SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT LEGISLATION: WHY WAS IT PASSED AND HAVE THE VOIDS BEEN FILLED?

BY

COLONEL WILLIAM G. BOYKIN
United States Army

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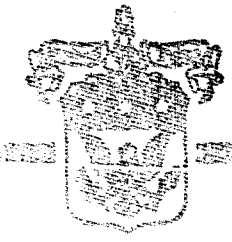

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USAWC MILITARY STUDIES PROGRAM PAPER

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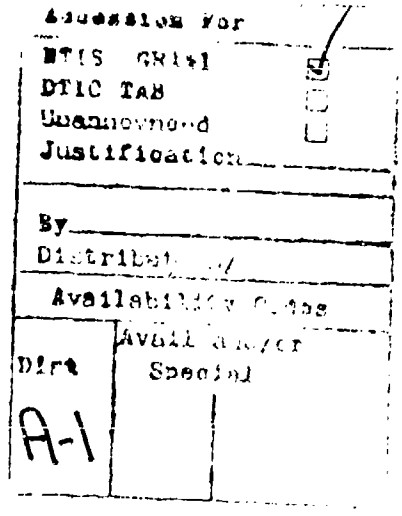
AN INDIVIDUAL STUDY PROJECT

by

Colonel William G. Boykin
United States Army

Dr. Don Snow
Project Adviser



U.S. Army War College
Carlisle Barracks, Pennsylvania 17013

ABSTRACT

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In October 1986, the U.S. Congress passed the Cohen-Nunn Act as an attachment to the FY 1987 Defense Authorization Act. President Reagan signed the Act in November 1986, making it Public Law 99-661. This legislation mandated the creation of a unified command for all special operations forces of the various services and placed a four-star general in command. The law also directed the establishment of a new Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict. Under the law, the President was directed to form a "Board for Low-Intensity Conflict" within the National Security Council. Congress also provided a "Sense of Congress" that the President should designate within the Executive Office of the President a Deputy Assistant to the President for National Security Affairs to be the Deputy Assistant for Low-Intensity Conflict. Passed despite the strong objections of DOD, this law has been controversial and subject to criticism by many who did not understand why lawmakers concluded that binding legislation was necessary. Interviews with those involved with passage of the legislation plus an analysis of the legislation form the basis of the author's assessment of why the congress took this unprecedented step in passing legislation which reorganized the Department of Defense and the National Security Council. What voids were Congress trying to fill in U.S. military capabilities? An analysis of this question is included as well as an assessment of whether those voids have been filled.

INTRODUCTION

"I think we have an abort situation."[1] When Defense Secretary Harold Brown spoke these words to President Jimmy Carter at 4:45 p.m. on 24 April 1980, a dejected and somber world leader simply responded, "Let's go with his (the ground commander's) recommendation."[2] The mission to rescue 53 American hostages from the fanatical followers of Ayatollah Ruhollah Khomeni had failed at a desolate desert site in the Dasht-e-Kavir area of Iran, known to the rescue forces as "Desert One". Tragedy occurred minutes later when an RH-53 helicopter and an EC-130 aircraft collided on the ground causing the death of eight courageous and dedicated men.

More was lost that night at Desert One than the eight lives. American prestige and pride suffered, as did the confidence of the American public. A feeling of ineptness consumed a nation which watched the bodies of the eight dead servicemen being desecrated by the same Iranians who held the 53 Americans. Many political analysts believe that this failure also cost President Carter his bid for re-election in 1980. Logically, the question was asked repeatedly, "Why did the mission fail?". Many believe that the search for the answer to this complex question prompted and inspired the development of a capability within the U.S. Department of Defense (DOD) which would ensure future success in similar situations. In fact, this is not totally accurate. In 1986, the U.S. Congress passed legislation which revamped and revitalized U.S. Special Operations Forces (SOF) and established a new command structure for them. An analysis of that

legislation and its background shows that the Desert One tragedy was only one of many catalysts which influenced lawmakers. The revitalization of SOF actually began under the same President who bore the personal responsibility for the failure of the mission into Iran. The purpose of this paper is to outline the intent of Congress in passing the SOF legislation, to explain how lawmakers were persuaded to do so, and to assess whether the objectives of this legislation have been achieved.

In researching this topic, it is important to understand that lawmakers are influenced by many people. It is therefore essential to take at least a cursory look at some of those people and their motives and agendas to understand and appreciate fully why legislators reached certain conclusions and why they reacted in certain ways. It is also important to understand that there are nearly as many agendas as there are people involved in the passage of legislation like this. The keys to passage are negotiation and compromise, which provides each party enough of what it wants to make it acceptable to all. Research on a subject of this nature would not be complete without a review of how it was implemented; or in this case, is being implemented.

BACKGROUND

Immediately following the failed rescue attempt at Desert One, a panel of distinguished retired and active-duty generals and flag officers was appointed to study the mission and to report on why it had failed as well as to recommend how to ensure success in the future. The panel was chaired by former Chief of

Naval Operations, James L. Holloway. Consequently, the report produced by the panel became known as the "Holloway Report", and the panel became known as the "Holloway Board". The Holloway Report made two recommendations:

> (A) It is recommended that a Counterterrorist Joint Task Force (CTJTF) be established as a field agency of the Joint Chiefs of Staff (JCS) with permanently assigned staff personnel and certain assigned forces.
>
> (B) It is recommended that the Joint Chiefs of Staff give careful consideration to the establishment of a Special Operations Advisory Panel, comprised of a group of carefully selected high-ranking officers (active and retired) who have career backgrounds in special operations or who have served at the CINC or JCS levels and who have maintained a current interest in special operations or defense policy matters.[3]

Both recommendations were accepted and implemented in the Fall of 1980 by DOD. The CTJTF was formed as a joint military unit and the Special Operations Advisory Panel was created. This panel later became the Special Operations Policy Advisory Group (SOPAG). There was little pressure from the Congress at that time to reorganize SOF. That began to change over the next few years, however, and culminated in the passage of P.L. 99-661 which "reorganized and reformed special operations and low-intensity conflict capabilities, policies, and programs".[4] Congress made the transition from a nearly hands-off position to one of forcing legislation on DOD and the Reagan Administration. Why did all this occur? Was this really the beginning of SOF reorganization? A closer look at SOF reveals some points which have faded over the years.

In October 1977, the German Counterterrorist Unit, GSG-9, conducted an assault on a hijacked Lufthansa Boeing 737 in Mogadishu, Somalia, to rescue a group of hostages who were being held by an Arab terrorist cell. The assault was very successful and resulted in the rescue of 82 hostages and the death of three of the four hijackers.[3] This operation by the Germans helped increase public awareness of and concern for international terrorism. This concern spread rapidly to the White House. President Carter asked for assurances from his military leadership that the U.S. had the same capabilities. Although he reportedly received these assurances initially, in a short time his Army Chief of Staff, GEN Bernard Rogers, approved the activation of a new Army special operations unit which would prepare for a variety of special missions including counterterrorism. Activated in November 1977 and known as the Delta Force, this unit was based at Ft. Bragg, North Carolina, and commanded by a well-known Special Forces Colonel named Charlie Beckwith.[4] This unit would later become the ground force for the rescue operation in Iran. The revitalization of SOF thus started in 1977 when President Carter made his inquiry which sparked concern within DOD.

The activation of Delta Force is a significant event when one considers where SOF was headed in the post-Vietnam period of the 1970's. In an article for the Congressional Research Service, Jim Wooten says that "...President Kennedy had decided, soon after taking office, that Special Forces 'Green Berets' offered a way to stop the North Vietnamese aggression without

getting American combat troops heavily involved in the war."[7] This decision caused considerable controversy within DOD. Wooten further states "The reaction from the Army leadership at that time was overwhelmingly negative".[8] Although Special Forces strength was increased to seven active-duty Groups during the Vietnam era, it was reduced to only three in the intervening years between the American withdrawal from Southeast Asia and the early 1980's. Similar situations existed in the Air Force and to a lesser extent in the Navy. Air Force Special Operations AC-130 gunships were scheduled for deactivation or transition from active to reserve status. They were not funded beyond 1979 in the Air Force Budget. The MC-130 combat talons were old and not receiving significant new modifications. Air Force deep penetration helicopters were virtually non-existent except in combat search and rescue wings, and there was a general feeling among pilots and crews in the Air Force that SOF was not a career-enhancing assignment. The Navy was about to decommission its only special operations-capable submarine.

There simply seemed to be a prevailing attitude and feeling within DOD that SOF was not an important entity. In fact, there was considerable evidence that there was actual disdain among the senior leadership of the services for SOF. LTG William Yarborough, who commanded the Special Warfare Center at Fort Bragg, North Carolina, during Kennedy's time in office wrote that: "In the early 60's it was generally accepted in America's high military command and staff circles that there was nothing unique about Ho Chi Minh's war. As far as most of the senior

leaders were concerned, the basic training, leadership, organizational principles, tactics and strategy that had won America's wars in the past would be more than adequate for Indochina. Both Special Warfare and Special Forces were terms that raised many hackles among the conventional regulars."[9] (Emphasis added) One can conclude that the creation of Delta Force was an anomaly. The trend was clearly toward down-sizing SOF as evidenced by the fact that not only had the size of SOF been reduced but also that SOF funding had been cut by 95 per cent in the 1970's.[10] Still, the activation of Delta Force was the beginning of a slow trend toward revitalizing SOF, although it was not necessarily the beginning of a change in attitude toward SOF.

