

COVERT ACTION LEAD--CENTRAL INTELLIGENCE AGENCY OR SPECIAL FORCES

**A Monograph
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Abstract

COVERT ACTION LEAD--CENTRAL INTELLIGENCE AGENCY OR SPECIAL FORCES
by Major Vincent P. Bramble, USA, 53 pages.

Since the end of the “Cold War” in 1989, the Central Intelligence Agency (CIA) has had a reduction in its ability to perform its tenet missions: Foreign Intelligence Collection, Covert Action, and Counter Intelligence. This is primarily due to two reasons: insufficient resources (budget and manpower) to meet its current requirements and a shift in focus from Human Intelligence (HUMINT) to other forms of intelligence gathering. With the events of 11 September 2001, terrorism has seemingly surfaced as a top threat to the global community--especially the United States (U.S.). An effective method of infiltrating a terrorist network and neutralizing its capability is through HUMINT via Covert Action. Historically, the CIA has called upon the Department of Defense (DoD) to help with and augment Covert Action in the form of detailing. DoD, compared to the CIA, is resourced significantly greater in terms of budget and manpower. With respect to its training, skill sets and maturity, United States Army Special Forces are the most capable component of DoD to execute detailing for Covert Action. As the fear of terrorism continues to hold its place as an elevated threat to the U.S., combined with the decline in the CIA’s ability to perform Covert Action, is it now time for Special Forces to assume the lead role in Covert Action?

TABLE OF CONTENTS

INTRODUCTION.....	1
METHODOLOGY	2
THE HOUSE ANALOGY	3
MONOGRAPH QUESTIONS	4
SCOPE AND RESULTS.....	10
HISTORY AND BACKGROUND.....	14
Office of Strategic Services.....	14
Office of Strategic Services Organization and Structure.....	16
Central Intelligence Agency.....	21
COVERT ACTION.....	24
REPORTS TO CONGRESSIONAL INTELLIGENCE COMMITTEES	26
SPECIAL FORCES.....	29
CONCLUSIONS/RECOMMENDATIONS	35
GLOSSARY	44
BIBLIOGRAPHY	48

INTRODUCTION

The purpose of this study is to recommend that the United States Army Special Forces be agent for the conduct of covert action. The primary question to be answered in this monograph is: Should the United States Army Special Forces be given greater authority and responsibility under USC Title 50 for the conduct of covert action? There are three subject areas that help to frame the reasoning for this monograph: America's national security, the current prosecution of the Global War on Terrorism (GWOT), and the enduring American way of life. Though these three areas will not be discussed in any great detail or length within the monograph, they do help to provide a context for the recommendation that the United States Army Special Forces, similarly termed Special Forces (SF), be given increased responsibilities in covert action.

The author organized this monograph to show that covert action is a form of intelligence vital to the maintenance of the three areas listed above. The primary and secondary questions to be answered are explained and developed to fall in line with the recommendation as mentioned previously. Also listed are some assumptions and relevant conditions pertinent to providing context in this monograph for covert action. Several historical examples of covert action and interactivity between the Central Intelligence Agency (CIA) and the military, primarily SF, are listed to illustrate that past practices may be a predictor of future engagement.

Following these historical examples, the scope and results of the research for this monograph are laid out starting with the history of the CIA and SF origins through the Office of Strategic Services (OSS). This then flows into the background and capabilities of the CIA, to include a definition and explanation of covert action, touching upon presidential findings and congressional reporting. The background and capabilities of SF are annotated to include ramifications of SF operating in the covert action realm. Included in the SF portion is a definition and explanation of clandestine operations. The last areas of content in this monograph are the conclusions and recommendations.

METHODOLOGY

The methodology (steps) taken to obtain information needed to address the primary and secondary questions were personal interviews, books and other printed literature, and internet inquiries. Of these three venues in which the information and research were obtained, the personal interviews offered the most informative insights to this subject. The personal interviews also proved to be the most difficult in being able to capture all the details of the responses to the research questions. This occurred for two reasons. The first is the majority of the subjects involved were not inclined to openly cooperate unless their comments were non-attributable. Therefore, this writer agreed to not use their names when producing this monograph in order to acquire as much detail as possible and to offer them the freedom to speak as candidly as they wished. The second reason was a reduction in the actual time with some of the subjects to answer all of the questions due to changes in the daily schedule.

Within the glossary of the monograph are terms and definitions that help paint a clearer picture of the subject matter discussed. These terms might not be understood by a general reader and are relevant because they directly refer to and comprise the main points of this monograph. Without a clear understanding of what each term means, generalities and misconceptions are sure to cloud many readers' minds as to the specifics and peculiarities this monograph attempts to highlight.

To increase SF's role in covert action, could imply reduced levels of participation by the agency that presently is primarily responsible for conducting covert action--the CIA. Within the capabilities scope of SF several intangible areas are mentioned: the military culture, atmosphere, climate, and environment. If SF were granted increased roles and responsibilities for covert action, is the present military and civilian leadership willing to accommodate the possible consequences of leaving Soldiers behind if captured because of plausible deniability and potential retributions to the families of the service members--all of which are within the realm of covert action? These intangibles coupled with the possible consequences and the overall health and

existence of the future of the American way of life, as it is known today; pose potential argument points for and against the recommendation of SF as the lead agent in covert action.

THE HOUSE ANALOGY

The United States attempts to portray itself as a model and protector of democracy, freedom, and liberty. Every great nation, empire, or people throughout history have followed a similar pattern. This pattern is similar to the shape of the “Bell Curve.” The pattern is as follows: they have their start, rise to power, reach their zenith, and then begin the descend to where they are no longer “the power.” At the time of this writing, it is well understood that the United States is the sole superpower and is seen by most as the seated, great empire of present day.

As with all the previous great nations and empires, the one desired goal of a great superpower is to remain in that position for as long as possible. This goal is no different today for the United States Government (USG) and its citizens as it was for the previous world powers. To maintain its place at the top, the United States involves itself in numerous activities and engagements both offensive and defensive and both overt and covert. Since 1979, the American way of life has been challenged and provoked most particularly by some members of the Muslim faith who use Islam and violence, and other terrorists not of the Muslim faith who also use violence to meet their ends and goals.

The events of 11 September 2001 were a strong signal that agents of change (currently in the form of fundamental Muslim or Islamist extremists) opposed to the American way of life were determined to enter the house through a side window while the occupants were asleep upstairs. Now, more than ever, a porch light must remain on to keep vigilance against those who wish to do the United States harm and eradicate its way of life. This is not a new phenomenon to this country. One only needs to look back a short time ago to the former Soviet Union and their agenda for the world. Just as in the Cold War, the United States can no longer afford to maintain minimal levels of home security protection insurance against foul agents and circumstances. The

feelings of comfort and security afforded by exterior, natural defenses provided by two oceans are now inadequate. The price paid on the premiums for larger insurance policies has significantly gone up due to hazards the United States now face.

To get to the root clusters of the evil weeds that declare their hostile intent towards the lawn around the house, as well as the American way of life, actionable intelligence needs to be established. One can gain actionable intelligence by taking action. By this, it is meant that the United States cannot just sit back and be in the “receive-mode” and wait for information, data, and intelligence to flow in before any manner of activity is employed against the hostile intenders. Taking an active approach as opposed to a passive approach is a preferred method in gaining actionable intelligence.

This intelligence may be harnessed via a multitude of methods, capabilities, and sources. The most effective, and yet hardest method to acquire and understand the source for action, is through the conduct of Human Intelligence (HUMINT). Covert action, one method in which HUMINT is derived and expanded, could be a vital key in keeping the side window of the house “burglar-proof.” In this house and neighborhood analogy, covert action is a mechanism that may be used to identify unsavory agents that wish to do harm to the United States. The intent is to identify, locate and, if necessary, render ineffective these unsavory agents well outside the borders of the United States (the neighborhood). Thus covert action could be thought of as a protective barrier around this neighborhood (gated community) as well as a type of alarm system and security locks on the side windows, on a house, within this neighborhood. All the while, plausible deniability could be maintained, suggesting that the house residents were never involved in any form of suppressive action against any belligerents.

MONOGRAPH QUESTIONS

As previously mentioned, the primary question to be answered in this monograph is:
Should United States Army Special Forces be given greater authorities and responsibilities under

USC Title 50 as the lead agent for the conduct of covert action? Following this primary question are several secondary questions that need to be answered. What are the impacts associated with an increased role in covert action for SF? What roles and associations does the CIA have with covert action? What does the USC Title 50 mention regarding covert action? Finally, what is the relationship between SF and the CIA with respect to covert action as well as clandestine operations?

There are several relevant assumptions that will remain the same for the foreseeable future. The United States will continue to conduct covert actions under the auspices of USC Title 50. The CIA will continue to be involved with covert action. The Department of Defense (DoD) will be resourced at higher levels of budgeting and manpower than the CIA. Within the DoD, SF is the most capable element to carry out covert action activities.

Two primary source documents, *The National Security Strategy (NSS)* and *The National Military Strategy (NMS)* allow for the relevant policies that will remain the same for the foreseeable future. An example of such a relevant policy is the USG and Administration's backing and support for the DoD. This backing and support is through budgetary and regulatory channels to allow the DoD the ability and freedom to prosecute its mission in defense of its nation. Finally, the Administration will continue to grant Presidential Findings to execute covert actions.

The relevant conditions that will remain the same for the foreseeable future are the utter contempt and associated determination that various groups and organizations will have against the United States. With this assumption made, the United States must maintain intelligence gathering and activities in order to subvert these anti-American groups. Accordingly, all the participating members of the President of the United States' Cabinet that comprise the elements of national power, particularly diplomacy and economics, have to more thoroughly engage the various groups and organizations that have utter contempt against the United States for the foreseeable future to hopefully make partners of these groups.

