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Navy Irregular Warfare and Counterterrorism Operations: Background and Issues for Congress

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Summary

News reports about the May 1, 2011, U.S. military operation in Pakistan that killed Osama bin Laden state that the operation was carried out by a team of 20 to 25 Navy special operations forces, known as SEALs, specifically an elite unit known as Seal Team 6.

The Navy for several years has carried out a variety of irregular warfare (IW) and counterterrorism (CT) activities, and has taken some steps in recent years to strengthen its ability to conduct such activities. Among the most readily visible of the Navy's current IW operations are those being carried out by Navy sailors serving ashore in Afghanistan and Iraq. Many of the Navy's contributions to IW operations around the world are made by Navy individual augmentees (IAs)—individual Navy sailors assigned to various DOD operations.

The Navy Expeditionary Combat Command (NECC) was established informally in October 2005 and formally on January 13, 2006. The creation of NECC consolidated and facilitated the expansion of a number of Navy organizations that have a role in IW operations.

The Navy's riverine force is intended to supplement the riverine capabilities of the Navy's SEALs (the Navy's Sea-Air-Land special operations forces) and relieve Marines who had been conducting maritime security operations in ports and waterways in Iraq. The three current riverine squadrons were established in 2006-2007. The Navy's proposed FY2011 budget requested funding for the establishment of a new reserve component riverine training squadron that is to complement the three existing active component riverine squadrons. The fourth riverine squadron is intended to increase the riverine capacity to conduct brown water training and partnership activities in order to meet combatant commander (COCOM) demands.

The Navy in July 2008 established the Navy Irregular Warfare Office, and in January 2010 published a vision statement for irregular warfare.

The Global Maritime Partnership is a U.S. Navy initiative to achieve an enhanced degree of cooperation between the U.S. Navy and foreign navies, coast guards, and maritime police forces, for the purpose of ensuring global maritime security against common threats. The Southern Partnership Station (SPS) and the Africa Partnership Station (APS) are Navy ships, such as amphibious ships or high-speed sealift ships, that have deployed to the Caribbean and to waters off Africa, respectively, to support U.S. Navy engagement with countries in those regions, particularly for purposes of building security partnerships with those countries and for increasing the capabilities of those countries for performing maritime-security operations.

The Navy's IW and CT activities pose a number of potential oversight issues for Congress, including the definition of Navy IW activities, specific Navy IW budget priorities, and how much emphasis to place on IW and CT activities in future Navy budgets.

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Introduction

This report provides background information and potential issues for Congress on the Navy's irregular warfare (IW) and counterterrorism (CT) operations.

News reports about the May 1, 2011, U.S. military operation in Pakistan that killed Osama bin Laden state that the operation was carried out by a team of 20 to 25 Navy special operations forces, known as SEALs, specifically an elite unit known as Seal Team 6.[1] Another CRS report provides additional background information on the SEALs.[2]

The Navy's IW and CT activities pose a number of potential oversight issues for Congress, including the definition of Navy IW activities, specific Navy IW budget priorities, and how much emphasis to place on IW and CT activities in future Navy budgets. Congress' decisions regarding Navy IW and CT operations can affect Navy operations and funding requirements, and the implementation of the nation's overall IW and CT strategies.

Background[3]

Navy Irregular Warfare (IW) Operations

Shift in Terminology from IW to Confronting Irregular Challenges (CIC)

Use of the term irregular warfare has declined within DOD since 2010. DOD's report on the 2010 Quadrennial Defense Review, for example, avoids the term and instead uses the phrase counterinsurgency, stability, and counterterrorism operations. Consistent with DOD's declining use of the term irregular warfare, the Navy increasingly is using the phrase confronting irregular challenges (CIC) instead of the term irregular warfare. For purposes of convenience, this report continues to use the term irregular warfare and the abbreviation IW.

Navy Summary of Its IW Operations, Including Those in Afghanistan and Iraq

In summarizing the Navy's IW operations in Afghanistan and Iraq, Admiral Gary Roughead, the Chief of Naval Operations, stated on October 12, 2010, that:

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[1] See, for example, Michael Murray, "Osama Bin Laden Dead: The Navy SEALs Who Hunted and Killed Al Qaeda Leader," *ABCNews.go.com*, May 2, 2011, accessed on May 2, 2011 at http://abcnews.go.com/US/osama-bin-laden-dead-navy-seal-team-responsible/story?id=13509739; David S Morgan, "Navy SEALs: The Special Ops Who Got bin Laden," *CBSNews.com*, May 2, 1011, accessed May 2, 2011, at http://www.cbsnews.com/stories/2011/05/02/501364/main20058845.shtml; and Elizabeth Flock, "Navy SEALs Who Killed Osama bin Laden Are From the Elite 'Team 6'," *WashingtonPost.com*, May 2, 1011, accessed on May 2, 2011 at http://www.washingtonpost.com/blogs/blogpost/post/navy-seals-who-killed-osama-bin-laden-are-from-the-elite-team-6/2011/05/02/AFCC93YF_blog.html. SEAL is an acronym that stands for Sea, Air, and Land.

[2] CRS Report RS21048, *U.S. Special Operations Forces (SOF): Background and Issues for Congress*, by Andrew Feickert and Thomas K. Livingston.

[3] Unless otherwise indicated, information in this section is taken from a Navy briefing to CRS on July 31, 2009, on Navy IW activities and capabilities.

> …I want to be very clear, that we in the United States Navy, every Sailor, is fully committed to the operations and the fights that are being undertaken in Iraq and Afghanistan.
>
> It may come as a surprise to many that the United States Navy has 15,000 Sailors on the ground in Iraq and Afghanistan and in the Horn of Africa. That is 3,000 more Sailors that are serving that are on our ships in the Middle East. In fact, when you combined [sic] the 15,000 ashore and the roughly 12 or so thousand at sea, our presence in the Middle East is about the same as the United States Marine Corps. It has been that way for some time and it will continue along those lines. And even though the forces at sea may not be view[ed] as contributing toward the operations there and [sic: in fact] 30 percent of the fixed-wing aircraft that fly over our troops in Afghanistan are flying from the decks of the United States Navy aircraft carriers to support the ongoing operations there.[4]

The Department of the Navy (DON), which includes the Navy and Marine Corps, stated in early 2011 that:

> Beyond the 20,000 participating in counterinsurgency, security cooperation, and civil-military operations in Afghanistan, on any given day there are approximately 12,000 Sailors ashore and another 10,000 afloat throughout U.S. Central Command (CENTCOM). These Sailors are conducting riverine operations, maritime infrastructure protection, explosive ordnance disposal, combat construction engineering, cargo handling, combat logistics, maritime security, customs inspections, detainee operations, civil affairs, base operations and other forward presence activities. In collaboration with the U.S. Coast Guard, the Navy also conducts critical port operations, port and oil platform security, and maritime interception operations. Included in our globally sourced forces are IAs [individual augmentees] serving in a variety of joint or coalition billets, either in the training pipeline or on station. As these operations unfold, the size and type of naval forces committed to them will likely evolve, thereby producing changes to the overall force posture of naval forces. Long after the significant land component presence is reduced, naval forces will remain forward.
>
> While forward, acting as the lead element of our defense-in-depth, naval forces will be positioned for increased roles in combating terrorism. They will also be prepared to act in cooperation with an expanding set of international partners to provide humanitarian assistance and disaster response, as well as contribute to global maritime security. Expanded Maritime Interdiction Operations (EMIO) are authorized by the President and directed by the Secretary of Defense to intercept vessels identified to be transporting terrorists and/or terrorist-related materiel that poses an imminent threat to the United States and its allies.
>
> Strike operations are conducted to damage or destroy objectives or selected enemy capabilities. Recent examples include simultaneous close air support missions that are integrated and synchronized with coalition ground forces to protect key infrastructure, deter and disrupt extremist operations or hostile activities, and provide oversight for reconstruction efforts in support of Operation Enduring Freedom (OEF) and Operation New Dawn (OND). Additionally, we have done small, precise attacks against terrorist cells and missile attacks against extremist sanctuaries. Among the various strike options, our sea-based platforms are unique and provide preeminent capabilities that will be maintained.
>
> This versatility and lethality can be applied across the spectrum of operations, from destroying terrorist base camps and protecting friendly forces involved in sustained

[4] Text of address of Admiral Gary Roughead, Chief of Naval Operations, at University of Chicago conference on terrorism and strategy, October 12, 2010, accessed October 22, 2010, at http://www.navy.mil/navydata/people/cno/Roughead/Speech/101012-UofChicagoremarks%20FINAL.doc.

