, let me just start off on page 54. There's been some discussion here, but what authority did the commander on the scene have? Should we change some structure in order to give more authority?

General, the way I read your report -- and I'm quoting -- "Brigadier General Schwalier had both command responsibility and command authority for force protection in the 4404th

Wing, therefore he could take appropriate measures to protect his force, had the responsibility to notify his superiors when he was unable to do so."

Is that accurate? He had that authority?

DOWNING: That's correct.

LEVIN: Now, in addition, on page 55, it's stated that during his tour of duty, Brigadier General Schwalier never raised to his superiors, force protection matters that were beyond his capability to correct, nor did he raise the issue of expanding the perimeter of security outside of the fence with his Saudi counterparts in the eastern province.

The commander did not take actions that could have mitigated the effects of other forms of terrorist attack or secondary effects of a penetrating bomb. Is that from your report?

DOWNING: (OFF-MIKE)

LEVIN: Part of your report is that there was an assessment that was made here, a vulnerability assessment on the Khobar Towers which has been referred to by Senator Bryan, first in June of 1995. But this was updated after the Riyadh bombing and it was updated in January of 1996.

And in that report, there is the following line which I must tell you I'm fascinated by and I don't quite, I want you to help me with this.

There was a captain there name McLean (ph) who made an assessment based on a much smaller car bomb possibility. And it was -- now I'm reading from page 56 of your report.

"It was determined that such a bomb exploding at 165 feet [and then you say the actual distance of the June 1996 bombing was 80 feet] it was determined that such a bomb would damage buildings and kill or injure exposed people."

Captain McLean (ph) went on to recommend a 300 foot perimeter, a 300 foot perimeter, to mitigate the effects of a 200 pound blast. There's no evidence that any action was taken regarding this aspect of the assessment by the commander.

Is that correct?

DOWNING: That's correct.

LEVIN: Do you mean we had a commander on the scene -- if I understand what you're saying -- who had a recommendation from someone who was responsible to make a vulnerability assessment in January, a specific recommendation that the perimeter be moved out to 300 feet to mitigate the effects of a blast and for whatever reason, and this will be judged elsewhere, but for whatever reason, the commander on the scene did not act on that recommendation.

Is that correct?

DOWNING: Yes, Senator, that is correct.

LEVIN: OK. Now, you know, we've had a lot of discussion about whether or not the Saudis should have moved the fence 10 or 15 feet.

LEVIN: And there's -- our people say we asked them. The Saudis have no notes about it, apparently, no recollection. There's a disagreement about that. I think that's pretty clear.

But according to your report, General, unless I misread this our own assessment, our own vulnerability assessment, in January of '96 had a Captain McLean (ph) who was in charge of the explosive ordinance detachment recommending a 300-foot perimeter, and the commander taking no action based on that recommendation.

And my specific question to you is, did our commander have authority to take some action based on that recommendation? For instance, could he have asked his command to take up the issue of the perimeter fence with the Saudis or could he have taken some action based on that recommendation?

DOWNING: Well, the answer is he had the authority and responsibility. In other words, the issue we've been talking about with operational control of these forces is at a much higher level than the commander of the 4404th Wing.

LEVIN: But that commander had the authority to protect his forces, is that correct?

DOWNING: He had the authority and he had the responsibility to protect his forces.

LEVIN: My question is, did you ask the commander on the scene why he did not respond to Captain McLean's (ph) recommendation that the perimeter be moved 300 feet? Did you ask the general on the scene as to why he did not take some action in response to that recommendation?

DOWNING: As I recall as we discuss this issue, the feeling was that the Saudis would not allow us to move that fence.

LEVIN: So that even though what the Saudis had rejected was a 10 or 15 foot move, in terms of visibility...

DOWNING: Right. There was no way they were going to allow a 300 or a 400 foot move.

LEVIN: All right. And that he apparently reached that conclusion, is that correct -- the commanding general?

DOWNING: You know, you would have to ask him, Senator.

LEVIN: All right. But that's something that you believe may have been the reason he did not ask or take up this issue with any higher...

DOWNING: That was my perception at the time.

LEVIN: By my -- the question which is critical to me is that in any event, he had the authority and he had the responsibility for force protection. He had a recommendation to move it from his own ordinance expert. And he did not make that request of higher authority to make that move, is that correct?

DOWNING: That particular move he did not make. That is correct.

LEVIN: Or request.

DOWNING: He did not make that request.