It is the author's opinion that SF should have a participating member seat or consistent invitee status on the National Security Council (NSC). This sort of visibility will provide them with constant and direct access to the President and the remainder of the Executive Branch. Without this presence acting as the designated representative and reliable advocate for SF as the lead agent in covert action, the CIA will then always be considered first in this role. The argument might surface that for military matters within the President's Cabinet and the National Security Council, the Secretary of Defense (SECDEF) and the Chairman of the Joint Chiefs of Staff (CJCS) are already the advocate for SF and another person or position would be redundant.

The author submits that even though the SECDEF and CJCS are present, a separate representative for SF's position is relevant in this particular matter. For example, the Director of National Intelligence (DNI) is a regular attendee to the NSC, yet one of the DNI's subordinates, the CIA, also enjoys a consistent invitee status for relevance and credibility of their situation. During the initial NSC planning for DoD responses to the attacks that occurred on 11 September 2001, it was the CIA, not DoD pundits that recommended a SOF and SF approach in Afghanistan.

Basically, the conditions as outlined in the *NSS* and the *NMS* that will remain the same are couched here as those who harbor ill-will towards the United States and the United States' determination to use all methods and activities available to identify where the threat is coming from. The next step then is to infiltrate into the various groups and organizations to best choke out any future growth. Lastly, the defeat and or neutralization of this negative determination before it reaches American soil and United States interests abroad. The *NSS* and the *NMS* could be considered living documents. The manner in which the US handled previous situations and conditions and the experience gained from these past examples help to provide predictive insight that go into future versions of the *NSS* and *NMS*.

There are several past examples of covert action carried out by the CIA and the military, and not always just with SF. The personnel trained in special operations techniques,

unconventional warfare, and covert action worked primarily in the Office of Strategic Services (OSS), which disbanded in 1945 after the end of World War II. At the start of the Korean War in 1950, SF did not exist. The Far East Command (FEC) under General Douglas MacArthur maintained oversight for all Services' intelligence gathering activities and behind the lines operations during the Korean conflict. The organization within the FEC that had responsibility for this function was the Combined Command Reconnaissance Activities, Korea (CCRAK). The 8240th Army Unit. "White Tigers," was the primary Army element that carried out the covert actions and other special operations. During this time, the CIA in Korea operated under the Joint Activities Commission Korea (JACK). Even though JACK was part of CCRAK, the military had no command authority over the CIA.¹ Both entities, the 8240th Army Unit and the CIA, ran covert actions against the communist North Koreans. They worked with teams of North Koreans who had fled from the North to the South. Basing from islands off the North Korean coasts, covert actions and other special operations were conducted within North Korea. The main difference between the 8240th's actions and the CIA's actions were the level or scope of interest. The CIA focused more at the larger, strategic, and global levels while the 8240th focused more at the operational and tactical levels limited to events just in Korea.²

In the mid 1960s and into the early 1970s, American Special Operations Forces (SOF) really helped to achieve its legacy and mark upon the military establishment. This was most evident in Vietnam. Within SF existed a unit, code named Studies and Observations Group (SOG). This unit, SOG, conducted covert action operations predominantly gathering intelligence. If the opportunity presented itself, they performed other activities such as mining enemy roads, ambushing enemy units and calling in air strikes on hidden bases inside of Laos and Cambodia.

¹Ben S. Malcom, *White Tigers: My Secret War in Korea* (Brassey's, 1996), 130.

²Ibid.

During this time period, for diplomatic reasons, the USG had chosen to disavow these cross-border missions. All these missions were classified top secret and officially denied.³

Here in Vietnam, SOG members worked with the CIA in the conduct of covert action. One such example was along the Ho Chi Minh Trail in Laos. The Ho Chi Minh Trail was the main North Vietnamese supply route into South Vietnam that ran through the “neutral” and off-limits countries of Laos and Cambodia. In this example, in a recently abandoned base camp on a river along the Ho Chi Minh Trail in Laos, SOG Reconnaissance Team Illinois working hand in hand with the CIA brought back soil samples in a plastic bag. These soil samples were for a CIA covert action named Project Popeye. In Project Popeye, the CIA was to air drop emulsifiers to clog the Ho Chi Minh Trail with “super-mud” and thus reduce the enemy’s ability to resupply his efforts via this trail network.⁴

Another more infamous and mystique-clouded collaboration between SOF and CIA during the Vietnam War was with the Phoenix Program. The Phoenix Program was the CIA’s top secret and covert program designed to neutralize and, if possible, eliminate the shadow government established by the Viet Cong (VC) in South Vietnam. The VC were a communist entity supported and backed by North Vietnam. In their effort to overthrow the Government of South Vietnam, the VC stood up a shadow government aimed initially at influencing the people of the rural villages and hamlets. The CIA officers were overall in charge of the Phoenix Program. The SOF, consisting of SF and Navy SEALs, trained the South Vietnamese mercenary elements. The CIA and SOF personnel would assist and accompany the South Vietnamese elements into an identified village to either assassinate the shadow government cadre or if

³John L. Plaster, *Secret Commandos: Behind Enemy Lines With The Elite Warriors of SOG* (New York, NY: Simon and Schuster, 2004), 29.

⁴*Ibid.*, 136.

possible recruit this shadow government cadre to work for the CIA and inform against their own VC network.⁵

In the 1980s, the CIA and the military paired up again to carry out covert actions. Most notably in Afghanistan, the CIA operatives within the Special Activities Division that oversaw the paramilitary forces collected intelligence and ran covert action activities with local militia forces.⁶ These SF members detailed to the CIA advised, trained, and assisted these local militia forces as the CIA provided the money and assets to purchase equipment and other logistics. At first, the covert actions were aimed against the Soviet elements that crossed the border into Afghanistan. One of the Soviet intentions was to install and support a communist backed government under Najibullah.⁷ Towards the end of the Clinton Administration, and in the early part of the Bush Administration, the CIA-SF effort was focused primarily through Ahmed Shah Massoud and his Northern Alliance forces. The covert actions were to aid Massoud in his war against the Taliban and Al Qaeda elements that were now in charge of the Afghan Government.⁸

Also during the 1980s, the CIA conducted covert action operations in Central America particularly in El Salvador. It was understood that Marxist-Leninist guerrillas were increasing their activities in El Salvador with the intent to establish a communist form of Government. Along with their Sandinista-ruled Nicaraguan neighbor, the rebels or guerrillas were seen as becoming Soviet allies.⁹ In response, the CIA used its covert action resources to funnel in millions of dollars to pro-United States organizations, especially those influenced by José Napoleón Duarte such as labor unions, rural cooperation organizations, and the Christian Democratic Party.¹⁰

⁵Mark.Moyar, *Phoenix and the Birds of Prey: The CIA's Secret Campaign to Destroy the Viet Cong* (Annapolis, MD: Naval Institute Press, 1997). 158.

⁶Steve Coll, *Ghost Wars: The Secret History of the CIA, Afghanistan, and bin Laden, from the Soviet Invasion to September 10, 2001* (New York, NY: The Penguin Press, 2004), 499-500.

⁷Ibid., 133.

⁸Ibid., 573-575.

⁹Steven Emerson, *Secret Warriors: Inside the Covert Military Operations of the Reagan Era* (New York, NY: G.P. Putnam's Sons, 1988), 86.

¹⁰Ibid., 87.

But just the flow of money was not enough and military intervention was added to the equation. These SF advisors based in Panama at that time, mostly from 7th Special Forces Group (Airborne), contributed to the CIA's efforts against the communist insurgency. The SF personnel, temporarily detailed to the CIA, would train elements of the Salvadorian military in counterinsurgency.¹¹ Other special operations units assisted the CIA in covert action in Central America such as the clandestine aviation unit known as "Seaspray."¹² Seaspray was a joint, interagency project that came into existence on 2 March 1981. Their mission was to provide quick transportation of men and material, a capability vital in conducting covert action missions.¹³

These past examples are used to illustrate the relationship and pattern of collaboration between the CIA and the military (most notably SF) in the conduct of and practice of covert action. The "so what," is that one may extrapolate from this past history and predict to a high degree of certainty that covert action will be used again in the future through the efforts of the CIA and SF. The feasibility and suitability of covert action for future use is also deemed to be encouraging. If past practice is any predictor of future behavior, then one clearly should see a pattern that includes CIA and SF elements working together in some form or fashion in covert action. This is especially true since the foreseeable future holds that the United States must infiltrate and root out the terrorist organizations and Islamist extremists that wish to deal evil upon the American way of life. The assumption then is that the CIA will continue to be the primary agency to conduct covert action unless its efforts fail to demonstrate success in their portion of GWOT.

SCOPE AND RESULTS

Within the scope of the subject and research, the subject areas at a minimum that will be included are historical background of both the CIA and SF to illustrate their common heritage,

¹¹Ibid., 86.

¹²Ibid., 88.

¹³Ibid., 45.

current organization, and present day relationships. Another area of concentration within the scope of this work deals with the USC, specifically Title 50 and Title 10, and how they apply to SF and CIA with emphasis on covert action. At this time, the only area not included within the scope of this monograph is the research obtained in the classified realm that, if introduced, would cause the classification of the monograph to elevate from unclassified to classified.

The results of the study could be used to improve military practice by emphasizing the significance of the current situation facing not only the military, but the CIA and the nation as a whole. The GWOT was declared by the United States in response to events that occurred on 11 September 2001. Since that time, the current situation has developed to the point where the United States continues to allocate resources and energies to prosecute the GWOT. The exact meaning and context of GWOT varies based upon who is asked to define it. For context within this paper, this author's definition of GWOT is defined as a United States led effort on a global scale to defeat various enemies of the United States and its allies. These enemies include some members of the Muslim faith who use Islam and violence and others not of the Muslim faith who also resort to violent tactics, such as terrorism, to achieve their desired goals. Also included in the definition of who comprises the enemy are those individuals and groups that conduct international insurgencies as well as criminal organizations. Some aspects of GWOT are constant and help to define the significance of the current situation. These aspects are that the United States and its allies have enemies that utilize terrorism to achieve their desired goals, and the United States and its allies are expending resources and energies in the prosecution of the GWOT to preserve as much of their current way of life as they know it today into the future.