> counterinsurgency or stability operations, to defeating enemy anti-access defenses in support of amphibious operations. We are refocusing this strategic capability more intensely in Afghanistan in an effort to counter the increasing threat of a well-armed anti-Coalition militia including Taliban, al Qaeda, criminal gangs, narcoterrorists, and any other anti-government elements that threaten the peace and stability of Afghanistan. Our increased efforts to deter or defeat aggression and improve overall security and counter violent extremism and terrorist networks advance the interests of the U.S. and the security of the region. The FY 2012 contingency operations request supports sufficient capabilities to secure Afghanistan and prevent it from again becoming a haven for international terrorism and associated militant extremist movements.
>
> The Navy has over 40,000 active and reserve sailors continually deployed in support of the contingency operations overseas serving as members of carrier strike groups, expeditionary strike groups, Special Operating Forces, Seabee units, Marine forces, medical units, and as IAs. Our Sailors and Marines are fully engaged on the ground, in the air, and at sea in support of operations in Iraq and Afghanistan. All forces should be withdrawn from OND by the end of 2011. Navy Commanders are leading seven of the thirteen U.S.-lead Provincial Reconstruction Teams in Afghanistan. A significant portion of the combat air missions over Afghanistan are flown by naval air forces. Our elite teams of Navy SEALs are heavily engaged in combat operations, Navy Explosive Ordnance Disposal (EOD) platoons are defusing IEDs and landmines. Our SEABEE construction battalions are rebuilding schools and restoring critical infrastructure. Navy sealift is delivering the majority of heavy war equipment to CENTCOM, while Navy logisticians are ensuring materiel arrives on time. Our Navy doctors are providing medical assistance in the field and at forward operating bases. Navy IAs are providing combat support and combat service support for Army and Marine Corps personnel in Iraq and Afghanistan. As IAs they are fulfilling vital roles by serving in traditional Navy roles such as USMC support, maritime and port security, cargo handling, airlift support, Seabee units, and as a member of joint task force/Combatant Commanders staffs. On the water, Navy Expeditionary Combat Command (NECC) Riverine forces are working closely with the Iraqi Navy to safeguard Iraqi infrastructure and provide maritime security in key waterways. Navy forces are also intercepting smugglers and insurgents and protecting Iraqi and partner nation oil and gas infrastructure. We know the sea lanes must remain open for the transit of oil, the lifeblood of the Iraqi economy, and our ships and sailor are making that happen.[5]

More specifically, the Navy states that operations performed by Navy personnel in Afghanistan and Iraq include or have included the following:

- **close air support (CAS) and airborne reconnaissance** operations, in which Navy aircraft have accounted for 30% of all such missions;
- **expeditionary electronic warfare** operations, including operations to defeat improvised explosive devices (IEDs), 75% of airborne electronic attack operations in Iraq, 100% of such operations in Afghanistan, and operations to counter insurgent and extremist network communications;
- **intelligence and signals intelligence** operations, including operations to identify, map, and track extremist activity, and operations involving tactical intelligence support teams that are deployed with special operations forces (SOF);

[5] Department of the Navy, *Highlights of the Department of the Navy FY 2012 Budget*, February 2011, pp. 2-1 to 2-4.

- **explosive ordnance disposal (EOD)** operations, including defusing IEDs, clearing land mines, destroying captured weapon and explosive caches, and investigating blast scenes so as to obtain evidence for later prosecution;
- **riverine warfare** operations to secure waterways such as the Tigris and Euphrates rivers and the Haditha dam;
- **maritime security** operations, including operations to intercept smugglers and extremists going to Iraq and Kuwait, and operations to guard Iraqi and U.S. infrastructure, facilities, and supply lines, such as ports and oil and gas platforms and pipelines;
- **medical and dental** services in Afghanistan and Iraq provided by a total of more than 1,800 naval medical personnel;
- **logistics** operations, including transporting of 90% of military equipment for Afghanistan and Iraq on military sealift ships, operating ports in Iraq and Kuwait, and providing contracting services and reconstruction using Iraqi firms;
- **engineering and construction** operations, such as rebuilding schools, repairing roads, reconstructing electrical, water and sewer systems, and training and equipping Iraqi engineers;
- **provincial reconstruction** operations in Afghanistan and Iraq; and
- **legal** operations, including prosecution of special-group criminals and assisting Iraqis in drafting governing documents.

Navy IW Operations Other Than Those in Afghanistan and Iraq

In addition to participating in U.S. military operations in Afghanistan and Iraq, the Navy states that its IW operations also include the following:

- **security force assistance operations**, in which forward-deployed Navy ships exercise and work with foreign navies, coast guards, and maritime police forces, so as to improve their abilities to conduct maritime security operations;
- **civic assistance operations**, in which forward-deployed Navy units, including Navy hospital ships, expeditionary medical teams, fleet surgical teams, and naval construction units provide medical and construction services in foreign countries as a complement to other U.S. diplomatic and development activities in those countries;
- **disaster relief operations**, of which Navy forces have performed several in recent years; and
- **counter-piracy operations**, which have increased since 2008.[6]

The Navy states that enduring areas of focus for the Navy's role in IW include the following:

- **enhancing regional awareness**, which enables better planning, decision making, and operational agility;

[6] For more on counter-piracy operations, see CRS Report R40528, *Piracy off the Horn of Africa*, by Lauren Ploch et al.

- **building maritime partner capability and capacity**, so as to deny sanctuaries to violent extremists; and
- **outcome-based application of force**, so as to maintain continuous pressure on extremist groups and their supporting infrastructure.

Admiral Roughead stated on October 12, 2010, that:

> The multi-mission and irregular warfare capabilities we deliver in support of joint task forces in the Philippines and the horn of Africa, for example, directly support anti-terrorism efforts. Our counter-piracy operations in the Gulf of Aden have engendered unprecedented international cooperation at sea.
>
> Our demonstrated ability to partner with other agencies in the U.S. government, as well as public and private international organizations, have proven crucial in most effectively building partner capacity in Africa, South America, and the Pacific Rim.
>
> It is worth noting that the most recent Africa Partnership Station, an activity that is based on one of our amphibious ships in the most recent planning conference that was held in Naples, Italy, 25 nations came together to participate in that endeavor in preventative security and the rule of law. And since 2005, from our ships alone, we have treated over a half a million patients in Africa, Asia, Central and South America.
>
> Across such day-to-day engagement efforts to counter irregular challenges, naval forces preserve both the option and the capability to deliver decisive force in the event instability becomes disorder, but with the cumulative weight of established local relationships and political legitimacy in our favor.[7]

Navy Individual Augmentees (IAs)

Many of the Navy's contributions to irregular warfare operations around the world are made by Navy individual augmentees (IAs)—individual Navy sailors assigned to various DOD operations. DON states that:

> The Navy provides sailors in the form of IAs, including personnel in the training pipeline, to fulfill the OCO mission requirements of the Combatant Commanders (COCOMs). As IAs, they fulfill vital roles, serving in non-core missions such as provincial reconstruction teams, detainee operations, civil affairs, training teams, customs inspections, counter Improvised Explosive Device (IED), and combat support. IAs also support adaptive core and maritime missions including base operations, military police, combat support, counter IED, maritime and port security, airlift support, and Joint Task Force (JTF)/COCOM staff support. IAs are making a significant impact in more than 20 countries around the worldproviding COCOMS with mission-tailored, globally distributed forces. In FY 2012, the funding for 3,836 Navy non-core IAs has been shifted from the OCO budget to the base budget.[8]

[7] Text of address of Admiral Gary Roughead, Chief of Naval Operations, at University of Chicago conference on terrorism and strategy, October 12, 2010, accessed October 22, 2010, at http://www.navy.mil/navydata/people/cno/Roughead/Speech/101012-UofChicagoremarks%20FINAL.doc.

[8] Department of the Navy, *Highlights of the Department of the Navy FY 2012 Budget*, February 2011, pp. 1-10 and 1-11.

Navy Counterterrorism (CT) Operations

May 1, 2011, U.S. Military Operation That Killed Osama Bin Laden

News reports about the May 1, 2011, U.S. military operation in Pakistan that killed Osama bin Laden state that the operation was carried out by a team of 20 to 25 Navy special operations forces, known as SEALs, specifically an elite unit known as Seal Team 6. SEAL is an acronym that stands for Sea, Air, and Land. One press report, for example, stated:

> The Navy SEAL team of military operatives who killed Osama bin Laden in a compound in Abbottabad, Pakistan on Sunday night was made up of some of the best-trained troops in the world. SEAL Team Six, the "Naval Special Warfare Development Group," was the main force involved in Sunday's firefight.
>
> The daring operation began when two U.S. helicopters flew in low from Afghanistan and swept into the compound where Osama bin Laden was thought to be hiding late Sunday night Pakistan time, or Sunday afternoon Washington time. Twenty to 25 U.S. Navy SEALs disembarked from the helicopters as soon as they were in position and stormed the compound. The White House says they killed bin Laden and at least four others with him. The team was on the ground for only 40 minutes, most of that was time spent scrubbing the compound for information about al Qaeda and its plans.
>
> The Navy SEAL team on this mission was supported by helicopter pilots from the 160th Special Ops Air Regiment, part of the Joint Special Operations Command. The CIA was the operational commander of the mission, but it was tasked to Special Forces.[9]

Another press report stated:

> A small team of Navy SEALs carried out the secret operation Monday that found and killed Osama bin Laden, mastermind of the 9/11 attacks who had been on the run for a decade.
>
> A senior U.S. administration official described the strike on the compound in Abbottabad, about 30 miles north of the Pakistani capital Islamabad, as "a surgical raid by a small team designed to minimize collateral damage."…
>
> Only U.S. personnel were involved in the raid….
>
> The raid took less than 40 minutes. Bin Laden and three other adult males were killed, as well as a woman who was being used as a shield. Two women were injured. There were no American casualties.
>
> CBS News foreign correspondent Lara Logan reports that the operation was conducted under CIA Title 50 charter but carried out by Navy SEAL Team Six and the ground commander was a SEAL squadron commander. There were CIA present, but it was a military operation….
>
> Sources have told CBS News that the operation was carried out by a 24-man platoon specifically dedicated to high-risk counter-terror ops, assigned to Joint Special Ops

[9] Michael Murray, "Osama Bin Laden Dead: The Navy SEALs Who Hunted and Killed Al Qaeda Leader," *ABCNews.go.com*, May 2, 2011, accessed on May 2, 2011 at http://abcnews.go.com/US/osama-bin-laden-dead-navy-seal-team-responsible/story?id=13509739.