There was clearly one visionary within the DOD in the late 1970's who saw the need for improved SOF capabilities. GEN Edward C. Meyer supervised the activation of Delta Force as the Army Deputy Chief of Staff for Operations and Plans (DCSOPS). Later as Chief of Staff of the Army, GEN Meyer began to encourage DOD to improve its joint special operations capabilities. Meyer realized that the nature of special operations was such that they required full cooperation and support among the services and other U.S. Government agencies. In a speech at the National War College on 11 January 1988, Mr. Chris Mellon, aide to Senator William Cohen (R-ME) described GEN Meyer's efforts as follows: "Some 20 years after President Kennedy's initial efforts, in the wake of the U.S. defeat in Vietnam...another attempt was made to develop new capabilities to deal with the distinct challenges of

unconventional warfare. This time, the impetus originated within the Army itself, and took the form of a proposal by Army Chief of Staff GEN Edward Meyer to create a Strategic Services Command, a unified combatant command that would attempt to provide a coordinated focus on the persistent and increasing problems of terrorism and insurgency."[11] Mellon explains why this proposal was never accepted by stating, "By most accounts, the Air Force and Navy combined to block this proposal. In any event, the proposal faltered, and the status quo was preserved."[12] When GEN Meyer failed to convince the DOD leadership to form a joint organization for special operations, he decided at least to take the lead within DOD and restructure Army SOF. GEN Meyer consolidated all SOF within the Army under a newly created Special Operations Command (1st SOCOM) in 1982.[13] Although he left the Army without seeing his proposal reach fruition, his efforts helped plant a seed which would later be nurtured by a small group of determined and concerned Congressmen.

THE COHEN-NUNN ACT

The passage of PL 99-661 was an unprecedented move by the Congress. It was the first time the Congress had mandated the creation of a Unified Combatant Command - a responsibility previously left to the President. The law came on the heels of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (PL 99-433) and, in fact, was a follow-up to one of the dictates of that Act. The law, known as the Cohen-Nunn Act, was passed over the strong objections of DOD and lesser objections of

the Reagan Administration. The degree of specificity in the language of the bill was also unusual in that it essentially usurped certain DOD implementation prerogatives. Finally, it is notable because it instructed the Administration to form a specific board in the National Security Council (For Low-Intensity Conflict) and is thus directly involved in the organization of the President's personal staff.[14]

The Goldwater-Nichols Act, which was passed in October 1986, directed a "review" by DOD of "...Missions, responsibilities, (including geographic boundaries), and force structure of the unified and specified combatant commands..." Section 212 of the law dictates that this "review" include consideration of several issues including "creation of a unified combatant command for special operations missions which would combine the special operations missions, responsibilities, and forces of the armed forces."[15] In November 1986, lawmakers passed the Cohen-Nunn Act, less than one month after directing that SOF reorganization be "reviewed". The law gave the DOD one year to complete its review. Why would the Congress direct a "review" of the issue and then preempt that review with legislation? Were their minds already made up on the issue before the passage of the Goldwater-Nichols Act?

Those involved in the passage of the legislation indicate that the passage of the Cohen-Nunn Act was imminent before the Goldwater-Nichols Act was passed. According to Mr. James R. Locher, Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD/SOLIC), work was being done on both

bills simultaneously until early 1986. Mr. Locher was a staff member of the Senate Armed Services Committee at the time, and a key member of the group which was drafting the Goldwater-Nichols bill. Mr. Locher was directed by the committee Chairman, Sen. Barry Goldwater (R-AZ), to devote his effort to the omnibus Defense Reorganization bill and to wait until that was complete before refocusing his attention on other legislation.[16] Consequently, the main focus was on the development and passage of the Goldwater-Nichols bill which delayed work on the SOF bill. Lawmakers clearly wanted nothing to interfere with passage of the Defense Reorganization legislation, which they saw as the priority. When work began on the SOF bill in late Spring of 1986, the attitude among the sponsors was that the bill should probably follow the Goldwater-Nichols bill and that its final form could possibly be that of a "Sense of the Congress". In the Spring of 1986, the Congress was not firmly convinced that a mandate was necessary. That attitude soon changed and before the passage of the Goldwater-Nichols Act, many Congressmen had decided that DOD and the Administration were going to receive some fairly specific guidance very soon. This was accomplished by attaching an amendment to the Defense Authorization Bill for FY 1987 which became PL 99-661 in November 1986. Its effect was the restructuring of not only the Unified Command Plan (UCP), but also the Office of the Secretary of Defense (OSD) and the National Security Council (NSC).

CONGRESSIONAL INTEREST

Passage of any bill in Congress requires fairly strong support from a majority of lawmakers. In many cases, it requires bipartisan support. Such was the case with the Cohen-Nunn bill. A relatively small bipartisan group of legislators, with no personal special operations experience, developed a base of support which pushed the sweeping and controversial mandates of this bill through the law-making process. So where did the process begin? What created an interest in SOF revitalization? There is neither a single nor a simple answer to either question, but research of these questions reveals some interesting points.

The start point of Congressional interest is indiscernible. Many things occurred which prompted Congressional interest. More importantly, many people with varying experiences, backgrounds, and agendas began to see the need for change and started searching for and finding sympathetic ears among influential members of both the House of Representatives and the Senate.

Several points can be made regarding the initial emphasis on SOF revitalization. From 1983 until 1985, Mr. James Locher, (ASD/SOLIC) was the study director for a Senate Armed Services Committee staff study entitled "Defense Organization: The Need For Change"[17] Published in October 1985, this staff study became the precursor to the Goldwater-Nichols Act. Mr. Locher's group spent two years conducting an extraordinarily detailed study of DOD and the National Command Structure. Historical analyses dating back to the American Revolution provided a basis for a series of recommendations relative to the reorganization of the

DOD. The staff looked at a number of special operations as part of its research. Vietnam, Iran, and Grenada all served to show that America's special operations track record was none too impressive. Regarding the threats posed by terrorists, insurgents, and other unconventional forces, the report points out that "...the capabilities needed to respond to these threats are not the traditional ones of services; (3) the services have a tendency in force planning to focus on high-intensity conflicts upon which resource programs are principally justified; (4) there is a need to coordinate the activities of the services as they seek to develop required capabilities in order to avoid unnecessary duplication; (5) there is a need for innovative thinking and new approaches to these threats..."[18] The staff report essentially recommended a new command structure when it proposed a "...strong...multifunctional, organizational focus for low-intensity warfare and special operations".[19] This staff study was taken seriously by several members of the Senate Armed Services Committee.

Senator Cohen was an early proponent of SOF reform. He was influenced by a number of people. According to one of his aides, Chris Mellon, Senator Cohen was approached by a number of credible former special operations people with requests for his assistance in helping to rebuild SOF. Mellon himself began to see the need and encouraged his boss to take a leading role on this important issue. The names of those former special operators who asked for the Senator's help were not uncovered in this research nor is it important who they were. What is

important to understand is that many of those who had lived through the frustrations of conducting special operations in an atmosphere of limited support and considerable mistrust took the initiative to promote change. Senator Cohen became a strong supporter of reform. In a January 1986 article in Armed Forces Journal International, Senator Cohen expressed many of his views. He wrote that "many conventional officers quite rightly point out that there are high costs involved in the maintenance and employment of SOF. The problem is that to date, the balance has been heavily tipped against SOF."[20] In expressing his vision for the future the Senator wrote "but I am convinced that we can no longer temporize on the need to establish a clearer organizational focus for special operations and a clear line for their command and control. I intend to use the opportunities available to determine what changes are necessary, and to see that the necessary changes are made."[21]

In the House of Representatives, Congressman Dan Daniel (D-VA), (now deceased) was the early proponent of SOF reform. Daniel was a man, like Cohen, who had nothing to gain from the legislation in terms of defense contracts for his district or other political benefits, which frequently influence legislators. Daniel was an "elder statesman" in the Congress, much older than many of his peers and a long-time supporter of DOD. Daniel knew little of special operations, but he was influenced by several people who did. Daniel had become the Chairman of the Readiness Subcommittee of the House Armed Service Committee. He had maneuvered a bit in the House and convinced Committee members to

place the responsibility for SOF in the hands of his subcommittee. This gave him an opportunity to oversee SOF readiness and provided an excellent format for promoting his desired changes.

Daniel was influenced by some unique personalities. One of the most influential people was a fellow Virginian named Samuel V. Wilson, LTG U.S. Army, (Ret). LTG Wilson is a legend in the SOF community and is probably the most credible special operations expert in the U.S.

LTG Wilson joined the Army in June 1940 after walking 12 miles from his farm in Rice, Virginia, to the recruiting station in Farmville, Virginia. After two years of enlisted service, Wilson was commissioned in the infantry and joined the para-military ranks of the OSS. He served extensively behind Japanese lines in the China-Burma-India theater with Merrill's Marauders where he became a legend. His exploits are detailed in a book entitled The Marauders. Through the years, he served in command and staff assignments in special operations units and the Central Intelligence Agency (CIA). He also became a Russian Foreign Area Officer (FAO) and spent several years in the Soviet Union where he developed a reputation as one of the leading U.S. authorities on the Soviets. In Vietnam, he was accorded the personal rank of Minister in the U.S. Foreign Service while serving with USAID and later as the U.S. Mission Coordinator under Ambassador Lodge. Although he commanded special operations units at all levels, Wilson also commanded the 82nd Airborne Division for a short period, giving him credibility among his peers on the

conventional side of the Army. LTG Wilson was appointed Deputy Director, Central Intelligence Agency, under then-Director George Bush in 1974. In May 1976, he was assigned as Director of the Defense Intelligence Agency. He earned the nation's second highest award for Valor, The Distinguished Service Cross, and two Silver Stars. LTG Wilson left the Army prematurely on 1 September 1977 for the sake of one thing he loved more that the Army; a wife stricken with cancer. LTG Wilson has no peers in the special operations world and his fellow Democrat, Dan Daniel, was well aware of it. Daniel had visited LTG Wilson in Vietnam and had come to respect him as he did few other men. He listened to Wilson and relied heavily on him. Wilson was a member of the Hollaway Board and later a member of the Special Operations Advisory Panel (which later became the SOPAG).[22]

For years, LTG Wilson encouraged change in the SOF command structure. In November 1979, he helped evaluate Delta Force during its operational validation. In his final report, he recommended the creation of a permanent joint task force to provide the command and control and support which Delta would require in the future. No doubt, he influenced the integration of that same recommendation into the Holloway report. LTG Wilson was also an influential associate of GEN Edward Meyer. Some of GEN Meyer's initiatives were at least supported if not influenced by LTG Wilson.