The United States has enemies that are very determined and almost telegraphic in their intent to do harm to the American way of life. The United States, like every other great collection of people throughout history, conducts activities and policy towards maintaining the nation's existence and position of power within the world community through the actions of limiting these enemies' capability and will to harm its way of life. A method of maintaining this longevity that

deals with these enemies is through foreign policy. Through the practice of covert action, this foreign policy may be executed to achieve the desired aims by venues that may seem unpalatable to some. By definition, these covert actions are designed to conceal who sponsored the action, thus theoretically alleviating the less-than-palatable taste from the civilian leadership not involved with the presidential finding and the American public.

Hand-in-hand with the current situation is the necessity for an understanding and awareness of the capabilities and limitations of the United States' chief executor of covert action, the CIA. By the military knowing the parameters of effectiveness of the CIA in performing covert action in support of United States foreign policy, adjustments could be made within the military, particularly within SF, to augment any gaps or shortcomings. Essentially, SF must understand the full context of what it means to operate in a covert action environment. By having this level of situational awareness, SF can move forward to better train and equip their personnel for the conduct of covert action.

The results of this study will help in illuminating ten recommendations for the involved parties to contemplate with respect to SF and CIA participation in covert action. These recommendations are contained within the final six paragraphs of this monograph. *The 9-11 Commission Report* recommended a study to be conducted to see if the paramilitary activities of the CIA should fall under DoD control.¹⁴ The CIA's paramilitary operations are somewhat interwoven with their covert action capabilities. The controversy then lies in the CIA's loss of being able to conduct other activities if the paramilitary operations are turned over to the DoD. One course of action to alleviate the controversy is for SF to maintain its status-quo, supporting role to the CIA's primary role in covert action. The second course of action would be for SF to increase its support levels and supporting role to the CIA, but the CIA maintains its dominance in

¹⁴Richard A. Best, Jr. and Andrew Feickert, Specialists in National Defense Foreign Affairs, Defense and Trade Division, *Special Operations Forces (SOF) and CIA Paramilitary Operations: Issues for Congress* (Washington, DC: Congressional Research Service, The Library of Congress, 4 January 2005), Available from http://digital.library.unt.edu/govdocs/crs//data/2005/upl-meta-crs-6205/RS22017_2005Jan04.pdf; Internet; accessed on 10 March 2007.

covert action while maintaining its control over its paramilitary operations. A third course of action would be for SF to receive greater authorization and participation in covert action, while the CIA shifts its level of activity and now assumes a support role in covert action.

This third course of action parallels the tenth and final recommendation of placing SF as the lead agent in covert action. It is this author's opinion that this is the best direction in which to go because it provides for greater assets to be applied to covert action. It also allows the CIA additional time to re-evaluate their approach to covert action and come up with workable solutions to more efficiently handle covert action on a less than global scale. The worst direction to follow in this author's opinion is the status quo of how covert action is currently conducted. This is a problem because the enemies of the United States have the potential to expand in number and territory if sufficient resources and activities are not applied to thwart the enemies' capability and will to harm America and its allies. With all military courses of action, the leadership involved goes through the process of evaluating and applying what is known as art and science to problem.

There is a certain art and science to the conduct of covert action. An example of the art used in the conduct of covert action is the ability of the executor to live under a cover story for long periods of time. During this long-time period, there exists the possibility of compromise of the person and or mission by having his true identity revealed to those who it is wished not be known. A potential consequence of compromising the person's true identity could be loss of political influence and mobility by his government in that country. Also there could be reprisals taken against the individual or individual's family. A hypothetical example of this is the political party targeted for failure in a specific covert action. They could seek revenge if they had information as to the true identity of the person or persons creating subversion against them.

An example of the science involved in covert action is the attention to detail of the money trail and using the unvouchered funding authorities to hide the direct, traceable path of where the funds came from to support a covert action. By highlighting the details of this subject through the

study and research of this monograph, potential changes could be on the horizon. With respect to the military, should SF increase its role and participation in covert action albeit only to enlarge its level of support to the CIA? Greater academic focus is warranted towards the art of covert action should SF be granted increased authorization in Title 50 for covert action that propels them to the leading role. Greater academic focus towards the art of covert action could be applied to the following area; reducing potential conflicts (internal and external) with SF personnel when moral, ethical, or cultural boundaries are contested in the conduct of a covert action.

HISTORY AND BACKGROUND

In order to adequately answer the primary research question, should the United States Army Special Forces be given greater authorities and responsibilities under USC Title 50 for the conduct of covert action, an examination of the history and backgrounds of the CIA and SF needs to be presented. The intent is to illustrate to the reader how these two organizations came about; touching upon the paths they have followed to get them where they are today. The genesis of both SF and CIA started with the OSS.

Office of Strategic Services

The outbreak of World War II found the United States in a somewhat complex situation. As with the outbreak of World War I, the United States was following a policy of neutrality and isolationism yet in both instances involvement in war was inevitable. The USG passed four Neutrality Acts in an effort to keep the United States out of foreign wars. The final Neutrality Act was passed on 4 November 1939 which contained a cash and carry type of formula. This basically said nations receiving United States assistance had to pay cash for the material and transport the goods in their own ships.¹⁵ Then on 11 March 1941, the Lend-Lease Act was passed as the principle means for the United States military aid to foreign nations. One major

¹⁵Answers.com, Neutrality Acts, Available from <http://www.answers.com/topic/neutrality-act?method=26&initiator=answertip:continue>; Internet; accessed on 10 March 2007.

difference between the Lend-Lease Act and the Neutrality Acts was that the recipient nation no longer had to provide payment for the material whose defense President Franklin Roosevelt deemed vital to the defense of America.¹⁶

It was during this time that the USG began to take an introspective look at its capabilities, limitations, and shortfalls in the event circumstances changed and brought about the active commitment of the United States military forces. One area that the United States had limited capability in was intelligence, both at the national level and at the military strategic level. In 1940, President Roosevelt assigned William J. Donovan--a fellow New Yorker, former 1907 law classmate at Columbia University, and World War I National Guard Medal of Honor winner--the task to take part in several secret, fact-finding missions in Europe.

Principally, Donovan was to examine the British models of intelligence carried out by their Secret Intelligence Service (SIS) commonly referred to as MI6, the Security Service commonly referred to as MI5, the Special Branch and the Special Operations Executive (SOE). Out of these fact-finding missions, Donovan conceived the framework for expanding and deepening the United States intelligence apparatus. In July of 1941, Donovan was appointed as the Director of the Office of the Coordinator of Information (OCI), which by that time was considered ineffective. The OCI was then replaced by the OSS in July of 1942 with Donovan as the head. The OSS borrowed features and capabilities from across the spectrum of the British intelligence agencies and centralized them for the most part under one United States organization. The USG's intelligence system was linked at the hip to Britain through the fledgling OSS and through the efforts of men like William Stephenson (SIS's LNO to the United States) and Stewart Menzies (Britain's MI6 Chief during World War II).¹⁷

¹⁶Answers.com, Lend-Lease, Available from <http://www.answers.com/topic/lend-ndash-lease-act>; Internet; accessed on 10 March 2007.

¹⁷Spartacus Educational, William Donovan, Available from <http://www.spartacus.schoolnet.co.uk/2WWdonovanW.htm>; Internet; accessed on 10 March 2007.

Office of Strategic Services Organization and Structure

To effectively describe the organization and functions of the OSS, nothing could be better than the actual words and terms used within the OSS structure at that time that were provided to new staff members. In a recently declassified document (1 September 2004) the then secret memorandum for all Branch Chiefs and Strategic Service Officers, dated; 7 July 1944 is provided in full context. This memorandum was constructed and issued by Major Duncan C. Lee, the assistant to Major General William J. Donovan. This memorandum offers a detailed, yet concise account of why the OSS was formed, what the OSS was capable of, and who within the OSS carried out the activity and or action.

Office of Strategic Services Washington D.C. 7 July 1944 Memorandum for all Branch Chiefs and Strategic Service Officers. Attached is a brief statement describing the origin and functions of OSS. For reasons of security this statement should not be given general circulation but should be filed in your office and used in indoctrinating such new members of your staff as, in your discretion, should have access to the information which it contains. Duncan Chaplin Lee Major, AUS Chief, Secretariat.

What You Should Know About OSS--Since you have reported for duty with the Office of Strategic Services it is proper and essential that you should have some knowledge of its functions and of the reasons for its existence. Duncan Chaplin Lee Major, AUS Chief, Secretariat.

The conquests of Germany and Japan created in the occupied countries a situation potentially favorable to the Allies. While it is true that these conquests have increased enormously the enemy's strength, they are at the same time a source of weakness. The people whom the enemy conscripted to work in his factories, to grow his food and to run his railroads are not accustomed to slavery. They have not accepted their new rulers. They are living and in many instances working for the day when their freedom will be regained. The presence of such people within the enemy's economy is potentially a liability, perhaps the greatest single liability that the enemy has. Duncan Chaplin Lee Major, AUS Chief, Secretariat.¹⁸

There are two principle ways in which this liability can be exploited. One is through the collection of secret intelligence and the other is by the conduct of special operations in support of resistance groups. Success of both of these activities depends on the cooperation of the people in

¹⁸OSS-The Psychology of War, OSS Organization and Interagency Relations; Available from <http://www.icdc.com/~paulwolf/oss/lee7july1944.htm>; Internet; accessed on 10 March 2007.

the occupied countries. To the extent that one can encourage resistance and furnish the arms which will make resistance effective, this can shorten the war and bring about the enemy's defeat.