> Command at Ft. Bragg. It operates under the Naval Special Warfare Development Group (DEVGRU)…
>
> Sources told CBS News that a full-scale replica of the compound was erected in the special ops sector of Bagram Air Base in Afghanistan, allowing the DEVGRU unit to practice their assault under multiple scenarios - with many guards, few guards, with/without explosives, etc….
>
> One of the team's helicopters, an HH-60 "Pave Hawk," made a "hard landing" after half the platoon "fast roped" into the compound. The second helicopter that delivered the other half of the team was a CH-47, likely piloted by an Army crew.
>
> At least two other helicopters were part of the initial assault.
>
> When the Pave Hawk couldn't get back in the air, it was destroyed to protect the ship's sensitive avionics and communications equipment.[10]

Another press report (a blog entry) stated:

> The elite team of Navy SEALs tapped for the job were a group who were stationed at Naval Air Station Oceana in Virginia Beach.
>
> The team is part of a counterterrorism group so specialized that no one can apply to join it. The operatives are recruited from existing SEAL teams. They are an elite group within the elite.
>
> The team was formed in response to the 1980 American hostages rescue attempt in Iran, which had been a huge failure and showed the need for a counterterrorist team that could operate under the utmost secrecy.
>
> They exist outside military protocol and engage in operations that are at the highest level of classification and often outside the boundaries of international law.
>
> Initially, the group was known as Team 6, a name that was created to confuse Soviet intelligence about the number of SEAL teams in operation at the time. (There were only two others.)
>
> The name was changed in 1987 to the Naval Special Warfare Development Group, but the group is still commonly known as Team 6.
>
> Team 6 has hunted down major al-Qaeda and Taliban figures since 2001, and also operated in Somalia, the former Yugoslavia, Afghanistan and Iraq.
>
> Members are not allowed to talk about the elite group at all.[11]

Bin Laden's body reportedly was flown by a U.S. military helicopter from the compound in Abbottabad, Pakistan, to a base in Afghanistan, and from there by a Marine Corps V-22 tilt-rotor

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[10] David S Morgan, "Navy SEALs: The Special Ops Who Got bin Laden," *CBSNews.com*, May 2, 1011, accessed May 2, 2011, at http://www.cbsnews.com/stories/2011/05/02/501364/main20058845.shtml.

[11] Elizabeth Flock, "Navy SEALs Who Killed Osama bin Laden Are From the Elite 'Team 6'," *WashingtonPost.com*, May 2, 1011, accessed on May 2, 2011 at http://www.washingtonpost.com/blogs/blogpost/post/navy-seals-who-killed-osama-bin-laden-are-from-the-elite-team-6/2011/05/02/AFCC93YF_blog.html.

aircraft to the aircraft carrier Carl Vinson (CVN-70), which was operating at that time in the Northern Arabian Sea. A few hours later, in the same general area, bin Laden's body reportedly was buried at sea from the ship.

Press reports in July 2010 stated that U.S. forces in Afghanistan included at that time a special unit called Task Force 373, composed of Navy SEALs and Army Delta Force personnel, whose mission is "the deactivation of top Taliban and terrorists by either killing or capturing them."[12]

Another CRS report provides additional background information on the SEALs,[13] and another provides further discussion of the operation that killed Osama bin Laden.[14]

Navy CT Operations in General

In addition to operations by Navy SEALs that are directed against terrorists, Navy CT operations include the following:

- Tomahawk cruise missile attacks on suspected terrorist training camps and facilities, such as those reportedly conducted in Somalia on March 3 and May 1, 2008,[15] and those conducted in 1998 in response to the 1998 terrorist bombings of U.S. embassies in East Africa;[16]
- surveillance by Navy ships and aircraft of suspected terrorists overseas;
- maritime intercept operations (MIO) aimed at identifying and intercepting terrorists or weapons of mass destruction at sea, or potentially threatening ships or aircraft that are in or approaching U.S. territorial waters—an activity that includes Navy participation in the multilateral Proliferation Security Initiative (PSI);[17]
- working with the Coast Guard to build maritime domain awareness (MDA)—a real-time understanding of activities on the world's oceans;
- assisting the Coast Guard in port-security operations;[18]

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[12] Matthias, et al, "US Elite Unit Could Create Political Fallout For Berlin," *Spiegel (Germany)*, July 26, 2010. See also C. J. Chivers, et al, "Inside the Fog Of War: Reports From The Ground In Afghanistan," *New York Times*, July 26, 2010: 1.

[13] CRS Report RS21048, *U.S. Special Operations Forces (SOF): Background and Issues for Congress*, by Andrew Feickert and Thomas K. Livingston.

[14] CRS Report R41809, *Osama bin Laden's Death: Implications and Considerations*, coordinated by John Rollins.

[15] Edmund Sanders, "U.S. Missile Strike in Somalia Kills 6," *Los Angeles Times*, March 4, 2008; Stephanie McCrummen and Karen DeYoung, "U.S. Airstrike Kills Somali Accused of Links to Al-Qaeda," *Washington Post*, May 2, 2008: A12; Eric Schmitt and Jeffrey Gettleman, "Qaeda Leader Reported Killed In Somalia," *New York Times*, May 2, 2008.

[16] For a recent article on the 1998 strikes, see Pamela Hess, "Report: 1998 Strike Built bin Laden-Taliban Tie," *NavyTimes.com (Associated Press)*, August 22, 2008.

[17] For more on the PSI, see CRS Report RL34327, *Proliferation Security Initiative (PSI)*, by Mary Beth Nikitin.

[18] See, for example, Emelie Rutherford, "Navy's Maritime Domain Awareness System 'Up And Running'," *Defense Daily*, September 4, 2008; and Dan Taylor, "New Network Allows Navy To Track Thousands of Ships Worldwide," *Inside the Navy*, September 8, 2008. For more on the Coast Guard and port security, see CRS Report RL33383, *Terminal Operators and Their Role in U.S. Port and Maritime Security*, by John Frittelli and Jennifer E. Lake, and CRS Report RL33787, *Maritime Security: Potential Terrorist Attacks and Protection Priorities*, by Paul W. Parfomak (continued...)

- protection of forward-deployed Navy ships, an activity that was intensified following the terrorist attack on the Navy Aegis destroyer *Cole* (DDG-67) in October 2000 in the port of Aden, Yemen;[19]
- protection of domestic and overseas Navy bases and facilities;
- developing Global Maritime Intelligence Integration (GMII) as part of Joint Force Maritime Component Command (JFMCC) and Maritime Domain Awareness (MDA); and
- engaging with the U.S. Coast Guard to use the National Strategy for Maritime Security to more rapidly develop capabilities for Homeland Security, particularly in the area of MDA.

On July 6, 2011, it was reported that

> The U.S. military captured a Somali terrorism suspect [named Ahmed Abdulkadir Warsame] in the Gulf of Aden in April and interrogated him for more than two months aboard a U.S. Navy ship before flying him this week to New York, where he has been indicted on federal charges....
>
> Other U.S. officials, interviewed separately, said Warsame and another individual were apprehended aboard a boat traveling from Yemen to Somalia by the U.S. military's Joint Operations Command. The vessel was targeted because the United States had acquired intelligence that potentially significant operatives were on board, the officials said. Court documents said the capture took place April 19.
>
> One of the senior administration officials who briefed reporters said that the other suspect was released "after a very short period of time" after the military "determined that Warsame was an individual that we were very much interested in for further interrogation."
>
> According to court documents, Warsame was interrogated on "all but a daily basis" by military and civilian intelligence interrogators. During that time, officials in Washington held a number of meetings to discuss the intelligence being gleaned, Warsame's status and what to do with him.
>
> The options, one official said, were to release him, transfer him to a third country, keep him prisoner aboard the ship, subject him to trial by a military commission or allow a federal court to try him. The decision to seek a federal indictment, this official said, was unanimous.
>
> Administration officials have argued that military commission jurisdiction is too narrow for some terrorism cases - particularly for a charge of material support for terrorist groups - and the Warsame case appeared to provide an opportunity to try to prove the point.
>
> But some human rights and international law experts criticized what they saw as at least a partial return to the discredited "black site" prisons the CIA maintained during the Bush administration....

(...continued)

and John Frittelli.

[19] For a discussion of the attack on the Cole, see CRS Report RS20721, *Terrorist Attack on USS Cole: Background and Issues for Congress*, by Raphael F. Perl and Ronald O'Rourke.

