



U.S. Special Operations Forces (SOF): Background and Issues for Congress

Andrew Feickert

Specialist in Military Ground Forces

Thomas K. Livingston

Air Force Fellow

December 3, 2010

Congressional Research Service

7-5700

www.crs.gov

RS21048

Summary

Special Operations Forces (SOF) play a significant role in U.S. military operations, and the Administration has given U.S. SOF greater responsibility for planning and conducting worldwide counterterrorism operations. The 2010 Quadrennial Defense Review (QDR) directs increases in SOF force structure, particularly in terms of increasing enabling units and rotary and fixed-wing SOF aviation assets and units. The U.S. Special Operations Command (USSOCOM) Commander, Admiral Eric T. Olson, in commenting on the current state of the forces under his command, noted that SOF forces are deployed to more than 75 countries and 86% of these forces are in the U.S. Central Command area of responsibility. Admiral Olson also noted ongoing growth in SOF units and aviation assets and the effectiveness of Section 1208 authority, which provides funds for SOF to train and equip regular and irregular indigenous forces to conduct counterterrorism operations. USSOCOM's FY2011 budget request for \$9.8 billion has been recommended by the House and Senate Armed Services Committees for full funding, and both committees have recommended additional funding for unfunded requirements.

One SOF-related concern is that U.S. SOF is taking on roles that have been traditionally the purview of the CIA. These operations, allegedly spanning almost a dozen countries, involve using unmanned aerial vehicles as well as small teams to kill suspected terrorists as well the conduct of intelligence-related activities. Concerns have been raised that these operations by U.S. SOF have less transparency than similar CIA operations, some of which require a Presidential Finding and congressional notification.

Another SOF-related issue is a possible expanded role for U.S. SOF in Yemen. Currently, SOF is conducting overt training of Yemeni counterterror forces but it has been suggested that selected SOF units might be placed under the CIA to conduct covert raids to capture or kill terrorists operating in Yemen. If an enhanced role is undertaken, there are concerns that this involvement might not be in the best long-term interest of the United States.

Congress might decide to further assess SOF involvement in covert operations. One question might be the conditions or rules that apparently enable U.S. SOF to operate more secretly and more rapidly under CIA control than under USSOCOM control. Another possible concern is whether U.S. SOF are operating under CIA control in order to "get around restrictions placed on military operations." Congress might also consider the ramifications of a possible expanded role for U.S. SOF in Yemen. Would an enhanced role damage U.S./Yemeni relations, particularly in the area of intelligence sharing? Would these new efforts have a detrimental impact on the current U.S. SOF mission of training Yemeni counterterrorism forces? Would such a model of SOF involvement—training counterterror forces on the one hand while conducting secretive combat actions to kill and capture alleged terrorists—dissuade other sovereign nations from accepting U.S. military assistance? Perhaps a greater concern could be whether such an enhanced role undermines long-term efforts to create a Yemeni military capacity to combat terrorists.

Contents

Background	1
Overview	1
Command Structures and Components	1
Expanded USSOCOM Responsibilities	1
Army Special Operations Forces	2
Air Force Special Operations Forces	3
Naval Special Operations Forces	4
Marine Special Operations Command (MARSOC)	4
Joint Special Operations Command (JSOC).....	5
NATO Special Operations Headquarters.....	5
Current Organizational and Budgetary Issues	5
2010 Quadrennial Defense Review (QDR) Report SOF-Related Directives	5
2010 USSOCOM Posture Statement	6
FY2011 USSOCOM Budget Request	6
House Armed Services Committee Mark-Up: H.R. 5136, National Defense Authorization Act for FY2011	7
Senate Armed Services Committee Mark-Up: H.R. 5136, National Defense Authorization Act for FY2011	7
SOF-Related Issues	8
A Growing SOF Role in Traditional CIA Operations?.....	8
Possible Enhanced U.S. SOF Role in Yemen?	8
U.S. SOF Direct Action Against Afghan Insurgents	9
Possible Issues for Congress.....	9
U.S. SOF Involvement in Covert Operations	9
Possible Enhanced U.S. SOF Role in Yemen	10

Contacts

Author Contact Information	10
----------------------------------	----

Background

Overview

Special Operations Forces (SOF) are elite military units with special training and equipment that can infiltrate into hostile territory through land, sea, or air to conduct a variety of operations, many of them classified. SOF personnel undergo rigorous selection and lengthy specialized training. The U.S. Special Operations Command (USSOCOM) oversees the training, doctrine, and equipping of all U.S. SOF units.