The tasks of collecting secret intelligence and of waging this unorthodox type of warfare are ones that the established branches of the Armed Services had not attempted. Secret intelligence can be procured only through the use of agents specially trained and recruited for undercover activities. These agents must possess unusual language qualifications and be able to pass as natives of the country in which they will work. To supplement the intelligence procured through secret channels, research must be undertaken by experienced scholars. Moreover, the techniques of organizing and supplying resistance groups are very different from the tactics used in more orthodox military operations. They require special skills and training unlike those needed or developed by the Armed Services for combat purposes.

Since there was no established agency of the USG equipped to obtain the necessary intelligence and to conduct the necessary operations in support of resistance groups, the President created the OSS and placed it under the jurisdiction of the Joint Chiefs of Staff. The OSS is, therefore, not a part of either the Army or Navy, but is responsible solely to the Joint Chiefs of Staff for the execution of its activities.

The intelligence functions of OSS are carried out by the following five branches which operate under a Deputy Director-Intelligence.

Censorship and Documents (CD): This branch deals with radio, censorship, and documentary intelligence.

Counter Intelligence (X-2): This branch is responsible for counter-espionage intelligence.

Foreign Nationalities: This branch supplies intelligence concerning the activities of Foreign Nationalities groups within the United States with respect to issues concerning their homelands or otherwise relating to the war.

Research and Analysis (R&A): This branch is an organization of scholars and research specialists who possess unusual language qualifications and have expert knowledge of particular geographic areas.

Secret Intelligence (SI): This branch is engaged in the acquisition of secret intelligence in all areas except the western hemisphere. Intelligence is evaluated and disseminated to the Army and Navy and other appropriate Government agencies.

Under a Deputy Director-Operations, there are four main operational branches.

Maritime Unit (MU): This branch engages in naval sabotage against enemy shipping and is responsible for the planning and execution of the maritime phase of operations undertaken by other branches.

Moral Operations (MO): This branch directs morale operations against the enemy's mind and are primarily non-violent. Black propaganda, clandestine radios and other forms of morale subversion are planned and executed.

Operational Groups (OG): This branch consists of foreign language speaking units composed of highly trained officers and men capable of attacking special targets behind enemy lines and of providing the operational nuclei for guerrilla warfare.

Special Operations (SO): This branch is responsible for the conduct of special operations, including sabotage and the organization and supply of resistance groups.

To assist and service the intelligence and operational activities carried on by the branches outlined above, the following offices and branches have been established:

Communications: Communications is responsible for development and supplying radio sets and for maintaining OSS communication facilities.

Field Photographic Branch: The Field Photographic Branch produces motion pictures of OSS activities in the field.

Headquarters Detachment: Headquarters Detachment is responsible for all administrative matters in connection with commissioned and enlisted personnel of the Army assigned to OSS.

Medical Services Office: This office provides medical supplies and personnel for OSS activities.

Naval Command: Naval Command handles all administrative matters in connection with Naval personnel assigned to OSS.

Office of the General Counsel: The General Counsel is responsible for all legal matters pertaining to OSS activity.

Personnel Procurement Branch: This branch recruits personnel whether military, Naval or civilian for service with OSS.

Presentation Branch: The Presentation Branch is an organization of skilled technicians capable of making pictorial presentations by charts, graph, and other visual means exclusive of motion pictures.

Research and Development: This office originates and develops special weapons and equipment.

Schools and Training: This branch provides and operates facilities for the training of OSS personnel.

Security Office: This office is responsible for the physical security of OSS property and for the security of all OSS personnel.

Services: Under Services which is responsible for the administrative management of OSS, there are branches for the operation of fiscal, budget and procedures systems, procurement and transportation of supplies, reproduction, civilian personnel and such office services as mail, messenger, courier, and civilian motor pool.

Special Funds: This branch is responsible to the Director for the custody, use of and accounting for special funds.

Special Relations Office: This office maintains liaison with other Government departments and agencies.

The Planning Group: The Planning Group composed of representatives of the State Department, Army, Navy and OSS, studies and develops plans for over-all OSS operations.

The Planning Staff: The Planning Staff which operates under the supervision of the Planning Group does the preliminary work in the connection with planning, preparing, and submitting recommendations to the Planning Group.

The Secretariat: The Secretariat is the channel for all papers requiring the approval of the Director and Assistant Director. It maintains the files of the Director's Office, handles the distribution of cables, and prepares reports for the Director.

Theater Officer: The OSS Theater Officer assisted by Theater Officers for different geographic areas coordinates all OSS matters in Washington pertaining to the various theaters and procures overseas transportation for OSS personnel.¹⁹

The reasons these branches and offices are listed are to establish the connective link between what was housed and contained historically within the OSS and their present day location, applicability, and form found in today's CIA and SF. There is a direct correlation of what the OSS contributed to the United States' effort during World War II through these branches and offices and what the CIA and SF presently contribute to the GWOT through the acquisition and adaptation of these branches and offices into their current form and function. The specific OSS branches that are now organized within the CIA and SF are annotated in this monograph in the subsequent, respective CIA and SF sections.

The OSS was disbanded after the official conclusion of World War II. The many functions, capabilities, and assets controlled by the OSS were primarily absorbed into the Department of War and the Department of State. With the passing of the *National Security Act of 1947* on 26 July 1947 in Key West, Florida, the Department of War and the Department of the Navy were combined into the National Military Establishment later to be termed the Department of Defense. Also under this *National Security Act of 1947* was the creation of the CIA. Thus, the

¹⁹Ibid.

parent known as the OSS, spawned two offspring, SF and the CIA, that carry on the OSS' legacy and capability to present day through such activities as covert action. From the ashes of the OSS, the CIA and SF share a common heritage.

Central Intelligence Agency

For its part, the CIA inherited from the OSS the immediate roles and functions associated with the following branches; SI, R&A and X-2. As the CIA continued to develop over the next couple of years, certain limitations and “boundaries” were identified and addressed to allow the CIA more flexibility in carrying out its duties and responsibilities. In 1949, legislation was passed known as the *Central Intelligence Agency Act of 1949* also called Public Law 110. This Act (Section 8 (b)) permitted the CIA to use confidential fiscal and administrative procedures and exempted it from many of the usual restrictions on the use of federal funds. This is also known as unvouchered funding authority. The Act further exempted the CIA from having to disclose its organization, functions, officials, titles, salaries, or numbers of personnel employed. It also created a program called “PL-110” (taken from the CIA Act of 1949’s common name, - “Public Law 110,” to handle defectors and other “essential aliens” outside normal immigration procedures, as well as give those persons cover stories and economic support.²⁰ This CIA Act is presently codified at USC Title 50, Section 403a and formally establishes Congress’ role as overseer of the CIA.

By its creation, the CIA is chartered under USC Title 50 (War and National Defense) with the collection of national foreign intelligence as its primary mission. It is also empowered to conduct two other missions: (1) Counterintelligence and managing intelligence relationships with foreign nations as well as (2) special activities otherwise known as Covert Action. The CIA does not have a paramilitary mission, but has a paramilitary capability. When the OSS was disbanded, the branches that focused mainly on the performance of paramilitary operations; SO, OG, MU,

²⁰Central Intelligence Agency, About The CIA, Available from <https://www.cia.gov/>; Internet; accessed on 10 March 2007.

and MO were transferred to the DoD and ultimately into the mission set of SF. Today, the CIA for the most part, is structured into two main organizations. The first is the Policy Section which develops the overall doctrine for how the CIA is to operate based upon its three missions and accompanying capabilities. The second is the Special Activities Division (SAD) which is the primary executor of the doctrine, especially for paramilitary operations as well as the ones who carry out the CIA's policies for covert action.

The SAD has within it the SOG. This SOG is composed of three branches; the Air Branch, the Ground Branch, and the Maritime Branch. This SAD is relatively minimal in size, agile, flexible, and very capable of conducting small scale covert actions. Because of its smaller size though, one of SAD's limitations is that it lacks the resources and effectiveness when running medium to large scale covert actions. This SAD is scaled to support CIA operations not DoD and or military operations. The SOG consists of approximately 500 people to include all of the Air Branch, the Ground Branch, and the Maritime Branch. Of these 500 personnel in the SOG, 150 are staff personnel and 120 are paramilitary case officers (the operators). It is unknown at this time what the other 230 people do. The Air Branch has approximately sixty aircraft in its inventory. The fixed wing aircraft are primarily Intelligence, Surveillance, and Reconnaissance (ISR) platforms. The Maritime Branch has one, 163 foot, ship in its inventory.

According to USC Title 50, Executive Order 12036 and Executive Order 12333, no agency except the CIA may conduct covert actions unless the President of the United States (POTUS) expressly determines otherwise in a finding. As a result of these documents, the CIA is the current lead in conducting covert action. The CIA in its present configuration works best with Host Nation (HN) Liaison Service. It is this author's opinion gained from research conducted through the personal interviews at the CIA's headquarters in Mclean, Virginia that the CIA is willing to take more risks and conduct less extensive planning for its operations than SF.

Presently, there exists a certain infrastructure (cut-outs) and covert influence groups for the conduct of covert actions by the CIA and those hired by the CIA. An example of this

infrastructure used by the CIA is captured within the Seaspray aviation unit. The parent company that owned the aircraft (Armairco) contracted with the Honduran government to conduct “electromagnetic surveys.” Covertly, these same aircraft were used to conduct signals intelligence gathering of the Marxists forces and provide that information to the Honduran military.²¹ The CIA owns or has access to boats, aircraft, bases, communications, and logistics in its infrastructure to perform covert action that, if compromised, the CIA could deny and walk away from. The SF community does not possess such resources. This overall CIA infrastructure is not necessarily set up to have SF in its present arrangement fit into it. Nor does the current CIA infrastructure provide the proper back stops for the protection of SF members should SF become the lead agent in covert action. For example, any retribution against SF Soldiers exposed or compromised while conducting covert action by the “bad guys” is not wholly factored in the current infrastructure used by CIA.