Congressman Daniel was also encouraged to sponsor SOF legislation by another former special operations Army officer. Ted Lunger was a staff member on the House Armed Services

Committee and worked closely with Congressman Daniel's Readiness Subcommittee. Lunger had served as a special forces officer in Vietnam. Upon returning to the U.S. after his tour in Southeast Asia, Lunger discovered that the Army Artillery Branch, of which he was a part, really did not know what to do with him. Although he had served with distinction in Vietnam, he had not "punched the right tickets" in Artillery assignments. His future was bleak in the Army and he was advised that he might not be promoted. With the handwriting on the wall, Lunger left the Army and eventually found a place on the staff of the House Armed Services Committee. Ted Lunger was a forceful personality who is described by one associate as a "bull in a china closet who simply won't give up."

He was determined to see that SOF was reorganized and that future SOF personnel were given better opportunities to serve in special operations without being penalized. He was equally concerned about SOF readiness. He pursued this goal with a tenacity that most agree eventually cost him his job. When Les Aspin (D-WI) was appointed Chairman of the House Armed Service Committee, he directed Lunger to find a new job. While there are varying stories on why Aspin moved Lunger out, most would agree that Lunger's persistent nature and routinely assertive behavior were contributing factors. It was just those qualities which Daniel liked about him. The old Virginia gentleman needed a man with Lunger's experience in both the SOF world and in the Congress to help him push his legislation through. He hired Lunger on his personal staff immediately and Lunger kept his

dream alive. Now Daniel had the wisdom of the quiet and reflective old soldier, Sam Wilson, and the tenacity and shrewdness of Ted Lunger.

In the Spring of 1980, Daniel was involved in a study of the Rapid Deployment Joint Task Force (which later became US CENTCOM). Although the study did not focus on special operations, the issue surfaced many times. Daniel began to develop a feeling that the U.S. was neither interested in nor good at special operations. He saw considerable parochialism standing in the way of progress. Even creative thinking about the issue of SOF was hard to find among military leaders. In Lunger's words, the Congressman felt that the U.S. was not good at special actions at the low-visibility level.[23] Daniel then directed his sub-committee to look at the failed Iran rescue mission and tell him what the real problems with SOF were. Although the seeds of change had already been planted with Daniel by Sam Wilson, when Lunger (not yet on Daniel's personal staff) reported back to him that SOF command and control was an endemic problem, Daniel set his sights on reform. He was probably the first member of Congress to start thinking seriously about SOF reform but as time passed, he picked up additional support. While it is fairly clear that Senator Cohen initially felt that the Congress should provide a "Sense of the Congress" report in hopes of influencing change, it is unclear what Representative Daniel had in mind. Some believe that Daniel wanted to mandate change while LTG Wilson says that Daniel also wanted to provide a

"Sense of the Congress" initially. Regardless, that changed for both in time.

THE SITUATION WITH SOF

At this point a closer look at what was going on in DOD relative to SOF is beneficial. GEN Meyer was not the only SOF proponent within DOD. Noel Koch, Principal Deputy Assistant Secretary of Defense for International Security Affairs became a very outspoken supporter of SOF enhancement. Koch regularly authored articles in Armed Forces Journal and other publications recommending improvements in SOF capabilities and force structure. Koch was frequently critical of the services and their lack of focus on SOF. In an interview with Ben Schemmer editor of Armed Forces Journal International, Koch explained how the services view SOF. Koch stated "If you look at the service programs historically, you'll see that they don't change very much or very fast in their emphasis. The Traditional 'core' will get funded first and foremost, then the programs that are peripheral to the individual services' core interests, missions and traditions 'compete' for the resources that are left. For the services, SOF have never been a core program."[24]

Funding for SOF and SOF-related programs was probably the single most important issue among legislators in the early 1980's. The Pentagon was simply not funding SOF adequately. Koch was right in his statement that SOF was not part of the "core" of service programs.

One incident which serves to illustrate how money was continually taken from SOF occurred in 1982. GEN Meyer and several officers from the Army staff were meeting with Noel Koch to discuss Army input for the upcoming session of the Defense Resource Board (DRB). The issue of SOF requirements was discussed. GEN Meyer stated that he wanted to submit something positive relative to SOF. He indicated that he was concerned about growing criticism of a lack of emphasis on SOF. He asked for recommendations. T e subject of a SOF communications system surfaced. The Army had been working on a reliable long-range communications system for special forces for many years. Somehow, the program never seemed to progress, due largely tc a lack of funding. Noel Koch then proposed that if GEN Meyer would commit five million dollars to the program, that he (Koch) would do the same from resources available to him. GEN Meyer agreed and the money was identified and allocated within the Army. Koch provided funds as well and development of the communications system was supposed to begin immediately. In less than 10 days, Koch received a call from a member of the Army staff who had been identified to help with this program. He informed Koch that the money set aside by the Army for the communications system had been re-programmed. This was obviously done without GEN Meyer's knowledge. Koch then sent a letter to the office of the Secretary of the Army questioning the diversion of these funds. The funds were immediately redirected back to the communications program, but the incident illustrates the prevailing attitude and modus operandi in the services. Keep in mind that this

particular situation occurred on the watch of the Service Chief who was most supportive of SOF programs, GEN Meyer.

The situation was even worse in the Air Force. Time after time, Congress authorized funding for new MC-130 combat talons. To be more specific, Congress directed the Air Force to buy more of these special operations airplanes. As Noel Koch points out, war plans called for five times more Talons than the Air Force had.[25] Every year, the Air Force re-programmed those funds and never bought the additional MC-130's. This frustrated members of the Armed Services Committees. Sen. Sam Nunn (D-GA) demonstrated this frustration on the Senate floor when he said:

> "For about three years, we have been waiting on the five-year defense plan to reflect the needs of the special operations forces...We had the Iranian hostage rescue mission and a woeful inadequacy of transportation for the forces at that stage. Sen. Goldwater and I had written letters, done everything we could to try and focus on the need for transportation for special operations forces. The regular forces were not interested...So we mandated that they include transportation for special operations forces in the five-year defense plan. And we held up certain aircraft programs until they did. Guess what happened? They finally decided they needed the aircraft so they...put the special operations forces in the plan. What happened then? They came back and now they have taken those special operations aircraft out of the plan. This is a sad commentary...This is what has happened over and over again with the forces.[26]

Noel Koch was concerned enough about this lack of resources for SOF that he brought in an army officer named Peter Bahnsen to help with resource allocations. Bahnsen was responsible for seeing that SOF research and development programs as well as procurement programs were consolidated and funded. Koch achieved some success but his efforts were insufficient to correct the entire situation. The Pentagon simply refused to support SOF in

a manner which the Congress found acceptable. Chris Mellon summarized the situation by saying "Repeatedly,...the Congress had funded programs, received assurances that they would be implemented, only to have the money be re-allocated by the services in direct contradiction to the commitments made to the Congress by OSD officials."[27]

The Pentagon had accepted and implemented the Holloway Board recommendation to create a permanent Joint Task Force for Counterterrorism and other special operations. This force was formed in 1980 and had evolved into a capable organization, but few if any other changes had been made to improve SOF readiness or capabilities. With concern mounting on Capitol Hill, DOD decided to go one step further. On January 1, 1984, the Joint Special Operations Agency (JSOA) was activated in the Pentagon. Subordinate to the JCS operations director, this agency had neither operational nor command authority over SOF in any of the services.[28] Its mission was to act as staff advisor and liaison to the Secretary of Defense and the office of the Joint Chiefs. A Marine Corps Major General, Wesley Rice, was appointed director of JSOA. Some Congressmen felt that this was a somewhat "cosmetic fix" for SOF. There were questions about the appointment of MG Rice as the director. After all, the Marines had no SOF elements, so it seemed unlikely that the new director had experience in the field of special operations. JSOA did little to improve SOF readiness, capabilities, or policies. With only staff responsibilities, JSOA provided no command and control and was of little assistance with resourcing. This was not an

adequate step forward in the minds of a few Congressmen, especially Representative Daniel and Senator Cohen.

PASSAGE OF THE LEGISLATION

By the middle of 1984, congressional interest in SOF revitalization had increased. Other legislators were beginning to show more interest in the issue. The House of Representatives established a special panel to track improvements in U.S. special operations forces, signifying sharpened interest in that small but important branch of the military.[29] Representative Earl Hutto (D-FL) was appointed chairman of the panel. Dan Daniel told the House that his Readiness Subcommittee intended to provide recommendations to Hutto's panel for its consideration of the FY 86 defense authorization request.[30] The die was being cast and the DOD was concerned.

The bombing of the Marine barracks in Beirut and the Grenada operation in October of 1983 both had the effect of causing more Congressional attention to be focused on terrorism and low-intensity conflict. As a key player in both, SOF was taking on more importance among an expanding group of legislators.

By early 1985, Dan Daniel was ready to move forward with some kind of Congressional statement on the issue of SOF. At the same time, he was not sure that the issue was as yet big enough to receive the attention it deserved. At that point, one of the more amusing activities began to unfold. To create a controversy over the issue, Dan Daniel published an article in Armed Forces Journal International entitled "U.S. Special Operations: The

Case For A Sixth Service". In the August, 1985 issue, Daniel said, "As I watched the revitalization of our special operations capabilities proceed over the last few years, I have become convinced that the readiness enhancements and force structure increases now underway, while essential, are, in reality, treating the symptoms but not the disease."[31] He then gave seven reasons why he felt that the U.S. should create a sixth service, that being the SOF branch of the military. The reasons he listed were: (1) Philosophy, (2) Professionalism, (3) Budgets, (4) Continuity, (5) Unique solutions to unique problems, (6) Advocacy, and (7) Relationship with the NCA. Representative Daniel made an eloquent argument in favor of separating SOF from the other services and forming his proposed "Sixth Service". In his closing paragraph Daniel said "No amount of directive authority - budgetary or otherwise - will overcome the capacity of Service staffs to commit mischief should that be their bent. And, so long as SOF remain outside the services' philosophical core, the temptation to do so will be near-irresistible."[32]

Dan Daniel knew that his article would create controversy and, hopefully, cause a polarization of people on both sides of the issue. In reality, he was not the author of the article. Ted Lunger and Noel Koch's deputy, Lynn Rylander, wrote that and five more articles on the subject. Rylander (now deceased), was as concerned about SOF as Lunger. By most accounts, he was the real force behind Noel Koch. Rylander allegedly provided the ideas and vision on SOF while Koch espoused them as only one of his character, position, and personality could. The interesting

thing about the six articles that Lunger and Rylander wrote is that they were evenly divided between support for a sixth service, or some form of radical change, and support for the status quo. The two authors then set about to find people who would attach their names to the articles in an effort to create the controversy desired by Dan Daniel.