LEVIN: Of higher authority.

DOWNING: That's correct.

LEVIN: All right. My time is up.

THURMOND: We've now completed the first round. We'll go to the second round and have only five minutes each. I believe there are only four of us here.

General Downing, your task force estimated -- and by the way, I just got three questions for you to answer very briefly.

THURMOND: Your task force estimated the size of the terrorist truck bomb that exploded outside the perimeter of Khobar Towers to be the equivalent of 3,000 to 8,000 pounds of explosives. In his letter to the president, Secretary Perry states that the estimated explosive yield of the bomb was the equivalent of 20 to 30,000 pounds.

Why is there such a wide difference in the estimate of the bomb size between you and Secretary Perry?

DOWNING: Senator, I think Secretary Perry will have to tell you about the scientific estimate.

THURMOND: How's that?

DOWNING: The scientific estimate that he came up with.

Our estimate was derived by field demolitions people who are military experts on demolitions. They looked at the physical evidence of the blast -- the crater size, the soil composition.

They also looked at the fact that the paint peeling and glass loss on vehicles in the parking lot, the fact that there was still foliage on the trees and bushes within 120 feet of the blast.

And then finally, we had a security policeman who had responded to the call for help who was approximately 80 feet from the bomb when it went off. He not only survived, but he was on his feet the next day.

So, our explosive experts, based on that evidence -- that physical evidence -- have estimated the size of the bomb to probably be around 5,000 pounds.

THURMOND: Do you now feel your estimate was more accurate, or Secretary Perry's estimate?

DOWNING: We feel -- I mean, obviously, I would not have brought this up if L..

THURMOND: What?

DOWNING: I would not have brought this up, Senator, if I agreed with Senator Perry's estimate -- I mean Secretary Perry's estimate. We believe that 3 to 8,000 -- with 5,000 being the likely size -- is correct.

THURMOND: General Downing, in Secretary Perry's testimony to the committee on July the 9th, he stated that the intelligence information was voluminous and pointed to a high threat level, but that the information was fragmentary and inconclusive.

In your report, however, you find that the intelligence information warned of terrorist threat to the United Forces in Saudi Arabia.

Was intelligence information of a threat such that local commanders and other military leaders should have taken steps to prevent an attack?

DOWNING: Sir, we think that the intelligence was of such a nature and also other information available to the commanders was of such a nature that not only were they alerted, they actually did take many, many measures to protect themselves which, as has been pointed out by the chairman, saved potentially other lives.

So, yes we felt the information did give them warning.

THURMOND: Senator Robb?

PERRY: Mr. Chairman, may I comment on that?

THURMOND: Yes, sir.

PERRY: Just to say that General Downing and I have no disagreement at all.

THURMOND: Mr. Secretary, speak up. This is a long hall.

PERRY: General Downing and I have no disagreement on the nature of the intelligence assessment. We both have the same view that there was adequate intelligence that there was a threat. That is why we had a high threat alert.

PERRY: And that, in specifically, there was reason to be concerned at Khobar Towers.

We also agree, I believe, that the threat information -- intelligence information -- was not of a tactical nature. But it was certainly a very strong strategic threat warning. I think we have no difference in point of view on that.

THURMOND: General Shali, do you have any comment on this?

SHALIKASHVILI: No. I fully agree with that as well.

THURMOND: Senator Robb?

ROBB: Mr. Chairman, I have no additional questions. I might just observe, if I may, first of all, thank you for calling the hearing. I think it is important. I think we, clearly, have a responsibility to, certainly, the families of those who were killed, those who were wounded in this attack, and perhaps even more important in a forward-looking context, to those families who are or might be at risk if we fail to heed any of the lessons that we could learn from this particular investigation.

And we will be very much indebted to General Downing for the thoroughness and the candor of that investigation.

This would, otherwise, be a disproportionate amount of time for the committee to take investigating a single incident, it seems to me. But given the importance of the recommendations for what we need to do in the future, I think it is entirely appropriate. And I thank all three for what I know has been an additional, very long afternoon.

Thank you, Mr. Chairman.

THURMOND: Senator Levin, you have any more questions?

LEVIN: I do. Thank you, Mr. Chairman. First, I'd like to ask the secretary if he could give us his explanation of the size of the bomb as to why you believe it was the size you believe it was.

I think we've heard from General Downing on that. I was out for a moment. But I'm wondering if, Secretary, you have a different conclusion than General Downing whether you give us the basis of your conclusion.