Command Structures and Components

In 1986 Congress, concerned about the status of SOF within overall U.S. defense planning, passed measures (P.L. 99-661) to strengthen special operations' position within the defense community. These actions included the establishment of USSOCOM as a new unified command. USSOCOM is headquartered at MacDill Air Force Base in Tampa, FL. The Commander of USSOCOM is a four-star officer who may be from any military service. Commander, USSOCOM reports directly to the Secretary of Defense, although an Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Interdependent Capabilities (ASD/SOLIC&IC) provides immediate civilian oversight over many USSOCOM activities.

USSOCOM has about 57,000 active duty, National Guard, and reserve personnel from all four services and Department of Defense (DOD) civilians assigned to its headquarters, its four components, and one sub-unified command.¹ USSOCOM's components are the U.S. Army Special Operations Command (USASOC); the Naval Special Warfare Command (NAVSPECWARCOM); the Air Force Special Operations Command (AFSOC); and the Marine Corps Special Operations Command (MARSOC). The Joint Special Operations Command (JSOC) is a USSOCOM sub-unified command.

Expanded USSOCOM Responsibilities

In addition to its Title 10 authorities and responsibilities, USSOCOM has been given additional responsibilities. In the 2004 Unified Command Plan, USSOCOM was given the responsibility for synchronizing DOD plans against global terrorist networks and, as directed, conducting global operations against those networks.² In this regard, USSOCOM "receives, reviews, coordinates and prioritizes all DOD plans that support the global campaign against terror, and then makes recommendations to the Joint Staff regarding force and resource allocations to meet global

¹ Information in this section is from "Fact Book: United States Special Operations Command," USSOCOM Public Affairs, February 2009, p. 7. DOD defines a sub-unified command as a command established by commanders of unified commands, when so authorized through the Chairman of the Joint Chiefs of Staff, to conduct operations on a continuing basis in accordance with the criteria set forth for unified commands. A subordinate unified command may be established on an area or functional basis. Commanders of subordinate unified commands have functions and responsibilities similar to those of the commanders of unified commands and exercise operational control of assigned commands and forces within the assigned joint operations area.

² "Fact Book: United States Special Operations Command," USSOCOM Public Affairs, February 2010, p. 6.

requirements.”³ In October 2008, USSOCOM was designated as the DOD proponent for Security Force Assistance (SFA).⁴ In this role, USSOCOM will perform a synchronizing function in global training and assistance planning similar to the previously described role of planning against terrorist networks. In addition, USSOCOM is now DOD’s lead for countering threat financing, working with the U.S. Treasury and Justice Departments on means to identify and disrupt terrorist financing efforts.

Army Special Operations Forces

U.S. Army SOF (ARSOF) includes approximately 30,000 soldiers from the Active Army, National Guard, and Army Reserve who are organized into Special Forces, Ranger, and special operations aviation units, along with civil affairs units, psychological operations units, and special operations support units. ARSOF Headquarters and other resources, such as the John F. Kennedy Special Warfare Center and School, are located at Fort Bragg, NC. Five active Special Forces (SF) Groups (Airborne),⁵ consisting of about 1,400 soldiers each, are stationed at Fort Bragg and at Fort Lewis, WA, Fort Campbell, KY, Fort Carson, CO, and Eglin Air Force Base, FL. Special Forces soldiers—also known as the Green Berets—are trained in various skills, including foreign languages, that allow teams to operate independently throughout the world. In December 2005, the 528th Sustainment Brigade (Special Operations) (Airborne) was activated at Ft. Bragg, NC, to provide combat service support and medical support to Army special operations forces.⁶

In FY2008, the U.S. Army Special Operations Command (USASOC) began to increase the total number of Army Special Forces battalions from 15 to 20, with one battalion being allocated to each active Special Forces Group. In August 2008, the Army stood up the first of these new battalions—the 4th Battalion, 5th Special Forces Groups (Airborne)—at Fort Campbell, KY.⁷ The Army expects that the last of these new Special Forces battalions will be operational by FY2013.⁸ Two Army National Guard Special Forces groups are headquartered in Utah and Alabama. An elite airborne light infantry unit specializing in direct action operations⁹, the 75th Ranger Regiment, is headquartered at Fort Benning, GA, and consists of three battalions. Army special operations aviation units, including the 160th Special Operations Aviation Regiment (Airborne), headquartered at Fort Campbell, KY, feature pilots trained to fly the most sophisticated Army rotary-wing aircraft in the harshest environments, day or night, and in adverse weather.