Noel Koch and Deputy Assistant Secretary of the Air Force, Michael Kelly, sponsored two of the articles which were combined in the October issue of Armed Forces Journal International under the title "Two Cases Against a Sixth Service"[33] Obviously, these articles argued against Rep. Daniel' proposal, even though they were written by the same two men. Battle lines were being drawn with the Congress on one side and most of the DOD on the other.

Sometime in 1985, Ted Lunger also approached Chris Mellon at Senator Cohen's office to solicit Senate support for SOF legislation. Already interested in the subject, neither Mellon nor Senator Cohen needed much encouragement. In October 1985, the Senate Armed Services Committee released the staff study on which Mr. Locher had worked. The impact of this assessment was substantial. It is important to note that Mr. Locher had at least one former Army special forces officer on the staff which completed the study. Mr. Ken Johnson, a former member of the 5th Special Forces Group at Fort Bragg, North Carolina, understood the role of SOF in the American defense establishment and was familiar with their unique requirements and problems.

As a result of the Senate Armed Service Committee staff report and the solicitation from Ted Lunger for support, Senator

Cohen began to establish his position on the SOF revitalization issue. He published an article in Armed Forces Journal International in January 1986, entitled "A Defense Special Operations Agency: Fix for an SOF Capability That is Most Assuredly Broken". The Senator outlined his views and those of his colleagues on SOF in the article. He pointed out that "...the Congress expressed its views of where special operations ought to be in the Fiscal Year 1986 Defense Budget. The sense of the Congress is that: (1) The office of the Secretary of Defense should improve its management supervision; (2) Joint command and control should permit 'direct and immediate' access to SOF by the National Command Authorities; and (3) The Commanders-in-Chief of the regional commands should have sufficient SOF in-theater to execute their war plans and deal with contingencies."[34]

Work soon began in both the House and Senate on drafts of legislation that would "fix" the SOF problems and set a new course for SOF. Senator Cohen was not yet convinced that mandating a new command structure was appropriate but he certainly saw it as an option. The Goldwater-Nichols Bill soon superceded the emphasis on the SOF bill, as explained earlier. It was Spring of 1986 before work resumed and Summer before hearings could be held to sort out how the Congress would ultimately approach the issue, either a "Sense of the Congress" or mandatory legislation. On May 15, 1986, Senator Cohen introduced a bill co-sponsored by Senator Nunn (S2453) which outlined a new command structure.

Representative Daniel's bill was starting to take shape as well. He saw the solution as a "Special Operations Agency". Headed by a civilian, this agency would report directly to the Secretary of Defense, bypassing the office of the Joint Chiefs. This plan called for a general or flag-rank officer to command the military forces within the Agency while holding the title of "Deputy Director for Operations".[35] Ted Lunger explains that what Rep. Daniel was really trying to accomplish was the establishment of a system that would keep JCS out of the budget process for SOF. A separate agency would accomplish this.[36]

Before introducing his bill, Rep. Daniel asked Secretary of Defense Caspar Weinberger and Chairman William Crowe to visit him at his office for a discussion on SOF. In his opening remarks at the meeting, the Congressman indicated to his visitors that his purpose for the session was to show them how SOF was currently being commanded and how he saw it commanded in the future. According to one source who was there for the meeting, the reaction from Admiral Crowe was immediate and negative, as Daniel had expected. The Secretary of Defense's response to the Congressman's opening statement was a bit more restrained. He asked Rep. Daniel to repeat himself, which he did. From this meeting, Dan Daniel concluded that he would have an uphill battle with Admiral Crowe, but he felt that the Secretary of Defense may be a different story. His sensing was that Weinberger would never support his proposal but that he might not campaign against it either. From that point on, Rep. Daniel worked very hard to keep the Secretary of Defense fully informed on how the proposal

was progressing. Members of his staff were at the Pentagon each week briefing Secretary Weinberger; neither asking for support nor concurrence, simply keeping him informed. In retrospect, if one checks the record, it is difficult to find instances where the Secretary personally voiced objection to the proposed legislation.

Finally, in June 1986, Rep. Daniel submitted his bill. Entered in the house record as HR 5109, this bill proposed the creation of a National Special Operations Agency (NSOA). The time had come to begin hearings on the issue and to get both sides of the issue out in a more public forum. July and August of 1986 were set aside as the time for testimony and debate.

Admiral Crowe testified twice in July and August. He was accompanied by Richard Armitage, Assistant Secretary of Defense for International Security Affairs. The JCS Chairman essentially agreed that change was needed but he maintained that it should be a DOD responsibility to determine what form those changes should take and also to implement them. Mr. Armitage argued that "...command and control is a military function" and that "the creation of an agency, such as proposed by the Daniel bill, would bifurcate the lines of command and control".[37] Admiral Crowe told the lawmakers that the DOD had recognized the problems with SOF and was about to institute change. He announced a new DOD proposal during his appearance before the House Readiness Subcommittee on 16 July, and the Senate Sea Power and Force Projection Subcommittee on 5 August. Crowe said that the "administrative mechanism was in motion to have the DOD plan for

SOF reorganization in place and functioning in about six months".[38] The DOD plan provided for a Special Operations Force Command (SOFC) commanded by a three-star officer who would "report to the Secretary of Defense through the JCS in the same manner as a unified or specified commander"[39] JSOA would be disestablished and its personnel would be absorbed into the SOFC. Now three plans were being considered; the Senate plan, the House plan, and the DOD plan. Armed Forces Journal International provided the following chart in its September 1986 issue which outlined the three proposals.

Proposed SOF Structures

Function	JCS	Senate	House
Organization	Special Operations Force Command	Special Operations Unified Command	National Special Operations Agency
Commander	3-Star Flag Rank	4-Star Flag Rank	Civilian Director
Civilian Oversight	Assistant Secretary of Defense for International Security Affairs	Assistant Secretary of Defense for Special Operations and Low Intensity Conflict	Director NSOA
National Security Council	Not Addressed	Board for Unconventional Warfare	Not Addressed
Active SOF, US-Based	Assigned	Assigned	Assigned
Reserve SOF	Assigned	Assigned	Assigned
JSOC	Not Assigned	Not Assigned	Assigned
Budget Control	Services	Services	NSOA
Defense Resources Board Advocacy	Cmdr SOFC C JCS, ASD (ISA)	Cmdr UC C JCS, ASD (SO/LIC)	NSOA

Several other knowledgeable and credible people also testified before the two committees. GEN Meyer, GEN Robert Kingston, GEN Richard Stillwell, Mr. William Colby, and Professor Richard Shultz all expressed their views, but there were two men who can be credited with giving the most influential testimonies. Following Admiral Crowe and Richard Armitage, came the soft-spoken Sam Wilson. In an almost Jeffersonian style, LTG Wilson expressed his regret at having to disagree with his distinguished colleagues (Crowe and Armitage). By this point in the process, LTG Wilson had concluded that only by mandating change could appropriate revitalization occur. He had entered this issue convinced that Congressional interest and pressure would be sufficient to cause reform within the DOD, but his view had changed as be watched his beloved military flounder and vacillate with little focus on the real problems. He expressed his view that only binding legislation would have the necessary impact. The time had come, in his view, for the Congress to do what the DOD could not - change the structure of SOF through radical measures. It was important to the nation if not to the military.

By most accounts, the most compelling testimony came from retired MG Richard Scholtes. Scholtes had retired from the Army less than 30 days before his appearance before the Senate Sea Power and Force Projection Subcommittee on 5 August 1986. His open testimony is very short. Most of what he said was in closed session. He explained how, as the commander of the Joint Special Operations Command, his forces were misused during the Grenada operation. Scholtes told the lawmakers how his forces were

robbed of their unique capabilities by the conventional planners and chain of command. His forces had suffered relatively significant casualties in Grenada as a result of numerous fundamental misunderstandings of their tactics and capabilities. Senator Cohen was so moved by the testimony of this retired general that he took MG Scholtes to the chambers of numerous senators who were not at the subcommittee hearing. MG Scholtes held private discussions with several prominent congressmen like Senators Sam Nunn, John Warner, and James Exon.

To appreciate the impact of this testimony by MG Scholtes, it is important to note that, according to Mr. James Locher, Senator Cohen had announced to several staff members on the morning of 5 August that his amendment would be submitted as a "Sense of the Senate".[41] When he introduced his bill the following day, it was introduced as binding legislation. He had changed courses overnight. Several people have indicated that Admiral Crowe had made an eleventh-hour compromise offer to increase the rank of the proposed SOF commander to a four-star billet. Congress had maintained that a three-star general or flag officer was insufficient to accomplish what was needed in revamping SOF. Some speculated that this offer was influencing Senator Cohen's decision to offer a "Sense of the Senate" rather than binding legislation.

On 6 August, 1986, Senator Cohen introduced a converted version of his original bill as an amendment to the 1987 Defense Authorizations bill. Introduced as S 2567, the bill was introduced on behalf of Senators Sam Nunn and Daniel Durenberger

as well as Senator Cohen. Senator Cohen's opening statement was lengthy and poignant. He spoke of a new form of warfare which had emerged in recent years; "...a form of warfare that we have not properly understood, and that we have not effectively deterred.".[42] The Senator from Maine lauded the successes of both the Israelis and the British in special operations while comparing their accomplishments to the failures of the U.S. forces. Using the Mayaguez incident, the failed Iran rescue attempt, and the experience in Grenada as examples of U.S. SOF failures, he expressed his view in the following statement.