PERRY: Shortly after I requested General Downing to conduct his investigation, we also asked the -- what used to be called the Defense Nuclear Agency, now it's the Defense Weapons Support Agency -- to conduct a specific assessment of the size of the bomb.

These are technical people who are experts in weapons effect. They conducted an intensive study, including visits to the site and including computer simulations. And their judgment was that this bomb was, probably, in excess of 20,000 pounds of TNT equivalent.

I was surprised at the result and asked -- as a consequence of my surprise asked -- IDA, the Institute for Defense Analysis, if they would set up a team of independent, outside experts to review the DNA report. They did. And their review tended to validate those conclusions.

I don't -- whether it's 5,000 pounds or 20,000 pounds, it's a hell of a big bomb. And a big threat. And a big problem.

PERRY: I think the simplest comment I can make about the discrepancy in data is that we are submitting with this report the analysis. And so any independent outside group can look at that analysis and come to their own judgment about it. It's not simply a matter of making an assertion.

LEVIN: Just, General, one question on the mylar which Senator Bryan has gotten into. There was a recommendation in that vulnerability assessment that there be some kind of window protection. Is that correct.

DOWNING: That's correct.

LEVIN: And was that done?

DOWNING: No. That's the mylar. The mylar was deferred.

LEVIN: Do we know why the commanding general there did not request that mylar?

DOWNING: He put it in his budget for next year.

LEVIN: Yes. But do you know why he did not do it immediately, given...

DOWNING: He did not feel -- well he did not have the money and he did not feel that if he requested it, it would be given to him.

LEVIN: Have we denied any request such as that for force protection that you know of?

DOWNING: Not -- that was one of the things that we looked at and we found that those kind of requests were not denied, except for one instance a year or two earlier, but not at that location. That was in another country and another service.

LEVIN: Last question. Are you familiar with an amendment which Senator McCain and I offered to the Defense Authorization bill which creates a contingency account, an anti-terrorism account that you could quickly utilize? I believe you supported that with a letter, is that correct?

PERRY: Yes.

LEVIN: You indicated that although we spend about \$2 billion on anti-terrorism and perhaps \$3 billion on counter terrorism, if you include special forces. And although this was a fairly small amount involving I believe \$14 million in that account that nonetheless, I think in your words, that that would help focus some priority on that subject and give you some flexibility to quickly utilize some funds. Is that correct?

PERRY: They're high leverage funds. They can be used for immediate emergencies, immediate problems.

LEVIN: Are you familiar with another amendment which I offered, I believe the next day, which would have transferred some funds from a couple of fighters that the Pentagon did not request into that anti- terrorism fund?

PERRY: Yes I am, Senator Levin.

LEVIN: Do you know whether or not that was something which had your support at the time? This was for two fighters that were not requested by the Pentagon.

PERRY: I have felt for some time know that the costs of the force and protection measure we're talking about is going to be quite large. We have already identified \$300 million worth of expenses. The expenses are going to be in the billions. The money is going to have to come from somewhere and it would seem to me that the -- and therefore I had a positive response to the proposal you made.

LEVIN: Thank you. Thank you very much, Mr. Chairman.

THURMOND: Senator Levin and Senator Robb, do you have any questions that would require a closed session?

LEVIN: I don't, Mr. Chairman.

ROBB: Mr. Chairman, I have no questions. I think that we could pursue it, other information that should not be disclosed in open session.

ROBB: But I think for the purposes of our hearing and our oversight, the matters that we have addressed in open session are sufficient for whatever conclusions we want to draw from them.

THURMOND: Well do you have any other questions, either one of you?

ROBB: Not at this time, Mr. Chairman.

LEVIN: I will have a question for the record, Mr. Chairman, if that's all right. I will have one question about this operational control question.

THURMOND: All right. Secretary Perry, General Shali and General Downing, do you have any information that you feel you'd like to pass to the committee in a closed session?

PERRY: I do not, Mr. Chairman.

SHALIKASHVILI: I do not, sir.

DOWNING: I do not.

THURMOND: Well I guess there won't be any closed session then.

(LAUGHTER)

Now, does anybody have anything further they wish to say? Any Senators with any follow-up questions?

If not, I want to take this opportunity to thank the senators who have been here and been faithful in this sharing. I want to thank the staff here who have done such a good job. And I want to thank you witnesses, Secretary Perry, General Shali and General Downing for your presence and for your testimony. Thank you very much. We now stand adjourned.