³ Ibid.

⁴ Information in this section is from testimony given by Admiral Eric T. Olson, Commander, U.S. SOCOM, to the House Terrorism, Unconventional Threats and Capabilities Subcommittee on the Fiscal Year 2010 National Defense Authorization Budget Request for the U.S. Special Operations Command, June 4, 2009.

⁵ Airborne refers to “personnel, troops especially trained to effect, following transport by air, an assault debarkation, either by parachuting or touchdown.” Joint Publication 1-02, Department of Defense Dictionary of Military and Associated Terms, 12 April 2001, (As Amended Through 31 July 2010)

⁶ “Fact Book: United States Special Operations Command,” USSOCOM Public Affairs, February 2010, p. 11.

⁷ Sean D. Naylor, “Special Forces Expands,” *Army Times*, August 11, 2008.

⁸ Association of the United States Army, “U.S. Army Special Operations Forces: Integral to the Army and the Joint Force,” *Torchbearer National Security Report*, March 2010, p. 3.

⁹ Direct action operations are short-duration strikes and other small-scale offensive actions conducted as a special operation in hostile, denied, or politically sensitive environments, as well as employing specialized military capabilities to seize, destroy, capture, exploit, recover, or damage designated targets. Direct action differs from conventional offensive actions in the level of physical and political risk, operational techniques, and the degree of discriminate and precise use of force to achieve specific objectives.

Some of the most frequently deployed SOF assets are civil affairs (CA) units, which provide experts in every area of civil government to help administer civilian affairs in operational theaters. The 95th Civil Affairs Brigade (Airborne) is the only active CA unit; all other CA units reside in the Reserves and are affiliated with conventional Army units. Psychological operations units disseminate information to large foreign audiences through mass media. The active duty 4th Psychological Operations (PSYOPS) Group (Airborne) is stationed at Fort Bragg, and two Army Reserve PSYOPS groups work with conventional Army units. USSOCOM has recently decided to replace the term “psychological operations” and instead adopt the term “Military Information Support Operations,” or MISO, instead.¹⁰

Air Force Special Operations Forces¹¹

The Air Force Special Operations Command (AFSOC) is one of the Air Force’s 10 major commands with over 12,000 active duty personnel and over 15,000 personnel when civilians, Guard and Reserve personnel and units are included. While administrative control of AFSOC is overseen by the Chief of Staff of the Air Force (CSAF), operational control is managed by the USSOCOM Commander. AFSOC units operate out of four major continental United States (CONUS) locations and two overseas locations. The headquarters for AFSOC, the first Special Operations Wing (1st SOW), and the 720th Special Tactics Group are located at Hurlburt Field, FL. The 27th SOW is at Canon AFB, NM. The 352nd and 353rd Special Operations Groups provide forward presence in Europe (RAF Mildenhall, England) and in the Pacific (Kadena Air Base, Japan) respectively. The Air National Guard’s 193rd SOW at Harrisburg, PA, and the Air Force Reserve Command’s 919th SOW at Duke Field, FL, complete AFSOC’s major units. A training center, the U.S. Air Force Special Operations School and Training Center (AFSOTC), was recently established and is located at Hurlburt Field. AFSOC conducts the majority of its specialized flight training through an arrangement with Air Education and Training Command (AETC) via the 550th SOW at Kirtland AFB, NM. AFSOC’s four active-duty flying units are composed of more than 100 fixed and rotary-wing aircraft.