Accordingly, to facilitate the execution of covert action, the CIA is afforded various exemptions from United States and International Law as outlined under the *National Security Act of 1947*, Title XI, Section 1101 and USC Title 50, Section 442. As mentioned earlier, The CIA Act of 1949 granted the CIA unvouchered funding authority that provides the CIA the freedom it needs to carry out covert action without having to account for all funds spent in its budget. Truly, SF does not have this unvouchered funding authority.

Under the Fiscal Year 2007 (FY07) National Defense Authorization Act (NDAA), SF have access to several sections of funding to build or sustain partner capacity or prosecute the GWOT. Section 1201 provides for global lift and sustain authority allowing support to partner nations in addition to the “lift and sustain” authority given annually for Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF). The authority is limited to \$100 million per year. Section 1202, Acquisition and Cross-Service Agreement (ACSA) Significant Military Equipment (SME) as provided for OIF and OEF, authorizes the loan of SME that aids in personnel

²¹Emerson, 94.

survivability to coalition partners by means of an ACSA. Section 1205 provides greater departmental authority to participate in multinational military centers of excellence. Section 1206 provides train and equip authority up to \$300 million per year to build capacity to enable other countries to help fight GWOT. Section 1207 provides services, transfer defense articles, and funds to the Secretary of State for the purpose of facilitating reconstruction, security, and stabilization assistance to a foreign country. These funds cannot exceed \$100 million each year. Section 1208 provides the support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating on-going military operations by United States Special Operations Forces to combat terrorism. These funds cannot exceed \$25 million per year. All of these funds require the user to document and report in detail their expenditure.

COVERT ACTION

If the CIA is indeed the current covert action lead and the argument of this monograph is for SF to serve as the lead in covert action, it is necessary to know what covert action is. Covert action is designed to influence three areas or things: (1) political conditions and situations abroad; (2) military conditions and situations abroad; and (3) economic conditions and situations abroad. There are many types of covert action operations, and not all of them are violent.

For example, if a government wishes to influence the politics of another country's government, the government may secretly fund an opposition party in the other country in order to influence that country's elections. Another covert action method is to employ foreign newspaper reporters to write articles that give the version of events, the propaganda, that you want people to believe, even if it is the furthest thing from the truth. Or perhaps the owners or editors of a newspaper or media service can be bought or won over to allow articles or news stories created by the intelligence organization for propaganda purposes to be planted in the newspaper or media service in order to influence public perceptions. For example, mercenaries can be referred to as "contractors" in the press. Later press releases may make people believe that

casualties among the mercenaries (contractors) are innocent civilian construction workers who were unjustly victimized.

The main thing about covert action is that it must be designed to be concealed and denied. There is a term called “plausible deniability.” The significance of plausible deniability is to provide a protective outlet for governments to carry out their national security interests in environments and situations where the overt knowledge of their participation might cause negative political and possible negative economic retributions. When a government authorizes a covert action operation, the operation must be done in such a way that the government can claim that it knows nothing about it; in other words, the operation must not be attributable to the government that authorized it.

Covert action operations are often disinformation operations, which are conducted in such a way as to discredit the opposition or the enemy. This is done, for example, by doing a violent action, such as a bombing, but making it look like the forces of another country or group did it. Such operations are sometimes called false flag operations. A false flag operation is conducted to make it look like it was done by people serving under another flag, preferably the enemy’s flag. If the operation succeeds as designed, people will blame the action on the wrong party (the enemy). Thus, public opinion will be won over to the side that actually did the killing. Such false-flag, covert action operations are often referred to as dirty tricks.²²

A hypothetical scenario of a covert action is where CIA operators travel to Spain to purchase mortars that are very good copies of Israeli mortars but without any Israeli markings to be used against “bad guys” in a Muslim country. The CIA personnel purchase the mortars from an illicit arms dealer. In order to get the mortars and accompanying ammunition out of Spain, they have to bribe several port authorities and officers to assist in the process of stamping the paperwork for approval and everything pushed through. After the weapons are smuggled out of

²²J. V. Grady, “What is Covert Action?” Available from <http://www.informationclearinghouse.info/article10356.htm>; Internet; accessed on 10 March 2007.

Spain, everything is transported to a Muslim country in Africa that is currently under United Nations sanctions which expressly prohibits any importation of weapons. The goal of this operational scenario is to supply a surrogate group of people in this African country with the mortars to be used against a pocket of known terrorists in an Al Qaeda camp. When all is said and done, no trace of the mortar attacks on the camp can be linked back to the United States and thus plausible deniability of United States sponsorship is maintained.

REPORTS TO CONGRESSIONAL INTELLIGENCE COMMITTEES

According to Title 50, Chapter 15, Subchapter III, 413b, the President may not authorize the conduct of a covert action by departments, agencies, or entities of the USG unless the President determines such an action is necessary to support identifiable foreign policy objectives of the United States and is important to the national security of the United States, which determination shall be set forth in a finding that shall meet each of the following conditions:

Each finding shall be in writing, unless immediate action by the United States is required and time does not permit the preparation of a written finding, in which case a written record of the President's decision shall be contemporaneously made and shall be reduced to a written finding as soon as possible but in no event more than forty-eight hours after the decision is made. Except as permitted above, a finding may not authorize or sanction a covert action, or any aspect of any such action, which already has occurred.

Each finding shall specify each department, agency, or entities of the USG authorized to fund or otherwise participate in any significant way in such action. Any employee, contractor, or contract agent of a department, agency, or entity of the USG other than the CIA directed to participate in any way in a covert action shall be subject either to the policies and regulations of the CIA, or to written policies or regulations adopted by such department, agency, or entity, to govern such participation.

Each finding shall specify whether it is contemplated that any third party which is not an element of, or a contractor, or contract agent of, the USG, or is not otherwise subject to USG policies and regulations, will be used to fund or otherwise participate in any significant way in the covert action concerned, or be used to undertake the covert action concerned on behalf of the United States. Finally, a finding may not authorize any action that would violate the Constitution or any statute of the United States.

Production of information to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the Director of Central Intelligence and the heads of all departments, agencies, and entities of the USG involved in a covert action are held to the following standards:

They shall keep the congressional intelligence committees fully and currently informed of all covert actions which are the responsibility of, are engaged in by, or are carried out for, or on behalf of, any department, agency, or entity of the USG including significant failures; and shall furnish to the congressional intelligence committees any information or material concerning covert actions which is in the possession, custody, or control of any department, agency, or entity of the USG and which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.

The President shall ensure that any finding approved shall be reported to the congressional intelligence committees as soon as possible after such approval and before the initiation of the covert action authorized by the finding. There are exceptions though to this time of reporting, such as if the President determines that it is essential to limit access to the finding to meet extraordinary circumstances affecting vital interests of the United States. Whenever a finding is not reported in the normal directed manner, the President shall fully inform the congressional intelligence committees in a timely fashion and shall provide a statement of the reasons for not giving prior notice.

The term “covert action” means an activity or activities of the USG to influence political, economic, or military conditions abroad, where it is intended that the role of the USG will not be apparent or acknowledged publicly. Conversely the areas not covered by this definition include activities the primary purpose of which is to acquire intelligence, traditional counterintelligence activities, and traditional activities to improve or maintain the operational security of the USG. Further areas not covered by the definition of covert action above include programs or administrative activities that fall under traditional diplomatic or military activities or routine support to such activities and traditional law enforcement activities conducted by USG law enforcement agencies. Finally, there is a prohibition on covert actions intended to influence United States political processes, public opinion, policies, and or media.²³

The spelling out of the parameters that constitute a presidential finding and the reporting instructions of a covert action to congress help to illuminate to the administrative and supporting apparatus of SF, specifically the lawyers, the constraints, and procedural methods required to operate in the covert action arena. If SF are to position themselves as the lead agent in covert action, a complete understanding of the “rules of the game” are essential in order to curtail potential negative legal repercussions and prevent further congressional oversight “creep” into other SF operations. It is therefore necessary to facilitate confidence and good faith in all parties concerned that SF as the lead agents in covert action maintain the required expertise in all areas governing the statutes prescribed in law.

Even though the CIA is currently the lead agent in covert actions, it is apparent that during research for this monograph, the CIA does not claim covert action as “all its own.” If another agency or department is added or becomes the lead for covert action, that is “ok” with them. It is also apparent from the research that the CIA, as presently organized, resourced and trained, is not conducting its covert action, intelligence gathering, as well as, paramilitary

²³Cornell Law School, LII/Legal Information Institute, U.S. Code Collection, Available from <http://www.law.cornell.edu/uscode>; Internet; accessed on 10 March 2007.

operations as effectively as needed for United States' execution in the GWOT. Perhaps they still employ a "Cold War" methodology and system in preparing their agents and case officers. If the research mentioned is truly an indicator that the CIA is not up to speed in conducting covert action missions as effectively as they can, are SF any more prepared to take the lead? An argument captured in the research as stated by the CIA and those military personnel at the Pentagon not in favor of SF as the lead agent in covert action point out that SF are not as experienced and familiar with the infrastructure and business practices afforded the CIA for execution of covert action.