> I do not believe that this record is attributable to persistent bad luck or an inadequate caliber of men in the armed services. In my view, we have not been effectively organized to fight the most likely battles of the present or the future.[43]

Finally, by unanimous consent, a bipartisan list of 26 names was added to the bill as cosponsors.

In the House of Representatives, Rep. Daniel's bill had been introduced as binding legislation and had remained so. The old Congressman was picking up support as testimony progressed. Ted Lunger was now busy talking to everyone who would listen about the merits of the proposed NSOA. He began to see real promise in the House bill but he knew that there was a final obstacle. The Senate and the House would have to convene a conference to find a compromise between the two versions of the proposed legislation. Neither side intended to compromise.

As the staff of both subcommittees prepared for this conference, a letter from Noel Koch was received by members of the Congress. In this letter, Koch, who had resigned from the

DOD, rendered a scathing report on the state of affairs in the Pentagon relative to SOF and low-intensity conflict. He stated that the DOD was not serious about SOF or low-intensity conflict. He said he had been directed in early 1983 by the SECDEF to brief the service chiefs on the latest trends in terrorism which showed a growing threat of "large bombs and assassinations".[44] Although he was assured repeatedly for months that he would be given the opportunity to give his briefing, the opportunity never arrived. In October, 1983, the Marine barracks in Beirut was bombed, killing 241 Marines. The SECDEF had directed Koch to work out a unified plan of action with the service chiefs which could be implemented to reduce the nation's vulnerabilities to terrorism. Koch alleged in his letter that had the service chiefs been interested enough in terrorism and other forms of low-intensity conflict, the Beirut bombing may have been prevented.

The conference finally began in mid-September, 1986. Attendees included Ten Lunger, Jim Locher, Chris Mellon, Ken Johnson, and a new face, Bill Cowan, from Senator Warren Rudman's office. Rudman (R-NH) had taken an interest in the bill some months earlier and became a strong supporter, working primarily behind the scenes. Another attendee, who played the pivotal role in the negotiations, was LTG Sam Wilson. Sensing that the conference might turn into a Mexican standoff, Dan Daniel had brought Wilson in as a consultant on his subcommittee. Daniel knew that Wilson's character, personality, and credibility would bring order and common sense to what could otherwise become the demise of the whole legislative effort.

During the first session, the staffers from the Senate explained that they felt that the NSOA concept being proposed by the House was simply inconsistent with the focus and direction of the Goldwater-Nichols bill, which had cleared both houses of congress. The Senate view was that the Goldwater-Nichols bill was designed to strengthen the authorities of the regional and functional CINCs as well as those of the Chairman, Joint Chiefs of Staff. A national agency would run counter to the philosophy of the new Defense Reorganization bill. The Senate staffers expected a battle with their House counterparts, but as Mr. Locher recalls, "GEN Wilson quickly accepted the logic and recommended that we focus on the objectives rather than the methodology."[45] Ted Lunger, who most attendees expected to be uncompromising in the conference, agreed with LTG Wilson and pledged to support the effort to find a compromise. Lunger was more interested in getting the legislation passed than in winning this particular battle, and he trusted the old warrior's judgement. If LTG Wilson was ready to go along with a new Unified Command, then that was good enough for him; but in his heart he still believed that the civilian-run national agency was the better option. The conferees decided that Mr. Locher should rewrite the legislation. He had just completed the Goldwater-Nichols bill and was well qualified to write the SOF bill. The conference committee met several times over a period of about ten days, each time with a new draft from Mr. Locher.

The conference resulted in a bill which included elements of both the House and the Senate proposals. Each side backed down

on certain issues and agreed to a bill which outlined four major initiatives: (1) The creation of a Unified Combatant Command headed by a four-star general for all SOF, (2) the creation of an Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, (3) the creation of a coordinating board for low-intensity conflict within the NSC and (4) creation of a new Major Force Program (MFP11) specifically for SOF. The bill also provided a "Sense of the Congress" provision calling for the NSC to "create a post of Deputy Assistant to the President for National Security Affairs for Low-Intensity Conflict".[46] It was envisioned that this new Deputy Assistant to the President would also be chairman of the mandated board for Low-Intensity Conflict. Many other specifics were also included in the bill. The House had ceded on the NSOA issue, but insisted on the inclusion of MFP11 in the bill. Ted Lunger was adamant on that point and others agreed. Other specifics of the bill will be discussed later.

The bill was passed in both houses of the Congress and was signed into law in November 1986. It was then up to the DOD and the Administration to implement the law, but Congress knew that this would not be done without some difficulty. They were right. In fact, two additional laws were subsequently passed over the next two years to ensure proper implementation. Those will be discussed later.

CONGRESSIONAL INTENT

As previously stated, there were many agendas among those who worked so diligently to get the SOF legislation passed. All shared one common desire, however, and that was to see the U.S. develop a capable and credible special operations capability. Supporters in the Senate also wanted to force the DOD and the Administration to begin taking a more comprehensive look at low-intensity conflict, while the House members wanted to see a new emphasis on SOF funding and procurement. The bill included both. Lawmakers looked closely at the Joint Low-Intensity Conflict Report of 1985 and found that even the DOD was aknowledging that there was a problem.[47] Iran, Grenada, Vietnam, the Mayaguez incident, Beirut, and several other situations pushed lawmakers to the edge of their tolerance for failure. SOF airlift was another issue which surfaced as late as October 1985 when the SOF elements sent to rescue the hostages aboard the Achille Lauro could not get off the ground due to airlift problems.[48] Lawmakers clearly intended to force the DOD and the Administration to face up to the realities of those failures, and by so doing, to force them to better prepare for future similar situations.

Senator Cohen identified the objectives of the legislation he had introduced as follows: "(1) Providing close civilian oversight for low-intensity conflict activities; (2) Ensuring that genuine expertise and a diversity of views are available to the National Command Authorities regarding possible responses to low-intensity conflict threats; (3) Improving interagency

planning and coordination for low-intensity conflict, and; (4) Bolstering U.S. special operations capabilities in a number of areas, including: joint doctrine and training, intelligence support, command and control, budgetary authority, personnel management, and planning."[49]

The legislation was aimed at the Administration as much as it was at the DOD. Congress was trying to tell the Executive branch to look beyond the cold war. More than military power is required to cope with terrorism, insurgency, counter insurgency, and other forms of low-intensity conflict. Solutions to these problems lie in a comprehensive and coherent policy which is supported by a sound strategy that includes the integration of resources from all branches of the U.S. government. This requires close inter-agency coordination. That is what Senator Cohen was saying and that is precisely why the "LIC Board" at the NSC was mandated in the law. This board was designed to pull together the various agencies of the government in a coordinated way to develop, implement, and oversee a national LIC policy and strategy. While the Administration and the DOD were focused on the Soviet threat, the Congress took a broader view of future security concerns. The DOD could react fairly well to military situations where the application of overwhelming force was required and where clearly defined military objectives could be identified. What they could not deal with effectively were these unconventional threats which required far more than military force being used in a lightning-strike fashion, and even then, as in Grenada, the role of SOF was misunderstood.

Congress clearly intended that this legislation would improve the intelligence support to SOF. Again, Senator Cohen mentioned this when he outlined his objectives. His bill also stated, that "the Department of Defense has not given sufficient attention to ensuring the provision of adequate intelligence support for unconventional warfare missions."[50]

Another critical intent of the Congress was the improvement and enhancement of SOF resourcing. The bill stated "the Department of Defense has not provided adequate resources or support for special operations forces, particularly in airlift capability."[51] Dan Daniel insisted on a "CINC with a checkbook" and he got just that with MFP11. The intent was to see that no more funds were diverted from SOF programs to higher priority requirements by the services. SOF would have what it needed in the future because they would buy it with their own funds, at least in theory.

Congressional findings in the bill also showed that Congress intended that "tactics, doctrine, and training associated with unconventional warfare programs" would be improved.[52] Additionally, the law showed Congressional concern for the lack of cooperation and coordination among the services. The bill stated "that the cooperation and coordination among the special operations forces of the Army, Navy, and Air Force are seriously deficient."[53] It seems fairly clear that the alignment of all SOF under a single commander was meant, in part, to reduce service rivalry and parochialism and to promote a spirit of

cooperation among the forces, all of whom were assigned to the same command.

The final Congressional finding, which can be interpreted as intent, dealt with personnel management. Ted Lunger had been persistent in his efforts to see that this issue was addressed and he was successful. Others agreed with Lunger, but he carried the "personnel" banner throughout the development of this bill. The Congress found "that the Department of Defense has not given sufficient attention to personnel policies, practices, and procedures to ensure the availability of sufficient numbers of officers with the skills required for unconventional warfare."[54]

Aside from what was stated in the language of the bill, there were other issues with which the Congress was concerned. Rep. Daniel made numerous references in his discussions, speeches, and published articles to "SOF advocacy". Senator Cohen did the same but not to the same extent as Daniel. In his article in Armed Forces Journal promoting a "Sixth Service", Daniel said, "The key problem is a lack of effective advocacy."[55] Although Lunger and Rylander wrote the article, the Congressman picked up on that phrase and used it frequently. Senator Cohen wrote in January 1986 that "...because they lack an effective voice within the system, the unique needs and capabilities of Special Operations Forces are often overlooked."[56] His aide, Chris Mellon, emphasized this aspect of the legislation when he stated, "You have both the Assistant Secretary (ASD/SOLIC) and a four-star commander, through the JCS chairman, having input on resources. You get advocacy from two sources."[57] The

legislators intended that there would be both civilian and military SOF advocates within the DOD.

A final intent of the legislators was more subliminal but still important. They intended to elevate the status, prestige, and credibility of SOF. Taking one of the DOD's relatively few four-star generals and making him a CINC with the responsibility to command all SOF was aimed in part at that objective. In a sense, Congress viewed this as one way to give SOF more clout. The "LIC Board" and the LIC Advisor to the President were designed to elevate the emphasis on unconventional warfare, and in the same vein, the appointment of a CINC for SOF was to elevate the status of these forces.