In March 2009, Headquarters AFSOC declared initial operational capability (IOC)¹² for the CV-22.¹³ USSOCOM plans for all 50 CV-22s to be delivered to AFSOC by 2015.¹⁴ Since 2009, AFSOC has completed three overseas deployments, to Central America, Africa, and Iraq, and continues to be engaged currently in overseas contingency operations. Despite critical reviews of the aircraft, AFSOC considers the CV-22 “central to our future.”¹⁵ AFSOC operates a diverse fleet of modified aircraft. Of 12 major design series aircraft, 7 are variants of the C-130, the average age of some of which is over 40 years old and date from the Viet Nam era. Because of the age of the fleet, AFSOC considers recapitalization one of its top priorities.

¹⁰ Associated Press, “Army Opts for a Neutral Name,” *New York Times*, July 3, 2010.

¹¹ Information in this section is from Lt Gen Wurster’s presentation to the Air Force Association, September 14 2010. http://www.afa.org/events/conference/2010/scripts/Wurster_9-14.pdf.

¹² According to DOD IOC is attained when some units and/or organizations in the force structure scheduled to receive a system 1) have received it and 2) have the ability to employ and maintain it.

¹³ The CV-22 is the special operations version of the V-22 Osprey tilt-rotor aircraft used by the Marine Corps.

¹⁴ USSOCOM Acquisitions and Logistics office, <http://www.socom.mil/soal/Pages/FixedWing.aspx>.

¹⁵ For further detailed reporting on the V-22 program, see CRS Report RL31384, *V-22 Osprey Tilt-Rotor Aircraft: Background and Issues for Congress*, by Jeremiah Gertler.

AFSOC's Special Tactics experts include Combat Controllers, Pararescue Jumpers, Special Operations Weather Teams, and Tactical Air Control Party (TACPs). As a collective group, they are known as Special Tactics and have also been referred to as "Battlefield Airmen." Their basic role is to provide an interface between air and ground forces, and these airmen have very developed skill sets. Usually embedded with Army, Navy, or Marine SOF units, they provide control of air fire support, medical and rescue expertise, or weather support, depending on the mission requirements.

As directed in the 2010 QDR, AFSOC plans to increase aviation advisory manpower and resources resident in the 6th Special Operations Squadron (SOS). The 6th SOS's mission is to assess, train, and advise partner nation aviation units with the intent to raise their capability and capacity to interdict threats to their nation. The 6th SOS provides aviation expertise to U.S. foreign internal defense (FID) missions.

Naval Special Operations Forces¹⁶

The Naval Special Warfare Command (NSWC) is located in Coronado, CA. NSWC is organized around 10 SEAL Teams, two SEAL Delivery Vehicle (SDV) Teams, and three Special Boat Teams. SEAL Teams consist of six SEAL platoons each, consisting of two officers and 16 enlisted personnel. The major operational components of NSWC include Naval Special Warfare Groups One, Three, and Eleven, stationed in Coronado, CA, and Naval Special Warfare Groups Two and Four and the Naval Special Warfare Development Group in Little Creek, VA. These components deploy SEAL Teams, SEAL Delivery Vehicle Teams, and Special Boat Teams worldwide to meet the training, exercise, contingency and wartime requirements of theater commanders. NSWC has approximately 5,400 total active-duty personnel—including 2,450 SEALs and 600 Special Warfare Combatant-Craft Crewmen (SWCC)—as well as a 1,200-person reserve component of approximately 325 SEALs, 125 SWCC, and 775 support personnel. SEALs are considered the best-trained combat swimmers in the world, and can be deployed covertly from submarines or from sea and land-based aircraft.

Marine Special Operations Command (MARSOC) ¹⁷

On November 1, 2005, DOD announced the creation of the Marine Special Operations Command (MARSOC) as a component of USSOCOM. MARSOC consists of three subordinate units—the Marine Special Operations Regiment, which includes 1st, 2nd, and 3rd Marine Special Operations Battalions; the Marine Special Operations Support Group; and the Marine Special Operations School. MARSOC Headquarters, the 2nd and 3rd Marine Special Operations Battalions, the Marine Special Operations School, and the Marine Special Operations Support Group are stationed at Camp Lejeune, NC. The 1st Marine Special Operations Battalion is stationed at Camp Pendleton, CA. MARSOC forces have been deployed worldwide to conduct a full range of special operations activities. By 2014, MARSOC is planned to have about 3,000 marines, sailors, and civilians.