> Warsame was questioned aboard the ship because interrogators "believed that moving him to another facility would interrupt the process and risk ending the intelligence flow," one senior administration official said.
>
> The official said Warsame "at all times was treated in a manner consistent with all Department of Defense policies" - following the Army Field Manual - and the Geneva Conventions.
>
> Warsame was not provided access to an attorney during the initial two months of questioning, officials said. But "thereafter, there was a substantial break from any questioning of the defendant of four days," court documents said. "After this break, the defendant was advised of his Miranda rights" - including his right to legal representation – "and, after waiving those rights, spoke to law enforcement agents."
>
> The four-day break and separate questioning were designed to avoid tainting the court case with information gleaned through un-Mirandized intelligence interrogation, an overlap that has posed a problem in previous cases. The questioning continued for seven days, "and the defendant waived his Miranda rights at the start of each day," the documents said....
>
> U.S. Navy Vice Adm. William H. McRaven alluded to the captures in testimony before a Senate committee last week in which he lamented the lack of clear plans and legal approvals for the handling of terrorism suspects seized beyond the war zones of Iraq and Afghanistan.
>
> At one point in the hearing, Sen. Carl Levin (D-Mich.), the chairman of the Senate Armed Services Committee, referred to "the question of the detention of people" and noted that McRaven had "made reference to a couple, I think, that are on a ship."
>
> McRaven replied affirmatively, saying, "It depends on the individual case, and I'd be more than happy to discuss the cases that we've dealt with."[20]

Another press report on July 6, 2011, stated:

> In a telephone briefing with reporters, senior administration officials said Mr. Warsame and another person were captured by American forces somewhere "in the Gulf region" on April 19. Another official separately said the two were picked up on a fishing trawler in international waters between Yemen and Somalia. That other person was released.
>
> Mr. Warsame was taken to a naval vessel, where he was questioned for the next two months by military interrogators, the officials said. They said his detention was justified by the laws of war, but declined to say whether their theory was that the Shabab are covered by Congress's authorization to use military force against the perpetrators of the Sept. 11, 2001, attacks; whether the detention was justified by his interactions with Al Qaeda's Yemen branch; or something else.
>
> The officials also said interrogators used only techniques in the Army Field Manual, which complies with the Geneva Conventions. But they did not deliver a Miranda warning because they were seeking to gather intelligence, not court evidence. One official called those sessions "very, very productive," but declined to say whether his information contributed to a drone attack in Somalia last month.

[20] Karen DeYoung, Greg Miller,and Greg Jaffe, "Terror Suspect Detained On Ship," *Washington Post*, July 6, 2011: 6.

> After about two months, Mr. Warsame was given a break for several days. Then a separate group of law enforcement interrogators came in. They delivered a Miranda warning, but he waived his rights to remain silent and have a lawyer present and continued to cooperate, the officials said, meaning that his subsequent statements would likely be admissible in court.
>
> Throughout that period, administration officials were engaged in deliberations about what to do with Mr. Warsame's case. Eventually, they "unanimously" decided to prosecute him in civilian court. If he is convicted of all the charges against him, he would face life in prison.
>
> Last week, Vice Adm. William H. McRaven, who was until recently in charge of the military's Joint Special Operations Command, told a Senate hearing that detainees are sometimes kept on Navy ships until the Justice Department can build a case against them, or they are transferred to other countries for detention.
>
> Another senior administration official said Tuesday that such detentions are extremely rare, and that no other detainees are now being held on a Navy ship.[21]

A July 6, 2011, entry in a blog that reports on naval-related events stated that the U.S. Navy ship to which Warsame was taken was the amphibious assault ship Boxer (LHD-4).[22]

Navy IW and CT Initiatives

The Navy in recent years has implemented a number of initiatives intended to increase its IW and CT capabilities and activities, including those discussed below.

Navy Irregular Warfare Office

The Navy in July 2008 established the Navy Irregular Warfare Office, which is intended, in the Navy's words, to "institutionalize current ad hoc efforts in IW missions of counterterrorism and counterinsurgency and the supporting missions of information operations, intelligence operations, foreign internal defense and unconventional warfare as they apply to [CT] and [counterinsurgency]." The office works closely with U.S. Special Operations Command, and reports to the Deputy Chief of Naval Operations for information, plans, and strategy.[23]

Navy Vision Statement for Countering Irregular Challenges

The Navy in January 2010 published a vision statement for countering irregular challenges, which states in part:

> The U.S. Navy will meet irregular challenges through a flexible, agile, and broad array of multi-mission capabilities. We will emphasize Cooperative Security as part of a comprehensive government approach to mitigate the causes of insecurity and instability. We

[21] Charlie Savage and Eric Schmitt, "U.S. To Prosecute A Somali Suspect In Civilian Court," *New York Times*, July 6, 2011: 1.

[22] See "The STRATCOM [Strategic Communications] Opportunity of Ahmed Abdulkadir Warsame," *Information Dissemination (www.informationdissemination.net)*, July 6, 2011, accessed online July 6, 2011, at http://www.informationdissemination.net/2011/07/stratcom-opportunity-of-ahmed.html.

[23] Zachary M. Peterson, "New Navy Irregular Warfare Office Works to Address ISR Shortfall," *Inside the Navy*, September 1, 2008.

> will operate in and from the maritime domain with joint and international partners to enhance regional security and stability, and to dissuade, deter, and when necessary, defeat irregular forces.[24]

The full text of the vision statement is reproduced in the **Appendix**.

Navy Community of Interest for Countering Irregular Challenges

The Navy in December 2010 established "a community of interest to develop and advance ideas, collaboration and advocacy related to confronting irregular challenges (CIC)." The community, which includes a number of Navy organizations, is to be the Navy's "standing authority to facilitate: implementation of the *U.S. Navy Vision for Confronting Irregular Challenges (Vision)*; promotion of increased understanding of confronting irregular challenges; and synchronization of CIC-related initiatives within the navy and with its external partners."[25]

Global Maritime Partnership

The Global Maritime Partnership, initially known as the 1,000-ship Navy concept, is a U.S. Navy initiative to achieve an enhanced degree of cooperation between the U.S. Navy and foreign navies, coast guards, and maritime police forces, for the purpose of ensuring global maritime security against common threats. The Navy states that

> The creation and maintenance of maritime security is essential to mitigating threats short of war, including piracy, terrorism, weapons proliferation, drug trafficking, and other illicit activities. Countering these threats far from our nation's shores protects the American homeland, enhances global stability and secures freedom of navigation for all nations. While our FY 2012 budget supports meeting this challenge, the future of maritime security depends more than ever on international cooperation and understanding. Piracy is an international problem and requires an international solution. The U. S. Navy will continue to function as part of a larger international endeavor combining efforts of governments, militaries and maritime industry to stop piracy on the high seas. The Navy remains engaged in counterpiracy operations, utilizing surface ships as well as long range P-3 Maritime Surveillance aircraft, as part of longstanding efforts to combat crime on the high seas. Disruptions to the global system of trade, finance, law, information, and immigration can produce cascading and harmful effects far from their sources. The increase in piracy off the Somali coast is a good example. The Navy is leading a multinational effort to patrol the waters near the Horn of Africa. A combined task force has been established to deter, disrupt and suppress piracy in support of United Nations Security Council Resolution 1851, protect the global maritime environment, enhance maritime security and secure freedom of navigation for all nations.
>
> There is no one nation that can provide a solution to maritime security problems alone. A global maritime partnership is required that unites maritime forces, port operators,

[24] Department of the Navy, Chief of Naval Operations, *The U.S. Navy's Vision for Confronting Irregular Challenges*, January 2010, p. 3.

[25] Source: Memorandum dated December 22, 2010, from S. M. Harris, Director, Navy Irregular Warfare Office, on the subject, "Confronting Irregular Challenges Community of Interest (COI) Charter." A copy of the memorandum was posted at InsideDefense.com (subscription required). For an article discussing the Navy's establishment of this community of interest, see Christopher J. Castelli, "Navy Taps Other Services, Elite Forces For Irregular Warfare Advice," *Inside the Navy*, January 17, 2011.

> commercial shippers, and international, governmental and nongovernmental agencies to address our mutual concerns. This partnership increases all of our maritime capabilities, such as response time, agility and adaptability, and is purely voluntary, with no legal or encumbering ties. It is a free-form, self-organizing network of maritime partners – good neighbors interested in using the power of the sea to unite, rather than to divide.[26]

Partnership Stations

The Southern Partnership Station (SPS) and the Africa Partnership Station (APS) are Navy ships, such as amphibious ships or high-speed sealift ships, that have deployed to the Caribbean and to waters off Africa, respectively, to support U.S. Navy engagement with countries in those regions, particularly for purposes of building security partnerships with those countries, and for increasing the capabilities of those countries for performing maritime-security operations. The SPS and APS can be viewed as specific measures for promoting the above-discussed global maritime partnership. A July 2010 Government Accountability Office (GAO) report discusses the APS.[27]

Navy Expeditionary Combat Command (NECC)

The Navy Expeditionary Combat Command (NECC), headquartered at Naval Amphibious Base, Little Creek, VA, was established informally in October 2005 and formally on January 13, 2006. The creation of NECC consolidated and facilitated the expansion of a number of Navy organizations that have a role in IW operations. Navy functions supported by NECC include the following:

- riverine warfare;
- maritime civil affairs;
- expeditionary training;
- explosive ordnance disposal (EOD);
- expeditionary intelligence;
- naval construction (i.e., the naval construction brigades, aka CBs or "Seabee");
- maritime expeditionary security;
- expeditionary diving;
- combat camera;
- expeditionary logistics;
- guard battalion; and
- expeditionary combat readiness.