SPECIAL FORCES

The SF, like its sibling the CIA, can trace its history and heritage back to the OSS. When the OSS was disbanded the Branches that focused mainly on the performance of paramilitary operations; SO, OG, MO, and MU were transferred to the DoD and ultimately into the mission set of SF. The SF also pays credence to the First Special Services Force (FSSF) in helping to establish its capabilities and organization. The FSSF was activated on 9 July 1942, as a joint or combined United States and Canadian unit trained in airborne, amphibious, winter, and mountain warfare. The FSSF training was conducted at Fort William Henry Harrison in Helena, Montana. The FSSF was activated for Project Plough, which was an invasion to liberate Norway, but the project was cancelled. Following this, the members of the FSSF were sent to Kiska in the Aleutian Islands, then to Italy for the Italian Campaign, and finally to France, where the Force incurred so many casualties that the unit was disbanded in southern France at Menton on 6 January 1945.²⁴

The man normally given credit as being the father of, or creator of, the United States Army Special Forces is Colonel Aaron Bank. Bank was serving in the Conventional Army when the United States entered into World War II. In 1943, he volunteered for duty in the OSS and

²⁴First Special Services Forces, History, Available from <http://www.groups.sfahq.com/fssf/history.htm>; Internet; accessed on 10 March 2007.

worked in the SO Branch. It was from his experiences in the SO Branch and in the OSS that Bank conceived the framework for the creation and capabilities of SF. Following World War II and the disbanding of the OSS, the training, techniques, capabilities, and overall missions of the SO Branch and other Branches that did not get organized under the CIA were really without a permanent home in the United States Army. Colonel Bank saw a void here and convinced the military leadership within the Psychological Warfare staff that the United States Army should have a permanent unit whose mission would be to conduct unconventional and other special operations. In June of 1952, Colonel Bank was given the task of organizing and making operational the first “special forces.” These SF would be the first guerrilla warfare unit ever to become part of the regular military forces of this country. This unit, the 10th Special Forces Group (Airborne) was created with the vision that Bank had experienced while working with the OSS--the organizing of civilian natives into guerrilla forces in enemy-held territory.²⁵

Today’s SF are, at first glance, the result of a combination between the OSS and FSSF. The hallmark mission that defines the title of the unit itself is Unconventional Warfare. In essence, SF were created to fill a gap in the Army that was perceived by some to be carried out by the CIA through their SAD and SOG and more specifically the Ground Branch of the CIA.

By its creation, SF are bound under USC Title 10 (Armed Forces) and Title 50 for the conduct of traditional military activities. Interestingly, DoD has more authorities and responsibilities under Title 50 than the CIA, but not for covert action. According to Field Manual (FM) 31-20, *Doctrine For Special Forces Operations*, Chapter 3, *Special Forces Missions*, dated; June 2001, modern day SF have five primary missions: (1) Unconventional Warfare (UW); (2) Foreign Internal Defense (FID); (3) Special Reconnaissance (SR); (4) Direct Action (DA); and (5) Counter Terrorism (CT). Paramilitary operations conducted by the CIA are very much associated with CT operations conducted by SF, as the skill sets are somewhat similar.

²⁵Colonel Aaron Bank, History, Available from <http://www.militarymuseum.org/Bank.html>; Internet; accessed on 10 March 2007.

Today's SF organization in its present form is aligned under a Regimental structure of a SF Group Headquarters with three Battalions. Each Battalion has three Companies. The majority of the SF Companies consist of 83 personnel composed of one Special Forces Operational Detachment Bravo (SFODB)--eleven personnel, and six Special Forces Operational Detachment Alphas (SFODA)--12 personnel. There are five Active Duty SF Groups and two, National Guard SF Groups. There are approximately 2,000 personnel authorized in a SF Group and approximately 30,000 personnel overall within United States Army Special Operations Command (USASOC).

The CIA is aware of the previous history of work between themselves (CIA--"The Agency") and DoD (SF) when both were under OSS. They are also aware of the collaboration effort between themselves and SF especially in Vietnam and the development of SF school house training within the United States Army John Fitzgerald Kennedy Special Warfare Center and School (USAJFKSWCS) specifically in the Robin Sage scenario. The Robin Sage scenario is the culmination Field Training Exercise (FTX) of the SF Qualification Course (SFQC). Upon completion of the Military Occupational Specialty (MOS) phases of the SFQC, the SF students are formed into student SF Operational Detachments and attempt to utilize all the instruction they have received thus far in the SFQC in an unconventional warfare setting. Historically, the CIA can request SF support and normally the SF provides Soldiers for this in the form of detailing. Another form of SF support provided to the CIA is to equip and train the CIA's surrogate forces.

Presently, SF personnel operate within the covert action realm in a supporting role to the CIA's lead. As such, SF participate in covert action via two methods. The first, and more common of the two, is through the process of detailing. Detailing is a method by which approximately 75 to 100 SF personnel each fiscal year are assigned duties to work for and with the CIA. By means of detailing, these SF personnel, who normally operate and fall under Title 10 and its statutes, are temporarily given similar status under Title 50 as the CIA for the conduct of

covert action in their support to the CIA. The second method, in which SF personnel participate in covert action, is through a presidential finding, but this still entails a CIA lead.

If indeed the CIA is incapable of executing covert action as effectively as is needed in America's prosecution of the GWOT and SF should be the new lead agent, what must happen or should happen to bring about this transformation? For starters, the leadership of SF needs to ask for a presidential finding that requests SF as the lead agent in covert action. To date, SF has never requested a presidential finding for a lead-agent-role for covert action. Historically, SF and DoD for that matter, have operated under the assumption (based upon some existing authorities) that the CIA was and is the only agency to conduct covert action in a lead role. Two other main issues must be addressed and tackled before SF can effectively take the reigns as the lead organization in the conduct of covert action. These two issues are legal authorities and education and or training.

SF operate predominantly under Title 10 (Armed Forces) and Title 50 for the conduct of their traditional military activities. Presently, SF conducting clandestine operations outside the United States do so in Title 10 status, while covert action outside the United States is done in Title 50 status. During the conduct of a covert action, the CIA agents are exempt from certain legal authorities. These SF personnel detailed to the CIA in support of this very same covert action though, are held to those legal authorities. An example of this is Law of Armed Conflict (LOAC) status. Presently, SF members are held to the LOAC where they are limited to targeting only valid objectives. Also, because SF are part of the military, they are subject to the statutes of the Uniform Code of Military Justice (UCMJ) at all times. Included in this train of thought are the various authorities presently enjoyed by the CIA for the conduct of covert action that would need to be equally bestowed upon SF. An example of these authorities is the CIA Act of 1949. These SF have no comparable authority critical to their ability to conceal their operations from compromise by following the money trail. Currently, Section 1208 funding afforded to SF can have an extensive paper trail. As written, Executive Orders 12036 and 12333 would need to be

modified and revamped to allow for SF to be the lead in covert action and not specify solely the CIA for this role. Other legal codes that allow freedoms for the CIA to carry out covert action and do so from an intelligence exemption would have to be reviewed for currency and provide for the full applicability to SF conducting covert action. An example of this is Title 10, Section 431, “Authority to engage in commercial activities as security for intelligence collection activities.” This section would have to be modified to support Special Operations in general, as well as, for SF conducting covert action.

Clandestine operations are a sub-set of traditional military activities. Arguably, SF soldiers are the most qualified, trained, and resourced assets within DoD and or United States Special Operations Command (USSOCOM), commonly referred to as SOCOM, to carry out clandestine operations. Clandestine operations are conducted by United States forces in foreign countries in preparation for potential follow-on military operations, military planning purposes, or for preparation of the environment where United States military presence has not been publicly acknowledged. They are also sponsored or conducted by governmental departments or agencies in such a way as to assure secrecy or concealment. The preliminary activities of a clandestine operation must be conducted in secret or they would severely impede United States forces’ flexibility in conducting follow-on operations and would place the lives of United States military and civilian personnel in danger. However, in clandestine operations the role of the United States as a sponsor of follow-on contingency operations would be apparent or acknowledged.

Clandestine operations do not require presidential findings nor does it require congressional pre-notification as is the case for covert action.

An American citizen (under deep cover) in a denied area (such as North Korea) is compromised and rolled up. Does the United States acknowledge him or deny him? In a clandestine operation, the United States will acknowledge the person. By definition, in a covert action, the United States will attempt to maintain deniability of sponsorship of the action. It is the author’s opinion, though, that despite the strict definition applied to covert action, the USG would

acknowledge the person to avoid any furthering of negative political fall out. In a clandestine operation, an activity is performed, and if the United States entity that executed the operation did their job correctly, nobody knew that anything happened. The United States conducted the operation but nobody was the wiser with respect to what happened. If caught or compromised or rolled up, the United States would not deny that something happened and would not deny that United States personnel were involved. Another example of a clandestine operation is having SF personnel pour a caustic substance over the mechanical workings in a hostile military manufacturing plant. It takes several days for the full effect of the caustic substance to appear and the end result looks like an occurrence that could occur naturally. The enemy did not get spooked or alerted, the SF personnel were no where to be found but, if need be, sponsorship of the event would not be denied.

The education received by today's SF community has inculcated a certain mind set, behavior, mentality, and culture. By and large SF, and DoD for that matter, attempts to exude a certain profile with its published ethics, values, and code of conduct as compared to the CIA. The CIA on the other hand has at times been referred to as "trained liars." By conducting covert action, and forced to mask the true relationship with the Host Nation (HN), SF may have the HN see them less favorably in the future (loss of rapport) during overt operations. Hypothetically, SF lying about their identity or what they are doing may run the risk of losing an international mind-set of "boy scout image and or model" to "used car salesman." If SF take the lead in covert action, does this now put at jeopardy the other overt missions? Another example of the effect that the current education and or training has on the culture of SF is poised within the Ranger Creed. Within the fifth stanza of the Ranger Creed is the sentence; "I will never leave a fallen comrade to fall into the hands of the enemy." Yet for plausible deniability, in covert action are SF prepared to leave one of their own behind? There is a certain dilemma with SF lying, cheating, stealing, and operating under a cover story that will require a new educational framework if SF are to be the lead agent in covert action.

The referencing to Infantry training and the Ranger Creed is not to compare Infantry and Rangers to SF. Infantry Soldiers, and United States Army Rangers are not SF Soldiers. It is the author's observation and opinion that a good number of SF Soldiers have a prior Infantry MOS. It is also the author's observation and opinion that a good number of these Infantry Soldiers attend the United States Army Ranger School. The SF Branch is not an entry level branch for officers. The officers coming into SF, do so from another Branch, such as Infantry. It is exactly this prior training, education, culture, climate, etc. (Infantry and Ranger – Ranger Creed) that SF Soldiers selected to conduct covert action need to re-evaluate should plausible deniability become an issue.