¹⁶ Information in this section is from "Fact Book: United States Special Operations Command," USSOCOM Public Affairs, February 2009, p. 18 and the U.S. Naval Special Warfare Command Website, <http://www.navsoc.navy.mil>, accessed March 19, 2009.

¹⁷ Information in this section is from "Fact Book: United States Special Operations Command," USSOCOM Public Affairs, February 2010, p. 37.

Joint Special Operations Command (JSOC)

According to DOD, the JSOC is “a joint headquarters designed to study special operations requirements and techniques; ensure interoperability and equipment standardization; plan and conduct joint special operations exercises and training; and develop joint special operations tactics.”¹⁸ While not officially acknowledged by DOD or USSOCOM, JSOC, which is headquartered at Pope Air Force Base, NC, is widely believed to command and control what are described as the military’s special missions units—the Army’s Delta Force, the Navy’s SEAL Team Six, the 75th Ranger Regiment, the 160th Special Operations Aviation Regiment and the Air Force’s 24th Special Tactics Squadron.¹⁹ JSOC’s primary mission is believed to be identifying and destroying terrorists and terror cells worldwide.

NATO Special Operations Headquarters²⁰

In May 2010, NATO established the NATO Special Operations Headquarters (NSHQ), which is commanded by U.S. Air Force Major General Frank Kisner, who had previously commanded U.S. Special Operations Command – Europe (SOCEUR). The NSHQ is envisioned to serve as the core of a combined joint force special operations component command, which would be the proponent for planning, training, doctrine, equipping, and evaluating NATO special operations forces from 22 countries. The NSHQ is located with the Supreme Headquarters Allied Powers Europe (SHAPE) in Mons, Belgium, and will consist of about 150 NATO personnel.

Current Organizational and Budgetary Issues

2010 Quadrennial Defense Review (QDR) Report SOF-Related Directives²¹

The 2010 QDR contains a number of SOF-related directives pertaining to personnel, organizations, and equipment. These include the following:

- To increase key enabling assets²² for special operations forces.
- To maintain approximately 660 special operations teams;²³ 3 Ranger battalions; and 165 tilt-rotor/fixed-wing mobility and fire support primary mission aircraft.

¹⁸ USSOCOM website <http://www.socom.mil/components/components.htm>, accessed March 19, 2008.

¹⁹ Jennifer D. Kibbe, “The Rise of the Shadow Warriors,” *Foreign Affairs*, Volume 83, Number 2, March/April 2004 and Sean D. Naylor, “JSOC to Become Three-Star Command,” *Army Times*, February 13, 2006.

²⁰ Information in this section is taken from Carlo Muñoz, “SOCEUR Chief Pegged: Air Force Two-Star to Head Up New NATO Special Ops Headquarters,” *Inside the Air Force*, May 28, 2010 and NATO Fact Sheet, “NATO Special Operations Headquarters (NSHQ),” accessed from <http://www.NATO.int> on July 1, 2010.

²¹ Information in this section is from Department of Defense, Quadrennial Defense Review Report, February 2010.

²² Enabling assets are a variety of conventional military units that are assigned to support special operations forces.

²³ These teams include Army Special Forces Operational Detachment-Alpha (ODA) teams; Navy Sea, Air, and Land (SEAL) platoons; Marine special operations teams, Air Force special tactics teams; and operational aviation detachments.

- The Army and USSOCOM will add a company of upgraded cargo helicopters (MH-47G) to the Army's 160th Special Operations Aviation Regiment.
- The Navy will dedicate two helicopter squadrons for direct support to naval special warfare units.
- To increase civil affairs capacity organic to USSOCOM.
- Starting in FY2012, purchase light, fixed-wing aircraft to enable the Air Force's 6th Special Operations squadron to engage partner nations for whose air forces such aircraft might be appropriate, as well as acquiring two non-U.S. helicopters to support these efforts.