IMPLEMENTATION

As one might expect, implementation of the provisions and mandates of the Cohen-Nunn Act has not been a rapid nor smooth process. The legislation was intended to be fairly specific relative to implementation. The Executive branch and the DOD did not see it that way. They interpreted certain aspects of the new law somewhat differently than the way Congress intended it to be interpreted. Problems arose immediately.

One of the first issues to surface was that of the ASD/SOLIC. The law stated, "One of the Assistant Secretaries shall be the Assistant Secretary for Special Operations and Low-Intensity Conflict. He shall have as his principal duty the overall supervision (including oversight of policy and resources) of special operations activities (as defined in Section 167(3) of

this title) and low-intensity conflict activities of the Department of Defense".[38] Did this mean that DOD would be authorized an additional ASD or were they to consolidate functions and free up a current ASD to fill this new role? The DOD expected a new ASD billet and supporting staff while Congress meant for them to use what they already had. After debate, Congress receded and agreed to a new billet. The issue did not end there.

The DOD was apparently not eager to fill this new billet. Other ASD's did not want to lose their responsibilities relative to SOF or LIC or even policy and oversight. Nominees for the new billet were slow to materialize. Several names were mentioned in both formal and informal settings. Sam Wilson was mentioned fairly early, but ruled out for two reasons. He was seen as one who had influenced the passage of the law over the objections of the military, and therefore could not be rewarded with the top job. Secondly, he wouldn't take it even if offered because of his devotion to his ailing wife. Another name that surfaced was that of Bill Cowan, aide to Senator Rudman. Bill was a retired Marine LTC who had spent time in an Army special operations unit and had done some credible things in special operations. He was not acceptable for several reasons, the least of which was the fact that he was a Marine, and the Marines were not players in this arena.

Finally, the DOD submitted their nominee. Mr. Kenneth Bergquist, already within the DOD, was nominated and his name went before the Senate for confirmation. Mr. Bergquist had been

a vocal opponent of the legislation from the start. Consequently, he was rejected by the Congress. The question in the minds of many lawmakers was whether this was a deliberate attempt by the DOD to delay filling this new position. Some asked the question publicly. As an interim measure, the DOD placed Mr. Rich Armitage's assistant, Mr. Larry Ropka in the job until a nominee could be confirmed. Because Armitage was a strong opponent of the legislation, and because it infringed on his turf more than others, the Congress also viewed the Ropka appointment with skepticism. One person has described that as "the fox guarding the hen house".

Convinced that the DOD was not going to cooperate, Congress moved forward with additional legislation. In December 1987, Public Law 100-180 was passed and directed, "Until the office of Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict is filled for the first time by a person appointed from civilian life by the President, by and with the advice and consent of the Senate, the Secretary of the Army shall carry out the duties and responsibilities of that office."[57] Secretary of the Army (SECARMY) John O. Marsh thus became the new ASD/SOLIC while retaining his duties as SECARMY. The decision to do this was not capricious. It was not forced on Mr. Marsh, but it would be fair to say that he did receive considerable pressure from two fellow Virginians to agree to the move. Dan Daniel first appealed to Mr. Marsh followed by a call from his old friend Sam Wilson. Although he was already quite busy as the senior civilian in the Army, Mr. Marsh knew he had no choice. It

was the only thing he could do - he supported the intent of the legislation and knew that his efforts were now important to its success.

His first task was getting the new office moved into the Pentagon. The DOD had placed it in Roslyn, Virginia for reasons that are not totally clear. Secretary Marsh accomplished this and then moved on to getting an approved charter for the secretariat. This was far more difficult but he succeeded. Mr. Marsh points out that "Every day was a turf battle".[60] The bureaucratic resistance to his efforts at every juncture was substantial. Mr. Armitage was unwilling to relinquish control of terrorism policy responsibilities. The services were greatly concerned about losing control of resources. No one in the DOD liked the idea of a CINC having a direct link to an ASD whose only function was to support that CINC and his needs. For nine months, Secretary Marsh retained both jobs and maneuvered his way through the Pentagon resistance to get ASD/SOLIC on course and functioning properly. Many agree that what he did in those nine months as ASD/SOLIC was the greatest example of personal charisma, courage, and diplomacy that many had ever seen. Finally, DOD nominated retired Ambassador Charles Whitehouse as a permanent ASD/SOLIC. He was confirmed by the Senate and assumed his new job nearly 18 months after the law was passed.

Almost immediately, debate started on where to put the new command. The SOPAG had made a strong recommendation that the command be in the national capital region. This was important because, as the SOPAG stated in a memo to SECDEF Weinberger

"...given the sensitivity, political/military character, and importance of the challenges to which USSOC [sic] will have to respond, the command should be located in the Washington D.C. area..."[61] Congress expected and wanted the command in Washington as well, but the law didn't mandate it. DOD exercised its prerogatives and decided to deactivate the old U.S. Readiness Command at MacDill AFB, Florida, and activate the U.S. Special Operations Command (USSOCOM) in its place. The Readiness Command CINC, GEN James Lindsay, was nominated to command the new SOF Command and he was accepted by the Senate without a debate. While the DOD did have some sound economic reasons for placing USSOCOM in Tampa, some in Congress viewed this as "malicious implementation". This issue was raised several times by legislators during hearings on special operations matters.[62]

The next issue which caused problems was the assignment of forces. Section 1311 of the law stated "Unless otherwise directed by the Secretary of Defense, all active and reserve special operations forces of all armed forces stationed in the United Stated shall be assigned to the Special Operations Command."[63] The Navy questioned whether this included their SEALS, which were generally considered assets of either the Atlantic or Pacific Fleets. USSOCOM maintained that the SEALS belonged in the new SOF command with all other special operations units, but the Navy vehemently disagreed. Secretary Weinberger eventually decided to side with USSOCOM and to assign the SEALS to the new CINC in Tampa, Florida. Just prior to leaving the SECDEF job, Mr. Weinberger assigned the SEALS to GEN Lindsay.

When Mr. Carlucci replaced him as SECDEF, the Navy surfaced the issue again and requested a reversal of that decision only to find that the new SECDEF stood behind his predecessor's earlier decision.

There was also a lesser issue on the assignment of reserve forces to USSOCOM. After a series of legal reviews, it was determined that this was legal and that it was specifically required under the new law. An issue which caused more concern, however, was the assignment of Civil Affairs (CA) and Psychological Operations (PSYOPS) units to USSOCOM. The law clearly identified both as "Special Operations Activities".[64] Initially, they were not included on the list of assigned forces, having allegedly been removed from the list at the Deputy Secretary of Defense level. Eventually, this was reversed and both CA and PSYOPS units were added.

One year after passage of the Cohen-Nunn Act, Congress was not satisfied with the DOD's progress in implementation. In a conference report on 17 November 1987, lawmakers stated, "The Congress agreed that insufficient progress has been made by the Department of Defense in implementing the reorganization of special operations forces mandated by section 1311 of the fiscal year 1987 Defense Authorization Act (Public Law 99-661)."[65] Of particular concern at this stage was a lack of progress in the procurement of "SOF-peculiar equipment" which was a responsibility of the CINC. There appeared to be some ambiguity in the law relative to the CINC's authorities in this area. Procurement laws and regulations impeded his ability to provide

SOF with necessary materiel without considerable involvement of other elements of the DOD. To correct this, Congress enacted one additional piece of legislation. Public law 100-180, passed on 4 December, 1987, amended Title 10, United States Code, to give the CINC "Head of Agency" status. To assist him as "Head of Agency", the CINC was also given an inspector general to "conduct internal audits and inspections of purchasing and contracting actions...".[66]

The establishment and implementation of MFP11 also ran into difficulty. Under the heading "Major Force Program Category", the law directed that "the Secretary of Defense shall create for the special operations forces a major force program category for the Five-Year Defense Plan of the Department of Defense. The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, with advice and assistance of the commander of the special operations command shall provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category".[67] It was not altogether clear whether this meant that the new command was expected to submit a Program Objective Memorandum (POM). Secretary Marsh had brought a former Army officer with extensive banking experience into ASD/SOLIC to handle MFP11. John Russ was of the opinion that a POM was not required and probably not in the command's best interest. This debate lingered until September 28, 1988, when Senator Nunn clarified Congressional intent before the SASC. The Senator stated that the sponsors of the law "...fully intended that the

commander of the Special Operations Command would have sole responsibility for preparation of the Program Objectives Memorandum."[68]

Senator Cohen followed Senator Nunn that day and expressed two additional concerns. He felt that the Pentagon was not moving quickly enough to turn over budgetary responsibilities to GEN Lindsay, so he reiterated the time table for this by saying, "The Conferees intend that the commander of the Special Operations Command assume these budget preparation and execution responsibilities as soon as possible but not later than for the budget of the fiscal year 1992."[69] He also emphasized the need to staff the command "with efficient personnel with the right skills to carry out these budget responsibilities."[70] Public Law 100-456 followed and removed some of the confusion on USSOCOM's budgetary responsibilities. This left little doubt that the Congress expected a POM from the new command and that it would continue to intervene until progress was made.

HAVE THE VOIDS BEEN FILLED?

Implementation of the Cohen-Nunn Act and subsequent SOF legislation is ongoing. It is, therefore, difficult to judge whether the law has had its desired impact or resulted in an improved SOF capability or increased emphasis on LIC Many people were interviewed for this paper and asked to answer the question, "Have the voids been filled?". Those interviewed range from senior active and retired military personnel to members of the Congressional staff and the NSC staff. The following

analysis reflects their views as well as those of a recent GAO report on the same question.

Issue 1. ACTIVATION OF THE COMMAND AND ASSIGNMENT OF FORCES

A GAO report published in September 1990 found that all forces designated by the law had been assigned to USSOCOM by March 1988. It does point out, however, that no Marine Corps forces have been assigned to USSOCOM even though some "are intended to carry out maritime special operations".[71] The GAO report also mentions that "Some specially trained Air Force aircrews and their aircraft are dual tasked to both the Command (USSOCOM) and to the Air Force's Military Airlift Command."[72] According to GAO, the assignment of these particular forces will be reevaluated in the 1992/1993 time frame after certain modifications to the aircraft have been made. Most agree that the appropriate forces have been assigned to the Command.