CONCLUSIONS/RECOMMENDATIONS

These conclusions and recommendations are based on a few limitations. The researcher had the appropriate security clearances and levels of access to ascertain information and data on this subject in both the classified and unclassified realms. A limitation though was the decision regarding what material could be used to keep this document at an unclassified level in its final form. By opting to create an unclassified monograph, some classified research and facts needed to base the monograph upon were omitted. These classified facts would have provided greater depth and clarity to the primary research question. Initially there was a limitation in conducting the original research due to the investigator's limited experience in the field of covert action. In this researcher's ten years associated with SF, not once did covert action arise, either in conversation or opportunity.

Currently, SF operating in covert action do so at the moment in a supporting role to the CIA's lead. For SF to take the lead in covert action, more training is required in others areas of covert action that SF normally have little or no experience in. Training, equipping, and advising surrogate and irregular forces is nothing new to SF. The art and science of living convincingly under a cover story for long-term access to denied areas, using cut-outs, and engaging in

commercial activities with such adeptness that the money and paper trails are well hidden requires a whole new set of skills. Finally, SF are less inclined to accept risks as evident by the methodology of their detailed and sometimes deliberate planning processes that include risk assessment used to mitigate unnecessary risk. A new training and or education paradigm might be required that allows for higher risk and more agility in the planning process for SF to take the covert action lead. A SF person on the ground actively participating in a covert action may at times be at odds with the foundational education and training he has received both in the civilian and military world. Certain behaviors and activities necessary to effectively conduct covert action may cause him to question what is he willing to do, what lengths is he willing to go legally, ethically, or morally. He knows or has a feeling that this is just not right, but he has to do it anyway in order to accomplish the mission.

The purpose of the research for this monograph is to determine if SF should be given additional authorities and responsibilities under Title 50 as the lead agent for the conduct of covert action. The events of 11 September 2001 as executed within the United States were a real eye-opener, as the saying goes to the United States military, the CIA and other intelligence organizations, and the American people as a whole. Not only were these events eye-opening, but they served as a catalyst for action, self-examination, and possible “finger pointing.” As a result of this eye-opening experience, numerous questions came to the forefront, such as, how did these attacks happen? Did the United States have knowledge of the perpetrators’ intents before they were carried out? What is being done to ensure that these types of results do not occur in the future?

It has become fairly obvious that the principle enemy in question behind these events is the Al Qaeda Network (AQN). With the culprit identified, the USG determined it needed to detect and gather all the intelligence it could to strike back, disrupt, dismantle, and destroy AQN. The USG turned to its military and intelligence community (predominantly the CIA) to assess

their current posture and capabilities. In order to penetrate the AQN, HUMINT is seen as essential.

Supposedly, the best USG HUMINT capable asset is the CIA. To date, the CIA is the lead agent in covert action. The CIA is chartered to collect national foreign intelligence. It also carries out counterintelligence and covert action activities. The CIA maintains a paramilitary capability that is interwoven throughout all its other missions and operations largely because of the Agency's overall smaller size. Consequently, this has left the CIA in a position that to cut out or transfer authority of its current paramilitary capability would negatively impact its ability to execute its other core missions. The CIA has two main organizations, the Policy Section and the Special Activities Division. The agents and or operators from within the Special Activities Division are the primary executors of the CIA's policies for covert action.

It was determined that in its present structure, the CIA has too few personnel (agents and operators), as well as, monetary resources to effectively and efficiently perform the HUMINT activities (covert action) on the global scale needed to defeat AQN. Another facet of the reduced capability of its personnel comes in the form of back ground experience. Many within the CIA are vetted as analysts and not field operatives. This lack of exposure and conditioning to harsh conditions in the physical, outdoor environment limit the CIA's maximum potential in this area. The CIA itself does not argue from a purely resource perspective that it is not capable of conducting covert action and other capabilities such as paramilitary operations on a grand scale. Yet, it is a grand, global scale magnitude of effort that is forecasted to destroy AQN and maintain the future security required to achieve the ultimate objective--the continuation of the American way of life as it is known today.

The presumption is that SF, then, are the only viable option to supersede the CIA as the lead against in covert action. These SF have the raw numbers in terms of manpower to perform covert action on a much larger scope in keeping with the vision of a global effort against AQN. It is not just the sheer number of Soldiers that provides SF with an advantage over the CIA. The

skill sets, aptitudes, training, and validation achieved from demonstrated success in the “hinterland” environments propel SF over the CIA in the global emphasis required for success in covert action. These SF also receive larger quantities of resources, monetary and others, as compared to the CIA that could be applied to covert action. Currently, SF already participate in covert action, but in a supporting role to the CIA’s lead through the detailing process.

The results of the findings and research initially imply to the reader a belief that the realm of covert action is best left to the CIA. It is documented that the CIA is the current covert action lead agent. They have the foremost experience and history of any USG element in operating in this tenuous environment. The architecture, process, and mind-set necessary to carrying out covert action rest within the CIA community. The results also demonstrate that for its efforts, the CIA is capable of executing covert action, but only on limited fronts at a minimal scope. The global networked approach of the United States’ present, public enemy number one--Al Qaeda--has heightened the awareness of the CIA’s limitations. The CIA is truly not up to the task from a resource perspective to conduct effective operations (covert action and paramilitary) to the level and scale required with respect to the GWOT. Yes, the CIA has practiced its hand at covert action, but who are they kidding to say that approximately 150 or even 200 agents and or operators are sufficient in numbers in the prosecution of covert action. To efficiently establish the HUMINT capability in the form of covert action across the numerous nation states and ungoverned spaces to provide the desired level of security for the continuation of the American way of life as it is known today, the USG must remove the CIA as the lead agent in covert action.

Conversely the findings are interpreted to show that the SF community has superior numbers of resources (personnel and monetary) as opposed to the CIA, but is immature in its overall in-depth experience in carrying out covert action. This means that the results confirm that the CIA is the most experienced executor in covert action, but is extremely handicapped in the necessary organic resources to operate at a larger, more global approach. This means that the interpretation of the results confirm that SF are the most realistic choice of organization to pick

up the lead agent role in covert action from the CIA based upon resources and capabilities but they are not to the level of expertise that the CIA currently holds. A final interpretation of the results leads to the argument that the USG and the American people cannot afford to exist for long in an environment where a determined threat plots and schemes an evil intent towards them. As this threat continues to linger in part from the CIA's limitations, the strengths of the SF community need to be galvanized so that they are now the lead agent in covert action with the CIA in the supporting role.

Should SF be given increased authorities and responsibilities as the lead agent in covert action? The decision to do so does carry several implications. As mentioned earlier, the practices of covert action are not as well rehearsed in SF as they are in the CIA. There exists the possibility of botched operations as SF work through the growing pains of covert action. Just because SF possess increased resources over the CIA, is this a good indicator that covert action can be applied successfully over a large scale? Another implication of the SF lead in covert action is the assumption that SF Soldiers will be able to efficiently and effectively maintain the emotional and psychological balance necessary to operate in the covert action realm as well as in other SF mission sets. The covert action environment can contradict the moral, ethical, and cultural education and training that SF Soldiers receive.

Hand in hand with any present education and training required to qualify someone as a SF Soldier, is the new training and equipping "pipeline" necessary to adequately prepare and sustain SF Soldiers designated to execute covert action in a lead role. It is the author's estimation that a six month training program be established at the CIA's facilities predominantly funded through DoD resource channels. The fundamental practices and techniques involved in covert action should be copied from the existing CIA model and expanded to accommodate the skill sets and attributes currently brought to the table by the SF Soldiers. The initial pool of SF Soldiers selected for this training could come from those SF Soldiers that have experience in the detailing process. As with any program inside of DoD that consists of training, education, equipping, and

sustainment thought and consideration needs to be given to the funding component through the Program Objective Memorandum (POM) cycle.

During the research for this subject, the majority of the sources interviewed agreed that for its role in covert action as well as paramilitary operations, the CIA was lacking in its ability to effectively conduct these activities to the scale necessary for the global environment indicative of the current situation. Even so, the results and recommendations from the *9-11 Commission Report*, which called for additional studies into these areas, maintain that each entity, CIA and SF, stay in their lane and that the CIA remain the lead agent in covert action. In using generalist terms, everyone's observations and opinions regarding the CIA's shortcomings and the civilian and military leaderships' inability to make the necessary and needed changes that would allow SF to be the lead agent in covert action is an unexpected finding. This author is not sure if this stems from political reasons between DoD and the CIA, or the perpetuating myth that surrounds covert action. It could also be the apprehension of the military leadership to expand into the realm of covert action that is sometimes perceived as counter to the role of the American Service member.

When it comes to recommendations for the future of covert action, the CIA provided numerous suggestions, all of which maintained their position as the lead in covert action, even though they claim that covert action is not "all their own." Taken from the research collected during the personal interviews conducted at the CIA Headquarters in McLean, Virginia, the CIA policy section believes that the DoD HUMINT capability is "withering on the vine" and not capturing the strategic level intelligence. Here the CIA policy section would like SF to utilize their superior resources and expand their HUMINT capability to assist the CIA in gathering intelligence at the strategic level, again the CIA is the supported force and SF are the supporting force. The CIA policy section believes that DoD and SF are more focused on the tactical Joint Special Operations Command (JSOC) and or Ranger "hit squad" type of operation as this is sexier than the protracted effort required for covert action.

Additionally the CIA policy section would like to see more SF case officers as opposed to more gun slingers if SF ever attempts to effectively enter into the realm of covert action. Finally, CIA policy section sees the need to fix and or adjust the administrative system currently in place between SF and CIA where the following scenario comes into play; CIA has some actionable intelligence of “bad guys” in a camp just across the border. There are United States military forces (SOF and or SF) in the same vicinity as the CIA operators, and these SF Soldiers would greatly assist the success of the raid. However, the United States forces are not authorized to cross the border in their Title 10 status (unauthorized and or unlawful invasion of a foreign, sovereign nation and or territory). The CIA wants the ability to provide focal point (Title 50 status) for a limited time for these SF Soldiers and drastically reduce the time it takes to call to higher to approve the use of the SF assets to assist the CIA. According to the CIA, a disconnect exists between DoD and CIA about the definition of GWOT or war more specifically. To the CIA, they want to avoid any possible redundancy in capabilities and areas of mission focus, which to the CIA spells negative ramifications to their sense of job security.