2010 USSOCOM Posture Statement²⁴

In March 2010, USSOCOM Commander Admiral Eric T. Olson testified to the House and Senate Armed Service Committees, providing them with an update of the current state of U.S. SOF. Key points emphasized by Admiral Olson included the following:

- Of the more than 12,000 SOF and SOF support forces deployed daily to more than 75 countries, 86% of these forces are in the U.S. Central Command area of responsibility and under their operational control.
- USSOCOM is growing organic combat service and service support units to support special operations forces to include communications, information support specialists, forensic analysts, military working dog teams, and intelligence experts, to name but a few. In FY2011, this will represent a growth of about 2,700 personnel.
- Section 1208 authority (Section 1208 of P.L. 108-375, the FY2005 National Defense Authorization Act) provides authority and funds for U.S. SOF to train and equip regular and irregular indigenous forces to conduct counterterrorism operations. Section 1208 is considered a key tool in combating terrorism and is directly responsible for a number of highly successful counter-terror operations.
- In cooperation with the Army, USSOCOM will grow its helicopter fleet by eight MH-47 Chinooks by FY2015; fielding is almost complete for upgraded MH-47G and MH-60M helicopters. USSOCOM currently has 12 CV-22 Osprey aircraft and hopes to add 5 more aircraft this year.

FY2011 USSOCOM Budget Request

USSOCOM's FY2011 Budget Request is \$9.8 billion—with \$6.3 billion in the baseline budget and \$3.5 billion in the Overseas Contingency Operations (OCO) budget.²⁵ USSOCOM has long maintained that it represents about 2% of the Department of Defense budget and provides maximum operational impact for a limited investment. Another one of SOCOM's perceived benefits is that its components take proven, service-

²⁴ Admiral Eric T. Olson, "FY 2011 USSOCOM Posture Statement," U.S. Special Operations Command, March 4, 2010, p. 2.

²⁵ Information in this section is from the United States Special Operations Command FY2011 Budget Estimates, February 2010.

common equipment and modify it with SOF funding for special operations-unique capabilities.

Among other things, this request is intended to support FY2011 USSOCOM growth of 2,787 military and civilian personnel allocated as follows:

- U.S. Army Special Operations Command: 1,638 personnel;
- Air Force Special Operations Command: 1,119 personnel;
- Naval Special Warfare Command: 26 personnel; and
- Marine Corps Special Operations Command: 4 personnel.

House Armed Services Committee Mark-Up: H.R. 5136, National Defense Authorization Act for FY2011²⁶

The House Armed Services Committee (HASC) recommended fully funding USSOCOM's \$9.8 billion budget request and included an additional \$301.5 million for USSOCOM unfunded requirements, including tactical vehicles, operational enhancements, and special operations technology, as well as expanding counterterrorism support authorities. Recognizing the benefits of the 1208 Authority program, the HASC recommended expanding the program and authorized up to \$50 million for the program. The HASC was encouraged by the steps being taken by the Department of Defense to address special operations rotary wing requirements, but there was concern that proposed solutions would not provide adequate relief fast enough and that continued shortfalls could affect future operations. The HASC encouraged the Secretary of Defense and USSOCOM Commander to aggressively identify and implement solutions to address SOF rotary wing shortfalls, including non-standard aviation platforms and aviation foreign internal defense²⁷ activities.

Senate Armed Services Committee Mark-Up: H.R. 5136, National Defense Authorization Act for FY2011²⁸

The Senate Armed Services Committee (SASC) recommended fully funding USSOCOM's \$9.8 billion budget request and included an additional \$113.4 million, as opposed to the HASC, which recommended \$301.5 million (\$188.1 million difference) for USSOCOM unfunded requirements. These unfunded requirements included ground mobility vehicles, deployable communications equipment, thermal and night vision goggles, the Special Operations Combat Assault Rifle (SCAR), and non-lethal weapons technologies. The SASC also expanded the requirement for USSOCOM to provide quarterly reports on the use of Combat Mission Requirement fund to satisfy urgent operational needs.

²⁶ Summary of H.R. 5136, National Defense Authorization Act for Fiscal Year 2011, May 2010, pp. 23-24.

²⁷ DOD defines foreign internal defense as "Participation by civilian and military agencies of a government in any of the action programs taken by another government or other designated organization to free and protect its society from subversion, lawlessness, insurgency, terrorism, and other threats to its security. Also called FID."

²⁸ Senate Armed Services Committee Press Release, "Senate Armed Services Committee Completes Mark Up of National Defense Authorizations Act for Fiscal Year 2011," U.S. Senate, May 28, 2010, pp. 19-20.