DON states that:

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[26] Department of the Navy, *Highlights of the Department of the Navy FY 2012 Budget*, February 2011, pp. 1-5 and 1-6. For more on the Navy's contribution to multinational antipiracy operations near the Horn of Africa, see CRS Report R40528, *Piracy off the Horn of Africa*, by Lauren Ploch et al.

[27] Government Accountability Office, *Defense Management[:]Improved Planning, Training, and Interagency Collaboration Could Strengthen DOD's Efforts in Africa*, GAO-10-794, July 2010, 63 pp.

> Navy Expeditionary Combat Command (NECC) is a global force provider of expeditionary combat service support and force protection capabilities to joint warfighting commanders, centrally managing the current and future readiness, resources, manning, training, and equipping of a scalable, self-sustaining and integrated expeditionary force of active and reserve sailors. Expeditionary sailors are deployed from around the globe in support of the new "Cooperative Strategy for 21st Century Seapower." NECC forces and capabilities are integral to executing the maritime strategy which is based on expanded core capabilities of maritime power: forward presence, deterrence, sea control, power projection, maritime security, humanitarian assistance and disaster relief. To enable these, NECC provides a full spectrum of operations, including effective waterborne and ashore anti-terrorism force protection; theater security cooperation and engagement; and humanitarian assistance and disaster relief. NECC is also a key element of the Navy's operational Irregular Warfare (IW) efforts in the area of operational support to the Navy forces in OIF and OEF.
>
> NECC provides our most highly integrated force, smoothly combining active and reserve forces, highlighted by the seamlessly integrated operational forces of naval construction (Seabees), maritime expeditionary security (formerly coastal warfare), navy expeditionary logistics (Cargo Handling Battalions), and the remaining mission capabilities throughout the command. Beginning in FY2012 three Seabee Battalions and two Mobile Expeditionary Security Force Squadrons are converting from Active units to Reserve units.
>
> NECC is not a standalone or combat force, but rather a force protection and combat service force of rapidly deployable mission specialists that fill the gaps in the joint battle space and compliment joint and coalition capabilities.[28]

DON also states that:

> The Reserve Component expeditionary forces are integrated with the Active Component forces to provide a continuum of capabilities unique to the maritime environment within the NECC. Blending the AC and RC brings strength to the force and is an important part of the Navy's ability to carry out the Naval Maritime Strategy from blue water into green and brown water and in direct support of the Joint Force. The Navy Reserve trains and equips over half of the Sailors supporting NECC missions, including naval construction and explosive ordnance disposal in the CENTCOM AOR, as well as maritime expeditionary security, expeditionary logistics (cargo handling battalions), maritime civil affairs, expeditionary intelligence, and other mission capabilities seamlessly integrated with operational forces around the world.[29]

Riverine Force

The riverine force is intended to supplement the riverine capabilities of the Navy's SEALs (the Navy's Sea-Air-Land special operations forces) and relieve Marines who had been conducting maritime security operations in ports and waterways in Iraq. The riverine force currently consists of three active-duty squadrons of 12 boats each, and includes a total of about 900 sailors. The Navy established Riverine Group 1 (which oversees the three squadrons) at the Naval Amphibious Base, Little Creek, VA, in May 2006. The three current riverine squadrons were established in 2006-2007.

[28] Department of the Navy, *Highlights of the Department of the Navy FY 2012 Budget*, February 2011, p. 4-15.

[29] Department of the Navy, *Highlights of the Department of the Navy FY 2012 Budget*, February 2011, p. 4-25.

The Navy's proposed FY2011 budget requested funding for "the establishment of a new RC [reserve component] riverine training squadron which will compliment the three existing AC [active component] riverine squadrons. The fourth riverine squadron will increase the riverine capacity to conduct brown water training and partnership activities in order to meet COCOM demands."[30] The Navy stated that the creation of the fourth riverine squadron is to involve the realignment of 238 Full Time Support and Selected Reservist billets, and that the new squadron is to be the first-ever reserve component riverine training squadron within NECC.[31]

Other Organizational Initiatives

Other Navy initiatives in recent years for supporting IW and CT operations include establishing a reserve civil affairs battalion, a Navy Foreign Area Officer (FAO) community consisting of officers with specialized knowledge of foreign countries and regions, a maritime interception operation (MIO) intelligence exploitation pilot program, and an intelligence data-mining capability at the National Maritime Intelligence Center (NMIC).

Navy IW-Related Budget Initiatives

Discussion of IW-Related Programs in FY2012 DON Budget Highlights Book

In addition to passages quoted above, the FY2012 DON budget highlights books[32] states the following regarding elements of the proposed FY2012 DON budget that support Navy IW capabilities and operations:

> The request [for FY2012 funds to cover the incremental costs of military operations] continues support for the fighting force in Afghanistan and the refurbishment costs associated with equipment returning from theater. Operational realities have maintained the demand signal for Departmental assets in theater for irregular capabilities as well as outside of the more traditional boots-on-the-ground support. ISR, airborne electronic attack, combat support missions flown from carrier decks with long transit times, and expanded counter-piracy missions are all areas that have shown persistent high demand signals from CENTCOM. (page 2-7)
>
> The wide range of goods and services provided by NWCF [Navy Working Capital Fund] activities are crucial to the DON's conventional and irregular warfare capabilities as well as its ongoing roles in OCO [overseas contingency operations]. (page 6-8)
>
> The FY 2012 budget continues investment in platforms and systems that maintain the advantage against future threats and across the full spectrum of operations. Procurement of the Littoral Combat Ship (LCS), Intelligence, Surveillance and Reconnaissance (ISR), Unmanned Aerial Vehicles (UAVs) and other programs that support irregular warfare and capacity building also continue to be emphasized. (page 5-1)
>
> The Navy's shipbuilding budget increases since the FY 2011 FYDP and procures 55 battle force ships from FY 2012 to FY 2016 and one Oceanographic Research Ship. The budget

[30] Department of the Navy, *Highlights of the Department of the Navy FY 2011 Budget*, February 2010, p. 4-24.

[31] Department of the Navy, *Highlights of the Department of the Navy FY 2011 Budget*, February 2010, p. 3-7.

[32] Department of the Navy, *Highlights of the Department of the Navy FY 2012 Budget*, February 2011.

> funds a continuum of forces ranging from the covert Virginia class submarine, the multi-mission DDG-51 destroyer, the multi-role Landing Platform Dock (LPD 27), to the LCS and the Joint High Speed Vessel (JHSV) with its greater access to littoral areas. This balance continues to pace future threat capabilities while fully supporting current irregular warfare operations and supporting maritime security and stability operations in the littorals. (page 5-2)
>
> We continue to examine options for the LCS [Littoral Combat Ship] to help address emerging and ever evolving irregular threats. While naval forces are conducting combat and combat-support missions in Iraq and Afghanistan, the Navy and the Marine Corps also stand ready to answer our nation's call across the full spectrum of military operations through sustained pre-deployment training and enhanced Irregular Warfare (IW) training capabilities. (page 1-9)
>
> Sustainment of the missions performed by the fatigued P-3 Orion fleet remains a priority for the Department. The P-8A Multi-Mission Maritime Aircraft (MMA), based on the Boeing 737 platform, begins replacing the P-3, with an Initial Operating Capability (IOC) in 2013. The P-8A's ability to perform undersea warfare, surface warfare and ISR missions make it a critical force multiplier for the joint task force commander. Additionally, the P-8A, which is authorized by the Defense Acquisition Board to have a Full Rate Production (FRP) award of eleven aircraft in FY 2012, will have increased capabilities over the P-3 as it addresses emerging technologies and ever evolving irregular threats. (page 5-9)
>
> RDT&E, N [research, development, test and evaluation] initiatives support both traditional and irregular warfare demands in several aviation programs. (page 5-13)
>
> The FY 2012 S&T [science and technology] portfolio [for DON] is aligned to support 13 discrete naval S&T focus areas composed of:… 4) asymmetric and irregular warfare…. (page 5-31)

Longer List of Navy IW Budget Initiatives

The Navy states that a longer list of Navy budget initiatives for creating or expanding its IW capabilities includes the following, which are not necessarily listed in any particular order of priority:

- shifting funding for the Naval Expeditionary Combat Command (or NECC—see "Navy Expeditionary Combat Command (NECC)" below) from the wartime operations part of the Navy's budget into the Navy's "base" budget (aka, the "regular" part of the Navy's budget);
- delivering expanded counter-IED and EOD capabilities;
- deploying riverine squadrons and maritime expeditionary support squadrons;
- training Navy personnel in foreign languages, regional affairs, and cultures;
- using the JFK Irregular Warfare Center at the Office of Navy Intelligence (ONI) to provide intelligence support to joint IW/SOF operations;
- ship operation and acquisition, including:
    - using ships (such as amphibious ships) as partnership stations, such as the Southern Partnership Station (SPS) and the Africa Partnership Station (APS) (see "Partnership Stations" below);

    - using ships (such as surface combatants and amphibious ships) for anti-piracy operations;
    - using hospital ships for humanitarian-assistance operations;
    - procuring Littoral Combat Ships (LCSs);
    - procuring Joint High Speed Vessels (JHSVs), which are high-speed sealift ships;
    - ending procurement of DDG-1000 destroyers and restarting procurement of DDG-51 Aegis destroyers;[33]
    - operating four Trident submarines that have been converted into cruise missile and SOF-support submarines (SSGNs);[34]
- accelerating acquisition of the P-8 multi-mission aircraft (MMA), the Navy's intended successor to the P-3 maritime patrol aircraft;
- accelerating acquisition of certain unmanned systems, including:
    - the Navy Unmanned Combat Air System (N-UCAS—an unmanned aircraft that is to be flown form Navy aircraft carriers);
    - a sea-based, medium-range unmanned aerial vehicle (UAV);
    - the small tactical unmanned aerial system (STUAS);
- expanding the Navy's sea-based ballistic missile defense (BMD) capabilities;[35] and
- expanding the Navy's cyberwarfare operations force.