Issue 2. LIC BOARD AT THE NSC

The creation of a LIC Board at the NSC is one mandate that continues to frustrate lawmakers. Under President Reagan, the "Board" was essentially created within the NSC but it never met. As of October 1990, it had only met twice under the current Administration. The current feeling at the NSC is that the Board is functioning in accordance with the spirit of the law; however, there is a general feeling in Congress that their intent has not been realized. Congress intended that this interagency group would develop, coordinate, and oversee the implementation of a

comprehensive policy and strategy for low-intensity conflict. If this is currently being done in the manner that Congress intended, it is not apparent to all. In a 1988 article entitled "Pentagon Slow-Rollers Stymie SOF Improvements", Stephan Foster criticized both the Pentagon and the Administration for not developing a policy and accompanying strategy to deal with the situation in Panama. Foster expressed the view that "Panama can be described as a pre-conflict in which LIC is just beginning."[73] The LIC Board was expected to do what Foster was suggesting - develop a policy and strategy to deal with these situations to avoid having to use heavy military forces. The invasion of Panama in 1989 was what Foster predicted would result from U.S. failure to develop and implement the appropriate strategy. Questions persist on the effectiveness of the "LIC Board".

Issue 3. DEPUTY ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS FOR LOW-INTENSITY CONFLICT

Congress viewed this appointment as important but did not feel that it should be mandated. In stating that it was the "Sense of Congress" that this should be done, legislators hoped that the Administration would use this position to chair the "LIC Board". The Administration has been reluctant to create a new position. Instead, they have given the title to the Assistant National Security Advisor responsible for International Programs. The consensus within the National Security Council is that this "dual-hat" arrangement is adequate. It may, in fact, be

adequate, but it is probably not what the sponsors of the legislation had hoped for.

Issue 4. DEVELOPMENT OF STRATEGY, DOCTRINE, AND TACTICS

USSOCOM has the authority to develop strategy, doctrine, and tactics. The Command is achieving considerable success in this regard relative to doctrine and tactics. Strategy must be preceded by policy. Unless the commander is given policy guidance, development of strategy is difficult at best. USSOCOM now develops doctrine and tactics for the use of special operations forces from each service (minus the Marine Corps). This is what Congress intended and it seems to be progressing adequately. Strategy development remains dependent on guidance from policy makers. There is a feeling among many that insufficient policy guidance has been forthcoming relative to low-intensity conflict and the role SOF should play in specific countries and regions. Policy must emanate from the national level.

Issue 5. TRAINING AND READINESS

Training of both individuals and units is now the responsibility of USSOCOM. The command is authorized to prescribe the training standards and regimen. Joint exercises are routine and individual training is prescribed for each SOF school which is assigned to the command. The quality of training and readiness is beyond the scope of this paper, however; training and readiness have been validated during many operations

including Just Cause and Desert Storm. The central issue is that USSOCOM does have the responsibility for both readiness and training, as was the intent of Congress.

Issue 6. VALIDATING AND ESTABLISHING PRIORITIES FOR REQUIREMENTS

The GAO report concludes that USSOCOM is making good progress in validating and establishing priorities for requirements. The command is working extensively on a joint mission analysis in coordination with the services, the other unified commands, and other U.S. Government agencies to identify joint theater and national mission area requirements for special operations.[74] This is expected to result in a complete and detailed definition and validation from USSOCOM's point of view of SOF missions and resource requirements in all theaters across the operational continuum.

Issue 7. PROCUREMENT

The command has been granted the necessary authority to execute its mandated procurement responsibilities. As "Head of Agency", the CINC has a streamlined procurement chain with his own internal audit capability through his inspector general. Whether the operational units are being equipped as necessary is a matter of opinion and not within the scope of this paper. Generally, units are adequately resourced for the present, but seem to be concerned about programmed DOD budget cuts. On the other hand, when one looks at the programmed budget cuts, MFP11 was relatively unscathed.

It is fair to say that SOF airlift has seen little improvement. Additional MC-130 combat talons have not been added to the inventory although modifications have occurred on existing talons. Additional helicopters are programmed to meet the heavy lift requirements, but they are being procured slowly. The V-22 Osprey is not being supported within the DOD in spite of the fact that it is an excellent SOF platform. There are, however, numerous improvements in airlift programmed over the next few years. If these materialize, SOF capabilities could be greatly enhanced.

Issue 8. PERSONNEL MANAGEMENT AND PROFESSIONAL DEVELOPMENT

Considerable progress has been made in the personnel and professional development areas. USSOCOM is actively involved in assignments, policies, promotions, and professional military education. Necessary authority has been granted to the CINC and procedures have been institutionalized to ensure that all aspects of personnel management and professional development are accomplished effectively. Effectiveness can only be judged over time, but one encouraging sign is the results of both enlisted and officer promotion boards where SOF personnel have fared well. One can assume that this also reflects an improved emphasis on SOF and on quality people to man SOF units.

Issue 9. INTELLIGENCE

Intelligence support to SOF remains a problem area. It is one of the most sensitive and emotional issues within SOF at the

moment. After-action reports from Operation Just Cause indicate that a lack of intelligence was a significant problem. While improvements have been made in some areas, there remains an endemic problem with coordination among the various agencies responsible for intelligence and the SOF operational units. Cooperation among agencies is often minimal and little evidence exists to indicate that it will improve. The Cohen-Nunn Act included language relative to both SOF intelligence requirements and interagency coordination in order to draw attention to the need for both. The general feeling at the operational level of SOF is that this objective has not been achieved and Congressional intent has not materialized.

Issue 10. MAJOR FORCE PROGRAM 11

Assumption of the Congressionally mandated programming and budget execution responsibility is progressing well, according to the GAO. This is a complex process which requires the services to transfer budgetary and execution responsibilities to USSOCOM. As stated earlier, it was not clear initially whether USSOCOM was required to submit a POM or whether the command would provide an Integrated Priority List like other unified commands. Subsequent legislation clarified this and the command is now working on POM submission. The establishment of MFP11 has been through a maturation process which will likely continue for the foreseeable future.

In researching this paper, several points were made during interviews with involved individuals. There is a general feeling

that USSOCOM is not properly staffed to adequately manage a Major Force Program. When one considers that the services and the DOD maintain very large staffs of professional resource managers, programmers, and budget experts, it is hard to imagine that USSOCOM could accomplish the same function with its relatively small and somewhat inexperienced staff. Several people contend that too much is expected of the command too quickly. Of major significance is the fact that USSOCOM does not have a Congressional liaison team to assist with its budgetary responsibilities as the services and DOD have. Currently, the command has only one Army officer to provide this service. The current CINC, GEN Carl Stiner, hopes to add to this in the near term, but to date, this remains a void which most believe must be addressed. GEN (Ret) James Lindsay believes that more time is required before an adequate assessment of the effectiveness of MFP11 can be made.[75]

Discussions with various individuals within the command reveal another interesting point. In the past (prior to MFP11), unfunded requirements were frequently funded from unobligated funds associated with non-SOF programs. Resource managers and acquisition people routinely searched around until they found someone with money which they had not or could not spend. Money could be transferred to the project with the most pressing need. For example, if an aircraft upgrade or modification was needed, but funds were not programmed, frequently those funds could be found elsewhere. That no longer occurs, at least from outside MFP11. Funds within MFP11 can be shifted but it is an unusual

event for a transfer to occur from a separate Major Force Program to MFP11.

GEN Lindsay is probably correct. Time will be needed to evaluate the effectiveness of MFP11. If the GAO review is correct, however, progress is being made toward accomplishing what the Congress intended.

Issue 11. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT

Probably no other mandate in the Cohen-Nunn Act has caused more debate, confusion, and infighting than the creation of ASD/SOLIC. Mr. James R. Locher followed Ambassador Whitehouse as the ASD/SOLIC and currently serves in that position. As the one who wrote the legislation for the Senate sponsors, Mr. Locher has a very clear understanding of what the Congress expected of this office. His current focus is on bringing credibility to SOF, developing better relations with other U.S. Government agencies, and institutionalizing procedures and policies that will support the efforts and responsibilities of the USSOCOM commander.[76] These things will take time, diplomacy, and patience to accomplish. The controversy surrounding the creation of this office cannot be overcome quickly, but progress is being made in that regard.

There are two issues which could be questioned at this stage. The first is the oversight responsibilities for PSYOPS. Since the legislation specifically listed PSYOPS as a special operations function, it would seem logical that oversight for

these operations would be the responsibility of ASD/SOLIC. The PSYOPS units are assigned to USSOCOM. In fact, PSYOPS oversight responsibilities are not under ASD/SOLIC; rather they are under the Deputy Undersecretary for Security Policy. The reasons for this arrangement are not totally clear. Many feel that a realignment should occur although this does appear to be one of the "gray" areas of the law.

A similar issue is the responsibility for oversight of certain Army intelligence functions. Currently, these responsibilities fall to the Assistant to the SECDEF for Intelligence Policy. These responsibilities were transferred in 1989 from the Army Secretariat's office to OSD. A conscious decision was made at that time not to place them in ASD/SOLIC. Intelligence support to SOF was a focus of the legislation. The current arrangement may be the best, but it does leave open the question of why ASD/SOLIC is not performing this function, especially since the Army intelligence organization involved is assigned to USSOCOM.

Issue 12. LOCATION OF THE COMMAND

The location of USSOCOM was not mandated by the Nunn-Cohen Act. That does not mean that Congress had no interest in where the command would be stationed. When the JCS Chairman, Admiral Crowe, proposed the new SOFC, he stated that the new command would be located in Washington D.C.[77] When the decision was made to base the Congressionally mandated command (USSOCOM) in Tampa, the DOD also decided to establish a Washington office for

USSOCOM. This was to eliminate some of the Congressional concerns about the command being so far from the national capital. This Washington office was to be headed by a general officer and was to be the command representative and liaison within the Pentagon and the Washington community. The general officer billet was eventually removed from the Washington office and replaced by a colonel.