SOF-Related Issues

A Growing SOF Role in Traditional CIA Operations?²⁹

A recent article maintains that U.S. SOF, in conjunction with the CIA, have “significantly increased military and intelligence operations, pursuing the enemy using robotic drones and commando teams, paying contractors to spy and training local operatives to chase terrorists.”³⁰ These operations are said to be occurring in roughly a dozen countries, ranging from North Africa, to Pakistan, to former Soviet republics “crippled by ethnic and religious strife.”³¹ One of the concerns raised in this article is that U.S. SOF units, allegedly operating under secret “execute orders” are conducting spy missions that were once the preserve of civilian intelligence agencies. These operations are described as having less transparency and congressional oversight than traditional CIA covert operations. Some suggest that this “covert war” is an appropriate response to a covert war being waged against the United States, but others are concerned that it represents a new model for war that deviates from well-defined rules for covert action. Another question raised is “who should be running this war” if it is going to be conducted in a covert manner?

Possible Enhanced U.S. SOF Role in Yemen?³²

In the aftermath of the recent failed cargo aircraft bombing allegedly by suspected Al Qaeda militants in Yemen, it has been reported that the Administration is considering putting U.S. SOF forces under CIA control in Yemen in order to attack terrorist targets unilaterally. This command arrangement supposedly will give the U.S. greater leeway to covertly strike terrorists in Yemen without the approval of the Yemeni government. This practice of putting U.S. SOF under CIA control has apparently been used in the past, in Iraq, for example, to “get around restrictions placed on military operations.”³³ It has been argued that this proposal could create problems for the overt U.S. SOF program to train Yemeni security forces in counterterrorism operations. In this case, U.S. SOF are in Yemen at the request of the Yemeni government, and if U.S. SOF is used to covertly attack suspected terrorists in Yemen, some have expressed concern that the Yemeni government could suspend the counterterrorism training program. Some analysts believe that it is in United States’ best long term interest to train Yemeni forces so that they can manage their own internal counter terror operations and that more direct U.S. SOF involvement could result only in short-term gains.

²⁹ Information in this section is taken from Scott Shane, Mark Mazzetti, and Robert F. Worth, “The Shadow War: Secret Assault on Terrorism Widens on Two Continents,” *New York Times*, August 15, 2010.

³⁰ Ibid.

³¹ Ibid.

³² Information in this section is taken from Julian E. Barnes and Adam Entous, “Yemen Covert Role Pushed: Failed Bomb Plot Heightens Talk of Putting Elite U.S. Squads in CIA Hands,” *Wall Street Journal*, November 1, 2010.

³³ Ibid.

U.S. SOF Direct Action Against Afghan Insurgents

A number of reports suggest that U.S. SOF efforts to capture or kill senior insurgent leaders have been highly effective.³⁴ According to General Petraeus, the senior U.S. commander in Afghanistan, from June to September 2010, special operations missions had killed or captured 235 militant leaders, killed another 1,066 lower-level insurgents, and detained another 1,673 rank-and-file insurgents. These raids have reportedly been most effective in and around Kandahar; officials have seen indications that improvised explosive device (IED) attacks have decreased and that Taliban control appears to be weakening. Senior NATO officials note that intelligence suggests that SOF missions aimed at provincial insurgent leaders have compelled some Taliban leaders to begin internal discussions about accepting the Karzai government's offer of reconciliation. It has also been reported that a number of insurgent leaders have left their bases in Afghanistan to seek sanctuary in Pakistan because of the raids. Although these raids have proven successful, President Karzai has recently called for these "night raids" to cease, which has supposedly created friction between the Afghan leader and senior U.S. military officials in the region.³⁵

While SOF raids have resulted in civilian casualties and collateral damage, military officials who have tracked the raids note that on many of these raids, no shots are fired. These missions are being carried out at an extremely high tempo, with nearly 4,000 such missions carried out between May and August 2010. One SOF task force reported no shots fired in 973 out of 1,225 missions in the 12 months ending in August 2010. Afghan and Coalition special forces from another 18 countries, including Australia, New Zealand, Lithuania, and France, have also played a central role in many of these operations.