A separate list of Navy budgetary areas of emphasis for IW includes the following:

- ships and aircraft;
- persistent intelligence, surveillance, and reconnaissance (ISR) capabilities;
- unmanned systems;
- language skills, regional expertise, and cultural awareness (LREC);
- operations to build partnerships with other countries and to expand partner capacities;
- cybersecurity; and
- tools for fusing information from various sources.

[33] For more on the ending of DDG-1000 procurement and the restart of DDG-51 procurement, see CRS Report RL32109, *Navy DDG-51 and DDG-1000 Destroyer Programs: Background and Issues for Congress*, by Ronald O'Rourke.

[34] For more on the converted Trident submarines, see CRS Report RS21007, *Navy Trident Submarine Conversion (SSGN) Program: Background and Issues for Congress*, by Ronald O'Rourke.

[35] For more on the Navy's sea-based BMD capabilities, see CRS Report RL33745, *Navy Aegis Ballistic Missile Defense (BMD) Program: Background and Issues for Congress*, by Ronald O'Rourke.

In addition, the Navy states that with regard to rapidly fielding IW new capabilities, specific items of focus include the following:

- the Center for IW and Armed Groups (CIWAG)—an 18-month pilot project at the Naval War College in Newport, RI, whose current grant funding expires in June 2010;
- a large-diameter unmanned underwater vehicle (UUV) for ISR operations;
- Saber Focus—a land-based unmanned air system (UAS) that would be established in an overseas location and used for ISR to support IW operations;
- the use of ship-based Scan Eagle UAVs on converted Trident SSGNs for ISR operations;
- a surface ship- or submarine-based Maritime UAS that would be used for ISR operations and possibly signals intelligence operations;
- a naval intelligence fusion tool (NIFT) that is to integrate national and tactical ISR sensors so as to create real-time, actionable intelligence and targeting recommendations;
- a ship-based system called real time regional gateway (RTRG) for improved exploitation of signals intelligence to support IW operations; and
- an expansion in the size of helicopter squadrons that directly support special operations forces (SOF).

Potential Oversight Issues for Congress

Definition of Navy IW Activities

Potential oversight questions for Congress regarding the definition of Navy IW activities include the following:

- Should security force assistance operations, civic assistance operations, disaster relief operations, and counter-piracy operations be included in the definition of Navy IW operations?
- Should operations to build partnerships, and to build partner capacities for conducting maritime security operations, be included in the definition of Navy IW operations?
- Has the Navy included the kinds of operations listed in the two previous points in its definition of Navy IW operations in part to satisfy a perceived requirement from the Office of the Secretary of Defense (OSD) to show that the Navy is devoting a certain portion of its personnel and budgets to irregular warfare?
- Should the Navy's CT operations be considered a part of its IW operations? What is the relationship between IW operations and CT operations?

Navy IW Budget Priorities

Potential oversight questions for Congress regarding Navy IW budget priorities include the following:

- Is the Navy's list of IW budget items sufficiently organized and prioritized to support congressional understanding and oversight, or to permit Congress to know where any additional dollars available for Navy IW operations might best be added?
- Should items such as expanding Navy sea-based BMD capabilities, procuring DDG-51 destroyers, and Navy cyber security operations be included in a list of Navy IW budgetary initiatives?
- Are the Navy's current IW-oriented UAV/UAS programs sufficiently coordinated?

Degree of Emphasis on IW and CT in Future Navy Budgets

A third oversight issue for Congress—an issue related to, but more general than the previous one—is how much emphasis to place on IW and CT activities in future Navy budgets.

Supporters of placing increased emphasis on IW and CT activities in future Navy budgets could argue that the experience of recent years, including U.S. operations in Afghanistan and Iraq, suggests that the United States in coming years will likely need to be able to conduct IW and CT operations, that the Navy has certain specialized or unique IW and CT capabilities that need to be supported as part of an effective overall U.S. IW or CT effort, and that there are programs relating to Navy IW and CT activities that could be funded at higher levels, if additional funding were made available.

Opponents of placing an increased emphasis on IW and CT activities in future Navy budgets could argue that these activities already receive adequate emphasis on Navy budgets, and that placing an increased emphasis on these activities could reduce the amount of funding available to the Navy for programs that support the Navy's role in acting, along with the Air Force, as a strategic reserve for the United States in countering improved Chinese maritime military forces and otherwise deterring and if necessary fighting in potential conventional inter-state conflicts

Potential oversight questions for Congress include the following:

- To what degree can or should Navy IW and CT activities be used to reduce the burden on other services for conducting such activities?
- Are the Navy's steps to increase its role in IW and CT partly motivated by concerns about its perceived relevance, or by a desire to secure a portion of IW and CT funding?
- Is the Navy striking an appropriate balance between IW and CT activities and other Navy concerns, such as preparing for a potential future challenge from improved Chinese maritime military forces?[36]

[36] For additional discussion of this issue, see CRS Report RL33153, *China Naval Modernization: Implications for U.S.* (continued...)

Additional Oversight Questions

In addition to the issues discussed above, the Navy's IW and CT activities pose some additional potential oversight issues for Congress, including the following:

- How many Navy personnel globally are involved in IW and CT activities, and where are they located? How much funding is the Navy expending each year on such activities?
- Is the Navy adequately managing its individual augmentee (IA) program?[37]
- Is the Navy devoting sufficient attention and resources to riverine warfare?[38]
- Aside from the establishment of the riverine force and a reserve civil affairs battalion, what implications might an expanded Navy role in IW and CT have for Navy force-structure requirements (i.e., the required size and composition of the Navy)?
- Is the Navy adequately coordinating its IW and CT activities and initiatives with other organizations, such as the Special Operations Command (SOCOM) and the Coast Guard?
- Are the Navy's recent IW and CT organizational changes appropriate? What other Navy organizational changes might be needed?

Legislative Activity for FY2012

FY2012 National Defense Authorization Bill (H.R. 1540/S. 1253)

House

Section 1099 of H.R. 1540 as reported by the House Armed Services Committee (H.Rept. 112-78 of May 17, 2011) states:

> SEC. 1099. SENSE OF CONGRESS REGARDING THE KILLING OF OSAMA BIN LADEN.
>
> (a) Findings- Congress makes the following findings:
>
> (1) Osama bin Laden was responsible for ordering the attacks of September 11, 2001, that killed almost 3,000 American citizens.

(...continued)

Navy Capabilities—Background and Issues for Congress, by Ronald O'Rourke.

[37] For a discussion of the Navy's management of the IA program, see Andrew Scutro, "Fleet Forces Takes Charge of IA Program," *NavyTimes.com*, July 7, 2008.

[38] For an article that discusses this question from a critical perspective, see Daniel A. Hancock, "The Navy's Not Serious About Riverine Warfare," *U.S. Naval Institute Proceedings*, January 2008: 14-19.

> (2) Osama bin Laden and his terrorist organization, al-Qaeda, have been responsible for carrying out attacks on innocent men and women around the world.
>
> (3) The United States Special Operations Command organizes, trains, and equips Special Operations Forces and is providing those forces to the United States Central Command under whose operational control they serve.
>
> (4) Special Operations forces were able to complete the mission to kill Osama bin Laden without United States casualties.
>
> (5) The killing of Osama bin Laden represents a milestone victory in bringing to justice the mastermind of September 11, 2001.
>
> (b) Sense of Congress- It is the sense of Congress that—
>
> (1) the Special Operations Forces provide a tremendous service to the Nation; and
>
> (2) the killing of Osama bin Laden is a major victory for international justice and for the United States in the war against terrorism and radical extremists.

The committee's report recommends increasing by $60.0 million DOD's request for $6.9 million in FY2012 funding in the Procurement, Defense-wide account for SOF combatant craft systems (page 371).

The committee's report states:

> U.S. Special Operations Command Undersea Mobility Strategy
>
> The committee supports the recent program and strategy shift in the Undersea Mobility Program by the Commander, U.S. Special Operations Command (USSOCOM) and U.S. Naval Special Warfare Command (WARCOM). The committee is pleased and supports recent reprogramming requests by USSOCOM and WARCOM to consolidate and shift Joint-Multi-Mission Submersible (JMMS) and Advance SEAL Delivery System (ASDS)[39] program funds into a consolidated Undersea Mobility Way Ahead program designed to deliver more platforms sooner and at less cost across the Future Years Defense Program. The committee recognizes the critical operational importance of this program to provide technologically advanced undersea mobility platforms and address capability gaps for operating in denied maritime areas from strategic distances. The committee therefore stresses the need for continued communication with the congressional defense committees to ensure programmatic success and prevent previous program shortfalls in undersea mobility platform strategies. (Page 206)

Senate

Section 155 of S. 1253 as reported by the Senate Armed Services Committee (S.Rept. 112-26 of June 22, 2011):

[39] SEALS for many years have used dry deck shelters (DDSs) to covertly deploy ashore from submarines. A DDS attaches to a hatch on the top surface of a submarine. The ASDS and JMMS programs were intended to provide improved replacements for the aging DDSs. The ASDS program encountered difficulties and was terminated after producing one ASDS. The successor JMMS program was terminated before producing any JMMS units.