GEN (Ret) James Lindsay now agrees that USSOCOM should have been established in the Washington area.[78] Given the enormous responsibilities of the command, proximity to the people, agencies, and offices in Washington is important. The CINC should probably be in a better position geographically to provide timely advice to the National Command Authorities and the Chairman, JCS. The USSOCOM staff would be able to more easily coordinate and work with the services and other U.S. government agencies as well as foreign embassy staffs if they were closer to the capital.

Issue 13. ADVOCACY

There is little doubt that SOF now has advocates in the Pentagon as Congress intended. USCINCSOC is the senior special operations military officer and ASD/SOLIC is the senior civilian advocate. Most agree that the SECDEF and the Chairman, JCS are supporters of special operations if not advocates. Special operations requirements, roles, and missions are concerns of far more U.S. government and military officials now than in 1986 before the SOF legislation. Chris Mellon summarized the current

situation with the statement, "Special operations has become a buzzword in Washington. There is a state of consciousness now (relative to SOF)".[77]

SUMMARY

Special Operations Forces are better off today than in 1986 in many ways. The creation of USSOCOM has had a significant impact on the training and readiness of the special operations forces of the Army, Air Force, and Navy. A renewed pride has emerged at the operational level and quality personnel are more easily attracted to what was previously perceived as a dead-end career path. Joint doctrine and tactics are developed and practiced through routine training and exercises sponsored by USSOCOM. The community has direction and focus, which it lacked in the past. The effectiveness of MFP11 cannot be adequately evaluated at this time, but in principle it seems promising.

The issue which is still questioned by some is the necessity for the numerous headquarters which have been created as a result of the SOF legislation. Including USSOCOM, at least five new headquarters have evolved since the passage of the Cohen-Nunn Act. Are they all necessary to enhance readiness of the various special operations units? Only the leadership involved can answer that question, and one can assume that the answer is "yes". What must be kept in perspective are the manpower requirements to staff these headquarters. SOF must by nature be manned by a select and uniquely qualified group of people. It

takes years to adequately train these operators, commanders, and staff personnel. If staffing headquarters with quality people detracts from the readiness of operational units, then a reevaluation is probably prudent. If, on the other hand, the headquarters are not staffed properly, then that headquarters will likely be more of a hindrance than a help. The question that must continually be asked is whether the numerous headquarters are helping or hurting special operations. A fundamental principle of special operations is a streamlined chain of command. The "value added" principle must apply to each headquarters or it probably should not exist.

There is a wide range of views on low-intensity conflict. The Administration is currently staffing a new National Security Review (NSR) on low-intensity conflict which could result in additional interest in and modified approaches to this subject. Many hope that improvements will be made in how this nation deals with this form of warfare.

Few disagree that an effective policy designed to deal with insurgencies, counterinsurgencies, and other forms of unconventional warfare is needed. Only an interagency mechanism can accomplish this. The U.S. must begin to deal with low-intensity conflict threats before they become crises. Strategies must be developed to implement policies which this interagency group develops. Nearly all agencies of the U.S. Government must play a role in eliminating the root causes of unrest and conflict in the third world. The U.S. military must play a key role, but not necessarily in a direct combat manner. SOF is uniquely

suited for many LIC situations, but not all. The full range of support available in the DOD must be considered as fundamental to an active and effective LIC policy. One can only hope that this nation soon develops the ability to deal effectively with the most likely form of conflict in the future. Low-intensity conflict will continue to threaten American security worldwide. That is what the Congress was trying to say in 1986. The U.S. has work to do in this area.

CONCLUSION

The U.S. Congress made a bold and unprecedented move when it passed the Cohen-Nunn Act. The motives and intentions of the Congress are not well understood. Few military people and DOD officials have a full appreciation of what prompted the legislation and who the central figures in its passage were. The controversy caused by the legislation has not totally dissipated. Much work lies ahead to fully implement the legislation in a manner consistent with Congressional intent. In reality, this will probably never occur. It is probably more prudent to look at what has been accomplished as a result of the legislation rather that what has not yet been accomplished.

Some have searched for simple answers about the legislation. Who, what, and why seem to be the most prevalent questions. The answers to what and why are spelled out fairly well in the Congressional record and the law itself. The question of who is not so clear.

There were many people involved in the design, passage, and implementation of this legislation. There are many candidates who could be credited with being the single most important figure behind the law. Senator Cohen was clearly a visionary and without him, the idea may have failed, or it may have taken much longer to push through the legislative process. Mr. Jim Locher wrote the bill and recommended legislation one year before it was passed. Ted Lunger worked tirelessly to achieve what he saw as a critical objective. Chris Mellon helped his boss gain support for the bill and provided many of the ideas for the low-intensity conflict elements of the law. Lynn Rylander was the inside man at the DOD who kept Noel Koch focused on the issue. Congressman Daniel was probably the first legislator to take an active interest in SOF revitalization. He knew little of the subject, but he became determined to see mandated changes. Many people deserve credit - far more than have been mentioned. But one man stands out above the others. The man who planted the seed and then nurtured it along the way. He was always there at every critical juncture. Although he has consistently tried to downplay his own role, everyone involved in the passage of the law gives him credit for a variety of accomplishments. He is the same man who, upon retiring from the Army on 1 September 1977, walked the twelve miles back to his farm in Rice, Virginia - Samuel V. Wilson.

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[2] Ibid.

[3] Rescue Mission Report, "The Holloway Report", August 1980.

[4] U.S. Congress, Congressional Record, 100th Congress, 28 September 1988.

[5] Charlie A. Beckwith and Donald Knox. Delta Force, p. 16.

[6] Ryan, p. 27

[7] Jim Wooten, "Special Operations Forces: Issues for Congress", Congressional Research Service, Report No. 84-227F, 14 December 1984, p. 2.

[8] Ibid.

[9] Ibid., p. 3.

[10] Ibid., p. 4.

[11] Christopher K. Mellon, "The Low Frontier: Congress and Unconventional Warfare", Remarks at the National War College, January 11, 1988.

[12] Ibid.

[13] Wooten, p. 5.

[14] Henry L. T. Koren, "Congress Wades Into Special Operations", Parameters, Vol. XVIII No. 4, December 1988, p. 62.

[15] Public Law 99-433, 100 Statute, 10USC, October 1, 1986, p. 1017.

[16] James R. Locher, Personal Interview, September 28, 1990.

[17] Ibid.

[18] U.S. Congress, Senate, Defense Reorganization: The Need for Change, Staff Report to the Committee on Armed Services, October 16, 1985.

[19] Ibid.

[20] William S. Cohen, "A Defense Special Operations Agency: Fix for an SOF Capability That is Most Assuredly Broken", Armed Forces Journal International, August 1985, p. 45.

[21] Ibid.

[22] Rescue Mission Report, p. 69.

[23] Ted Lunger, Personal Interview, 23 October 1990.

[24] Deborah Meyer and Benjamin F. Schemmer, "An Exclusive Interview with Noel C. Koch", Armed Forces Journal International, August 1985, p. 50.

[25] Ibid., p. 42.

[26] Mellon Speech.

[27] Mellon Speech.

[28] Wooten, p. 13.

[29] Clinton H. Schemmer, "House Panel Formed to Oversee Special Operations Forces", Armed Forces Journal International, October, 1984, p. 15.

[30] Ibid.

[31] Dan Daniel, "U.S. Special Operations: The Case for a Sixth Service", Armed Forces Journal International, August 1985, p. 70.

[32] Ibid., p. 74.

[33] Michael J. Kelley and Noel C. Koch, "Two Cases Against a Sixth Service for Special Operations", Armed Forces Journal International, October 1985, p. 102.

[34] Cohen, p. 38.

[35] U.S. Congress, House of Representatives, National Defense Authorization Act for Fiscal Year 1987, Conference Report, October 14, 1986.

[36] Lunger Interview.

[37] Charles D. Odorizzi, "SOF Reorganization: Everyone Has a Plan - House, Senate, and DOD", Armed Forces Journal International, September 1986, p. 18.

[38] Ibid., p. 19.

[39] Ibid.

[40] Ibid.

[41] Locher Interview.

[42] U.S. Congress, Congressional Record, 99th Congress, 5 August 1986, PS10540.

43 Ibid. PS10541.

44 Noel C. Koch, Letter to Members of Congress, 15 September, 1986.

45 Locher Interview.

46 Michael Ganley, "Congress Creates New Unified Command for SOF and New Civilian SOF Chief", Armed Forces Journal International, November 1986, p. 20.

47 Mellon Speech.

48 Koren, p. 67.

49 Mellon

50 U.S. Congress, Congressional Record, 99th Congress, 6 August 1986, PS10540.

51 Ibid.

52 Ibid.

53 Ibid.

54 Ibid.

55 Daniel, p. 70.

56 Cohen, p. 38.

57 Ganley, p. 18.

58 Public Law 99-661, IOUSC, Part B, Section 1311, Subparagraph A, 14 November 1986.

59 Public Law 100-180, IOUSC, Div. A, Title XII, Part B, 4 December 1987.

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61 Mellon.

62 Ibid.

63 PL 99-661.

64 Ibid.

65 U.S. Congress, House of Representatives, National Defense Authorization Act for Fiscal Years 1988 and 1989, Conference Report, November 17, 1987.

66 PL 100-80.

[67] Ibid.

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[69] Ibid. PS13469.

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[71] General Accounting Office, "Report to the Chairman, Committee on Armed Services, Special Operations Command: Progress in Implementing Legislative Mandates", 28 September 1990, p. 17.

[72] Ibid., p. 18.

[73] Stephan Oliver Foster, "Pentagon Slow-Rollers Stymie SOF Improvements", Armed Forces Journal International, October 1988, p. 99.

[74] GAO, p. 27.

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[76] Locher Interview.

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[78] Ibid.

[79] Christopher K. Mellon, Personal Interview, February 16, 1991.

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