Possible Issues for Congress

U.S. SOF Involvement in Covert Operations³⁶

Reports suggest that selected U.S. SOF units and personnel are being used in covert and clandestine military operations both unilaterally and under CIA control on a more frequent basis. It has been suggested that by having U.S. SOF placed under the CIA, they can function more stealthfully and quickly and can "get around restrictions placed on military operations."³⁷ The use of U.S. SOF in this manner raises a number of questions. One question is what are the conditions or rules that allegedly enable U.S. SOF to operate more secretly and more rapidly under CIA

³⁴ Information in this section is taken from Thom Shanker and Alissa Rubin, "Quest to Neutralize Afghan Militants is Showing Glimpses of Success, NATO Says," *New York Times*, June 29, 2010 and David S. Cloud and Julian E. Barnes, "Afghan War Strategy May Change," *Los Angeles Times*, June 29, 2010; Kimberly Dozier, "Petraeus Highlights Special Ops Successes in Afghanistan," *Fayetteville (NC) Observer*, September 4, 2010; Sean D. Naylor, "The Deadliest Insurgents: JSOC Task Force Battles Haqqani Militants," *Army Times*, September 20, 2010.

³⁵ Thom Shanker, Elisabeth Bumiller, and Rod Nordland, "Despite Gains, Night Raids Split U.S. and Karzai," *New York Times*, November 16, 2010.

³⁶ For information on covert and classified operations see CRS Report RL33715, *Covert Action: Legislative Background and Possible Policy Questions*, by Alfred Cumming.

³⁷ Julian E. Barnes and Adam Entous, "Yemen Covert Role Pushed: Failed Bomb Plot Heightens Talk of Putting Elite U.S. Squads in CIA Hands," *Wall Street Journal*, November 1, 2010.

control than under USSOCOM control. Another concern is whether U.S. SOF are operating under CIA control in order to “get around restrictions placed on military operations.” While a greater understanding of these “restrictions” might be useful, it is reported that in order to carry out counterterrorism operations, that U.S. SOF must “shop around” to find circumstances (i.e., operating under CIA Title 50 authorities) conducive to mission accomplishment. As U.S. SOF forces are shifted between CIA and USSOCOM control, the issue of congressional oversight bears consideration. While CIA covert operations require a Presidential Finding and congressional notification, similar military operations do not have the same legal requirements. In instances where U.S. SOF may be operating in a covert manner—either unilaterally or under CIA control—are there adequate provisions to ensure that Congress knows what rules U.S. SOF operates under—Title 10 or Title 50—and are there certain “advantages” incurred by operating under these different legal provisions?

Some maintain that these concerns and questions suggest that the current “model” for CIA and DOD covert military operations needs to be re-examined. From their perspective, the apparent unprecedented use of U.S. SOF in clandestine and covert roles as well as being assigned to the CIA might require revision or modification to both Title 10 and Title 50 to ensure that these missions are not only effective and not overly constrained, but also relatively transparent to relevant Members of Congress.

Possible Enhanced U.S. SOF Role in Yemen

If the decision is made to expand U.S. SOF’s role in Yemen—either covertly or clandestinely—a number of issues might merit further examination. Will an enhanced role damage U.S./Yemeni relations, particularly in the area of intelligence sharing? Will these new efforts have a detrimental impact on the current U.S. SOF mission of training Yemeni counterterrorism forces? Would such a model of SOF involvement—training counterterror forces on the one hand while conducting secretive combat actions to kill and capture alleged terrorists—dissuade other sovereign nations from accepting U.S. military assistance? Perhaps a greater concern is would such an enhanced role undermine long-term efforts to create a Yemeni military capacity to combat terrorists? Some assert that while covertly targeting terrorists might eliminate a short-term threat to U.S. national security, it could possibly disenfranchise the Yemeni government in this regard and possibly create a long-term dependence on the U.S. military to combat terrorists in Yemen. Another possibility is that secretive SOF raids could result in Yemeni resentment, thereby limiting U.S. influence in the region.

Author Contact Information

Andrew Feickert
Specialist in Military Ground Forces
afeickert@crs.loc.gov, 7-7673

Thomas K. Livingston
Air Force Fellow
tlivingston@crs.loc.gov, 7-0432