SEC. 155. DESIGNATION OF UNDERSEA MOBILITY ACQUISITION PROGRAM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND AS A MAJOR DEFENSE ACQUISITION PROGRAM.

(a) Designation- The Under Secretary of Defense for Acquisition, Technology, and Logistics shall designate the undersea mobility acquisition program of the United States Special Operations Command as a major defense acquisition program (MDAP).

(b) Elements- The major defense acquisition program designated under subsection (a) shall consist of the elements as follows:

(1) The Dry Combat Submersible-Light program.

(2) The Dry Combat Submersible-Medium program.

(3) The Shallow Water Combat Submersible program.

(4) The Next-Generation Submarine Shelter program.

Regarding this section, the committee's report states:

Designation of undersea mobility acquisition program of the United States Special Operations Command as a Major Defense Acquisition Program (sec. 155)

The committee recommends a provision that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to designate the undersea mobility program, including the Dry Combat Submersible-Light (DCSL), Dry Combat Submersible-Medium (DCSM), Shallow Water Combat Submersible (SWCS), and Next-Generation Submarine Shelter acquisition programs under U.S. Special Operations Command (USSOCOM) as an Acquisition Category (ACAT) ID Major Defense Acquisition Program.

Combat submersibles are used for shallow water infiltration and exfiltration of special operations forces, reconnaissance, resupply, and other missions. As demonstrated by previous combat submersible acquisition programs, these systems and associated support equipment are inherently complicated and expensive to develop and procure.

According to the Government Accountability Office, approximately $677.5 million was expended to develop and procure the Advanced SEAL Delivery System (ASDS) to fill USSOCOM's requirement for a dry combat submersible for special operations personnel. The ASDS program suffered from ineffective contract oversight, technical challenges, and reliability and performance issues. The first and only ASDS platform reached initial operating capability in 2003, approximately 6 years behind schedule. Unfortunately, the ASDS was rendered inoperable by a catastrophic battery fire in November 2008 and was deemed too costly to repair by the Commander of USSOCOM. The Joint Multi-Mission Submersible (JMMS) program was initiated in fiscal year 2010 to fill the requirement for a dry combat submersible, but cancelled later that year due to unacceptably high total program costs. Both the ASDS and JMMS programs were designated ACAT ID programs by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

In August 2010, USSOCOM announced a new acquisition strategy to meet its undersea mobility requirements consisting of the DCSL, DCSM, SWCS, and Next-Generation Submarine Shelter programs. USSOCOM also announced that these individual programs would be managed by USSOCOM, with milestone decision authority vested in the USSOCOM Acquisition Executive. The committee recognizes the enduring requirement for

> undersea mobility capabilities for special operations forces and supports USSOCOM's efforts to acquire a family of wet and dry submersibles at a lower unit cost relative to previous programs by utilizing mature and commercial off the shelf technologies where available. However, the committee believes that the total acquisition costs, potential risks, and past history of undersea mobility acquisition programs necessitates the program oversight of the Under Secretary of Defense for Acquisition, Technology, and Logistics. (Pages 15-16)

The committee's report also states:

> **High Speed Assault Craft**
>
> The budget request included $6.9 million in Procurement, Defense-wide, for maritime combatant craft systems, but no funding for High Speed Assault Craft (HSAC) for U.S. Special Operations Command (USSOCOM). Theater Naval Special Warfare (NSW) forces currently utilize a rapidly aging fleet of Mk V Special Operations Craft (SOC) and Rigid Inflatable Boats (RIB) to perform a range of functions ranging from maritime interdiction to infiltration/exfiltration of personnel to partner nation engagement and training. The combination of Mk V SOC and RIB retirements and unexpected program delays for the follow-on platform known as the Combatant Craft Medium are expected to create a maritime combatant craft capability gap in the 2013 to 2015 timeframe. As a result, the Commander of USSOCOM has identified a $15.0 million shortfall in funding for six HSACs. The HSAC is currently in the NSW inventory and has been identified as the only existing maritime surface platform that meets Theater NSW requirements in the near-term.
>
> The committee recommends an increase of $15.0 million in Procurement, Defense-wide, for HSACs for USSOCOM. The committee also recommends USSOCOM consider service life extension options for existing Mk V SOC and RIB platforms to mitigate any additional maritime combatant craft capability gaps. (Page 25)

FY2012 DOD Appropriations Bill (H.R. 2219)

House

The House Appropriations Committee, in its report (H.Rept. 112-110 of June 16, 2011) on H.R. 2219, recommends increasing by $64.0 million DOD's request for $6.9 million in FY2012 funding in the Procurement, Defense-wide account for SOF combatant craft systems, with the increase being for "HSAC [High Speed Assault Craft] unfunded requirement" (pages 197 and 199).

Appendix. Navy Irregular Warfare Vision Statement

This appendix reproduces the Navy's January 2010 vision statement for irregular warfare.[40]

[40] Department of the Navy, Chief of Naval Operations, *The U.S. Navy's Vision for Confronting Irregular Challenges*, January 2010, 7 pp. (including the cover page).

The U.S. Navy's

Vision for Confronting Irregular Challenges

January 2010

CNO Foreword

Our Navy has a history of confronting *irregular challenges* at sea, in the littorals, and on shore. In the face of significant shifts in the nature and character of the threats our nation faces, this Navy Vision for Confronting Irregular Challenges will guide our efforts to prevent, limit, and interdict irregular threats and adversaries. We will focus on the full range of capabilities the Naval force can uniquely project, in and from the maritime domain, in countering *irregular challenges* associated with regional instability, insurgency, crime, and violent extremism.

The *Cooperative Strategy for 21st Century Seapower* places as much emphasis on preventing wars as it does on winning wars, and is the cornerstone of our approach to confronting *irregular challenges.* The six capabilities of our Maritime Strategy, from winning the nation's wars to stabilizing regions with our partners, draws upon the cooperative and preventive capabilities of maritime and joint forces. Our Navy will realize the broadened and balanced capabilities directed in our Maritime Strategy and Defense guidance by making investments to ensure the agility, flexibility, and adaptability necessary to address the range of emergent challenges to our national security. We will enhance integration and interoperability with our traditional maritime partners, the U.S. Marine Corps and U.S. Coast Guard, along with other joint, interagency, private and non-governmental organizations, and international partners in all stages of this effort.

This Vision emphasizes the importance of the maritime contribution to addressing *irregular challenges* in a dynamic and evolving global security environment. The steps we take now will ensure our Navy is prepared fully to work with partners to stabilize regions at risk, and when necessary, dissuade, deter, and defeat irregular actors who seek to undermine security, stability, and prosperity.

G. ROUGHEAD
Admiral, U.S. Navy

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I. The Vision for Confronting Irregular Challenges - Pursuing a Capability Balance for 21st Century Operations

Vision Statement

The U.S. Navy will meet irregular challenges through a flexible, agile, and broad array of multi-mission capabilities. We will emphasize Cooperative Security as part of a comprehensive government approach to mitigate the causes of insecurity and instability. We will operate in and from the maritime domain with joint and international partners to enhance regional security and stability, and to dissuade, deter, and when necessary, defeat irregular threats.

Recognizing the strategic impact of global threats associated with regional instability and insecurity, our Navy has instituted this Vision to guide efforts aimed at confronting *irregular challenges*. In today's interconnected and technically advanced world, **terrorists and criminals prey upon unstable and failing regions and pose an increasing threat to our national interests**. With three-quarters of the world's population, four-fifths of its capital cities, and almost all of its productive capacity located within 200 miles of a coastline, **our Navy is uniquely positioned and suited to counter threats to stability, while operating in and from the maritime domain.** This includes helping countries at risk build sustainable indigenous capacity to secure their resources, protect their populations, and stabilize their regions.

Our Navy must continue efforts to balance emphasis and investments between countering irregular threats and countering near peer forces to successfully meet today's and tomorrow's dynamic and interrelated security challenges. This Vision is derived from our Maritime Strategy and sets a course toward increasing proficiency in supporting direct and indirect approaches to dissuade and defeat *irregular challenges* -- wherein states and non-state actors leverage uncontrolled or ungoverned space to employ informational, economic, technological, and kinetic methods against civilian populations and targets to achieve their objectives. **We will confront *irregular challenges* by focusing on the following outcomes**:

- **Increased effectiveness in stabilizing and strengthening regions**, by securing and leveraging the maritime domain, with and in support of national and international partners.
- **Enhanced regional awareness** of activities and dynamics to include a deeper understanding of ethnic, cultural, and socioeconomic characteristics and norms.
- **Increased regional partner capacity** for maritime security and domain awareness.
- **Expanded coordination and interoperability** with joint, interagency, and international partners.

These outcomes support promoting regional security and stability, advancing the rule of law, promoting good governance and prosperity, and help partners better protect their people and resources. They will inhibit the spread of violent extremism and its associated terrorist, insurgent, and criminal activities.