Within the CIA particularly the Ground Branch personnel, they would prefer that SF re-engage and take a bigger focus on unconventional warfare. They see SF’s role in unconventional warfare as a historical bridge and “gap area” between the capabilities the SF bring to the current situation and the CIA’s management of covert action. The CIA would like to remain the lead agent in covert action, but sees the future of covert action enhanced if “flexible detailing” of SF personnel is promoted. According to the CIA, the current process of detailing SF personnel over to the CIA is too rigid and lengthy to transfer from Title 10 status to Title 50 status. Also, the span of time the CIA has these Soldiers detailed to them is too short. In the detailing process, the CIA would prefer that the SF Soldiers detailed to them were well versed in Advanced Force Operations (AFO) especially for asset debriefings. The executors within the CIA for covert action see their strength in their agility as opposed to SF’s methodology of planning and risk assessment, and others.

The SAD believes SF need to make and or take a more realistic assessment of the rules governing covert action and the roles they might fill in the event SF ever become the lead agent in covert action. For now, SAD would like more time to elapse before any grand changes to covert action authorizations occurred and let the achievements in Afghanistan mature and settle in. Additionally, SAD recommends that the development of decisions concerning covert action rest or pause for the time being. They recommend that all parties involved wait until after everyone has had an opportunity to digest what it was that CIA and SF did in Afghanistan since 11 September 2001 before moving forward with any sweeping changes with respect to covert action. Interestingly, SAD poses the question: "If SF were now authorized as the lead agent or had a much greater role in covert action, what is the added value to National Security?"

Within military circles that were interviewed at the Pentagon, the overwhelming recommendation for the future of covert action is for it to remain within the CIA's lane as the lead agent and have SF focus on clandestine operations. They would rather SF achieve its situational awareness and ability to acquire intelligence through better technology, better clandestine reconnaissance equipment, more Advanced Special Operations Techniques (ASOT) training and experience across the board, and put the Counter Intelligence and HUMINT capability it once organically had back into the SF Groups.

Of the SF that do participate in covert action with the CIA, they recommended that there be a furthering role by working "in-concert" with the CIA, but not as the lead agent. If the CIA is to remain the lead in covert action, the proposal was then for the training of the surrogate forces to fall under the control of SF. Those military personnel within the Pentagon that did not recommend that SF be given the lead role in covert action questioned how important is the need for covert action that SF would conduct an operation and or mission and nobody knows that it was United States doing it. Also they asked: "Does SF need the capability to send in an American or American team to conduct a covert action where a host nation body or surrogate could do the job?" The military, non-advocates for SF as the lead agent in covert action, brought

up the requirement of notification to Congress. They were concerned that Congress may want to expand their “need to know” into other SF missions that do not require such pre- or post-operational notification. One aspect of covert action that the military community was in agreement with the CIA was the modification of the detailing process. Two possible recommendations for the process as supplied by the military subjects are to detail these SF Soldiers over to the CIA on a semi-permanent schedule of eighteen months which consists of six months of training and twelve months of operational work. The second recommendation would be for the CIA to pay all the salaries and benefits as well as bring the entire infrastructure.

A final recommendation for the near term future of covert action may be to provide SF the authorities and responsibilities necessary for them to become the lead agent during the GWOT. Then, once victory in the GWOT is declared, hand the lead agent role in covert action back to the CIA. It is the author’s opinion that victory will eventually be declared in the GWOT, much the same as when President George W. Bush flew out to the aircraft carrier, USS Abraham Lincoln in May of 2003 and declared victory in Iraq. At that point in time, the threat might be contained to a manageable level below the global and regional levels and prosecuted at specific, local-nation level. It is at this lower magnitude or scope that the CIA should be able to effectively conduct covert action, but not at the global scale. Until that declared time, it is the author’s opinion that the GWOT will be executed on the grand, global level for the near future, thus accordingly, SF should then be the lead agent in covert action.

GLOSSARY

Actionable Intelligence: Having the necessary information immediately available in order to deal with the situation at hand. Providing commanders and Soldiers a high level of situational understanding, delivered with speed, accuracy and timeliness, in order to conduct successful operations.²⁶

Central Intelligence Agency (CIA): An Intelligence Community of the United States Government established under the National Security Council. The CIA has three primary missions; the collection, production and dissemination of foreign intelligence, counter intelligence, and covert action. The CIA has a paramilitary capability, but not a paramilitary mission.²⁷

Clandestine Operation: An operation sponsored or conducted by Governmental departments or agencies in such a way as to assure secrecy or concealment. A clandestine operation places emphasis on the concealment of the operation rather than on concealment of identity of sponsor.²⁸

Counter Intelligence: Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.²⁹

Covert Action: Activity or activities of the United States Government to influence political, economic or military conditions abroad, where it is intended that the role of the United

²⁶Joe Burlas, "Actionable Intelligence Relies on Every Soldier," *Army News Service*, Available from http://www4.army.mil/ocpa/read.php?story_id_key=5847; Internet; accessed on 10 March 2007.

²⁷Central Intelligence Agency, About The CIA

²⁸Chairman, Joint Chiefs of Staff, Joint Publication (JP) 1-02, *DoD Dictionary of Military and Associated Terms* (Washington, DC: Government Printing Office, 2006), Available from <http://www.dtic.mil/doctrine/jel/doddict/>; Internet; accessed on 10 March 2007; and Chairman, Joint Chiefs of Staff, Joint Publication (JP) 3-05.1, *Joint Tactics, Techniques, and Procedures for Joint Special Operations Task Force Operations* (Washington, DC: Government Printing Office, 2001); and Special Operations.com, Central Intelligence Agency, Available from <http://www.specialoperations.com/Domestic/CIA/default.html>; Internet; accessed on 10 March 2007.

²⁹JP 1-02.

States Government will not be apparent or acknowledged publicly. An operation that is so planned and executed as to conceal the identity of or permit plausible denial by the sponsor. A covert operation places emphasis on the concealment of the identity of the sponsor.³⁰

Foreign Intelligence: Information and Intelligence relating to capabilities, intentions, and activities of foreign governments, powers, organizations, elements, or persons (not including counterintelligence), except for information on international terrorist activities.³¹

Irregular Forces: Armed individual or groups of individuals who are not members of a regular armed forces, police or other internal security force. They are usually non-state sponsored and unconstrained by sovereign nation legalities and boundaries. These forces may include, but are not limited to, specific paramilitary forces, contractors, individuals, businesses, foreign political organizations, expatriates, and other social or political “undesirables”.³²

National Intelligence: The terms “national intelligence” and “intelligence related to the national security” each refers to all intelligence, regardless of the source from which derived and including information gathered within or outside of the United States, which pertains, as determined consistent with any guidelines issued by the President, to the interests of more than one department or agency of the Government; and that involves (1) threats to the United States, its people, property, or interests; (2) the development, proliferation, or use of weapons of mass destruction; or (3) any other matter bearing on United States national or homeland security.³³

Overt Operation: An operation conducted openly, without concealment.³⁴

³⁰Answers.Com, Covert Action, Available from <http://www.answers.com/topic/covert-action-1>; Internet; accessed on 10 March 2007.

³¹JP 1-02; and Chairman, Joint Chiefs of Staff, Joint Publication (JP) 2-0, *Doctrine for Intelligence Support to Joint Operations* (Washington, DC: Government Printing Office, 2000), 219.

³²Ibid., 283.

³³Ibid., 368.

³⁴JP 3-05.1; and Special Operations.com

Paramilitary Forces: Forces or groups distinct from the regular armed forces of any country, but resembling them in organization, equipment, training, or mission. Examples include police or other organized security forces that may or may not be state sponsored.³⁵

Paramilitary Operations: Operations conducted by the CIA whose officers and employees are not part of the armed forces of the United States.³⁶

Special Forces: An United States Army forces organized, trained and equipped to conduct special operations with an emphasis on unconventional warfare capabilities. They are also called SF or Green Berets.³⁷

Special Operations Forces: The official category where the United States Department of Defense lists the United States military units that have a training specialization in unconventional warfare and special operations.³⁸

Special Operations: Operations conducted in hostile, denied, or politically sensitive environments to achieve military, diplomatic, informational, and or economic objectives employing military capabilities for which there is no broad conventional force requirement. These operations often require covert, clandestine or low visibility capabilities. Special operations are applicable across the range of military operations. They can be conducted independently or in conjunction with operations of conventional forces or other government agencies and may include operations through, with or by indigenous or surrogate forces. Special operations differ from conventional operations in degree of physical and political risk, operational techniques, mode of employment, independence from friendly support and dependence on detailed operational intelligence and indigenous assets.³⁹

³⁵Department of the Army, Field Manual (FM) 3-05.20, *Special Forces Operations*, (Washington, DC: Government Printing Office, 2001).

³⁶Best and Feickert.

³⁷FM 3-05.20,

³⁸Chairman of the Joint Chiefs of Staff, Joint Publication (JP) 3-05, *Doctrine for Joint Special Operations* (Washington, DC: Government Printing Office, 2003), 83.

³⁹*Ibid.*, 82.

Surrogate: An individual who takes the place of others or acts on their behalf. The term surrogate is a noun that denotes a particular type of individual. The term surrogate is not interchangeable with the term indigenous.⁴⁰

Unconventional Warfare: Operations conducted via clandestine means by, with, or through irregular forces in support of a resistance movement, an insurgency or conventional military operations.⁴¹

⁴⁰Department of the Army, Field Manual 3-05.201 *Special Forces Unconventional Warfare Operations* (Washington DC: Government Printing Office, April 2003).

⁴¹Ibid.

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