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The Navy will leverage its history of presence, international engagement, and security enforcement, and will ensure our sailors, platforms, and systems are ready to address the hybrid nature of 21st Century challenges. The Navy brings global scope, unique access, and a breadth of capabilities to confront *irregular challenges*. We will promote Cooperative Security to mitigate instability in regions with limited governance that give rise to *irregular challenges*. We will enhance proficiency and effectiveness in security force assistance, maritime security, stability operations, information dominance, and other force applications necessary to support U.S. and partner counterinsurgency, counterterrorism, and foreign internal defense operations.

II. Opportunity: Leveraging the Maritime Domain to Confront Irregular Challenges

"Covering three-quarters of the planet, the oceans make neighbors of people around the world. They enable us to help friends in need and to confront and defeat aggression far from our shores."

A Cooperative Strategy for 21st Century Seapower

Our Navy's inherent contribution to the irregular contest is our capacity and ability to leverage access to the maritime domain and cooperate with partner navies and security forces to dissuade, deter, and defeat irregular threats at sea and ashore. While often overlooked in the context of *irregular challenges*, **the maritime domain enables proximate populations to partner and enhance their wealth and well-being, but also provides sanctuary and freedom of movement to criminals, terrorists, and insurgents.** The maritime domain provides for over 90% of the flow of information, people, goods, and services that sustain and create opportunities for regional economic prosperity. This economic opportunity promotes stability and helps prevent vulnerable populations from turning to terrorist or criminal enterprises.

The maritime domain similarly provides irregular actors with operating space and the ability to conduct the illicit flow of information, weapons, money, technicians, and cadres upon which much of their income and effectiveness relies. As such they are able to use the maritime environment to exploit, disrupt, or destabilize regions or governments, and to affect the will of civilian populations through insurgency, terrorism, crime, and the proliferation of radical ideologies.

The Navy's global maritime access and sustained presence forward enable U.S. Government-wide partnerships with nations and their forces to provide security and training assistance. At sea and ashore, the Navy works with partners to secure vulnerable maritime approaches and maritime resources, while improving collective capabilities to counter emerging threats such as piracy, trafficking, and weapons proliferation. Partners can appreciate the Navy's dependable but impermanent presence, which requires neither a footprint ashore nor infringement on their sovereignty. Our partners in turn add capability and capacity to our own through their contributions of forces, technologies, and operating concepts, as well as the understanding and ability to navigate local political, ethnic, and cultural contexts.

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Today, the Navy is globally engaged to confront *irregular challenges* in sustained joint and interagency operations at sea and ashore. This includes support for counter-terrorist and counterinsurgency missions, development, humanitarian assistance, disaster response, and maritime security capacity building with partner militaries. Some examples include:

- Support for Joint Special Operations Task Force – Philippines which provides security force training, anti-terrorist forces, and delivered humanitarian relief and disaster response following storm induced flooding.
- Contributions to Joint Task Force – Horn of Africa whose East African Maritime Center of Excellence, security capacity building, and interagency policy efforts are enhancing indigenous capacities to stabilize the region and counter threats of piracy.
- Counter-piracy operations in the Gulf of Aden and the Horn of Africa which remove financial support to terrorists ashore and reduce instability and criminality at sea.
- Training and equipping partners for maritime security and fisheries enforcement in the Gulf of Guinea that many of the region's countries depend for economic stability.
- With coalition partners, the protection of oil platforms in the northern Arabian Gulf, that includes training for Iraqi naval personnel to assume this economically critical mission.
- Expeditionary Training Teams and Global Fleet Stations (Africa, South America, Pacific) dedicated to security force training and assistance through multi-mission employment of amphibious ships, tactical aircraft, and helicopters.
- The over 23,000 Navy personnel engaged in CENTCOM, with 14,000 ashore, conducting maritime security, river patrol, ordnance disposal, surveillance and reconnaissance, electronic warfare, and combat support operations, as well as providing non-naval augmentation for detainee affairs, security, and reconstruction.
- The procurement and employment of evolving multi-mission platforms oriented to lower end operations against *irregular challenges* including: Littoral Combat Ship mission modules, Riverine squadrons tailored for security force assistance, persistent manned and unmanned surveillance platforms, and investments in training capacity for language, cultural, and hybrid mission sets.
- The employment of multi-mission platforms able to work across the spectrum of conflict to include P-3 for surveillance against terrorists and insurgents, tactical aircraft for armed reconnaissance, and submarines and surface combatants in counter-drug operations.

The Navy will continue to pursue balanced approaches to confronting evolving irregular and conventional challenges by maximizing the multi-purpose effectiveness of our Navy's capabilities, personnel, and platforms. We will emphasize building partner capacity using dedicated training forces, periodic deployments and recurring exercises. In the end we will achieve the greatest effectiveness against the most likely 21st Century threats through an agile, flexible, and adaptable force.

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These goals support the outcomes presented in this Vision:

- **Enhance and formalize interoperability** with U.S. government, public and private organizations, allied maritime and land forces, and regional partners.
- **Build partner capacity** by forming enduring, trust-based relationships, promoting shared interests in collective security, and providing training and resources to enhance indigenous security force capacity.
- **Improve our regional awareness and understanding of complex environments and challenges** through intelligence and information systems, training, education, and more culturally adept approaches.
- **Achieve an improved understanding and ability to counter illicit and extremist actors** as they leverage and maneuver in their maritime and shore environments.
- **Enhance and broaden the multi-mission capabilities and applications of today's force** to maximize effectiveness in complex regions and scenarios.
- **Identify necessary and distinct shifts in emphasis and investment to confront *irregular challenges***, to include modifications to training, doctrine, and existing forces, and where necessary, new investments in processes, platforms, and systems.

In pursuing these goals for confronting *irregular challenges* the Navy will employ its broad capabilities to enable partners, improve maritime security, and conduct cooperative and decisive operations at sea and ashore. Specifically, we will operate to deny unregulated actors use of the maritime and littoral environment, assist in securing critical infrastructure to ensure the safe flow of resources, and apply a broad spectrum of maritime and overland capabilities to combat irregular threats while improving the lives of affected populations.

III. Implementing the Vision

Implementation will require a Navy-wide organizational approach. This effort demands changes in our thinking, our force and its preparation, and requires clear strategic communications within and outside the organization. We will comprehensively align our organizations, investments, procedures, doctrine, and training with the set of emerging approaches necessary to address these challenges.

Our Navy will pursue the outcomes and goals outlined in this Vision through these supporting implementation objectives.

1. **Advance our Navy's doctrinal, strategic, and operational approaches to addressing *irregular challenges*.**
   - Increase our Navy's application of related Defense and Joint strategic and operational guidance.
   - Define the strategic and operational tenets and approaches for our Navy to apply across our general purpose and special operation forces.
   - Integrate the desired outcomes, priorities, and capabilities needed to confront *irregular challenges* into Navy's force development and management processes.

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2. **Organize, train, and equip our Navy to confront *irregular challenges* more effectively through balancing shifts in our investments and efforts.**
   - Enhance our ability to address, refine, validate, and incorporate urgent and emerging requirements to confront *irregular challenges* in the Planning, Programming, Budgeting, and Execution process.
   - Identify the advocates and resource sponsors responsible for resource allocation and comprehensive program execution for existing and emerging Navy-unique and joint multi-mission capabilities to confront *irregular challenges*.
   - Introduce the necessary supporting training and education requirements, to include organizations, curricula, and processes across our manpower enterprise.
   - Institutionalize concepts, processes, and organizations for training and building the capacity of partners through dedicated assistance operations, regular exercises, and the deployments and visits of multi-mission ships and aircraft.

3. **Emphasize interoperability and effectiveness for confronting *irregular challenges* across U.S. government, public, private, and international partners.**
   - Leverage Navy's multi-mission capabilities with other services, interagency and coalitions to build partner security capacity.
   - Integrate and coordinate efforts with the U.S. Marine Corps and U.S. Coast Guard in support of the imperatives and approaches in the Maritime Strategy.
   - Support the development of joint, interagency, and international operational concepts and supporting CONOPS.
   - Support Defense efforts to integrate joint and interagency planning processes.
   - Ensure capabilities to confront *irregular challenges* are addressed and captured in U.S. Navy and Defense legal policy development.
   - Provide Combatant Commanders with applicable naval capabilities to support critical mission requirements outside the scope of Navy core mission areas.

IV. Conclusion

Our Navy recognizes the importance of developing opportunities while being prepared to address irregular threats. Our general and special purpose forces are immediately applicable to the broad array of capabilities required to achieve regional security and stability. The Navy is uniquely positioned to assist emerging nations and fragile states, and to dissuade, deter, and when necessary, defeat irregular threats. We will build on our inherent strengths to lead and support national and international efforts.

The *Cooperative Strategy for 21st Century Seapower* places as much emphasis on preventing conflicts as on winning conflicts. This underscores the importance of securing and fostering long-term cooperative relationships based on mutual understanding and respect for each party's strategic interests, as well as increasing partners' ability to ensure their own security and stability. It recognizes the value of presence, of "being there," to maintain adequate levels of security and awareness across the maritime domain, and restrain the destabilizing activities of non-state actors. It makes clear our Navy will work alongside other U.S. services and agencies through a comprehensive government approach to advance international partnerships.

This Vision will guide and shape our Navy's actions, and will enhance our Navy's proficiency in capabilities to counter *irregular challenges*, now and in the future.

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