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

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## Summary

Special Operations Forces (SOF) play a significant role in U.S. military operations and, in recent years, have been given greater responsibility for planning and conducting worldwide counterterrorism operations. U.S. Special Operations Command (USSOCOM) has about 70,000 Active Duty, National Guard, and reserve personnel from all four services and Department of Defense (DOD) civilians assigned to its headquarters, its four service component commands, and eight sub-unified commands.

In 2013, based on a request from USSOCOM (with the concurrence of Geographic and Functional Combatant Commanders and the Military Service Chiefs and Secretaries), the Secretary of Defense assigned command of the Theater Special Operations Commands (TSOCs) to USSOCOM. USSOCOM has the responsibility to organize, train, and equip TSOCs. While USSOCOM is responsible for the organizing, training, and equipping of TSOCs, the Geographic Combatant Commands will have operational control over the TSOCs. Because the TSOCs are now classified as sub-unified commands, the services are responsible to provide non-SOF support to the TSOCs in the same manner in which they provide support to the Geographic Combatant Command headquarters.

The Unified Command Plan (UCP) stipulates USSOCOM responsibility for synchronizing planning for global operations to combat terrorist networks. This focus on planning limits its ability to conduct activities designed to deter emerging threats, build relationships with foreign militaries, and potentially develop greater access to foreign militaries. USSOCOM is proposing changes that would, in addition to current responsibilities, include the responsibility for synchronizing the planning, coordination, deployment, and, when directed, the employment of special operations forces globally and will do so with the approval of the Geographic Combatant Commanders, the services, and, as directed, appropriate U.S. government agencies. Further, the proposed changes would give broader responsibility to USSOCOM beyond counterterrorism activities, to include activities against other threat networks. In August 2016, the Obama Administration assigned USSOCOM the leading role in coordinating DOD's efforts to counter WMDs, a mission previously assigned to U.S. Strategic Command (USSTRATCOM). USSOCOM is also the DOD proponent for Security Force Assistance and recently was assigned the mission to field a Trans Regional Military Information Support Operations (MISO) capability.

On November 18, 2020, Acting Secretary of Defense Christopher C. Miller announced that he was implementing the reforms outlined in Section 922 of the Fiscal Year 2017 National Defense Authorization Act by “elevating Special Operations forces to a level on par with military departments as authorized and directed by Congress.”

Potential issues for Congress include policy concerns relating to Acting Secretary of Defense Miller's decision to elevate the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD [SOLIC]) within DOD and DOD's review of DOD and USSOCOM support to the Central Intelligence Agency (CIA).

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# Background

## Overview

Special operations are military operations requiring unique modes of employment, tactical techniques, equipment, and training. These operations are often conducted in hostile, denied, or politically sensitive environments and are characterized by one or more of the following elements: time sensitive, clandestine, low visibility, conducted with and/or through indigenous forces, requiring regional expertise, and/or a high degree of risk. Special Operations Forces (SOF) are those active and reserve component forces of the services designated by the Secretary of Defense and specifically organized, trained, and equipped to conduct and support special operations. The U.S. Special Operations Command (USSOCOM), headquartered at MacDill Air Force Base in Tampa, FL, is a functional combatant command responsible for training, doctrine, and equipping for all U.S. SOF units.

## Command Structures and Components

In 1986, Congress, concerned about the status of SOF within overall U.S. defense planning, passed legislation (P.L. 99-661) to strengthen special operations' position within the defense community and to strengthen interoperability among the branches of U.S. SOF. These actions included the establishment of USSOCOM as a new unified command. As stipulated by U.S.C. Title X, Section 167, the commander of USSOCOM is a four-star officer who may be from any military service. U.S. Army General Richard Clarke is the current USSOCOM Commander. The USSOCOM Commander reports directly to the Secretary of Defense. The Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict (ASD (SOLIC)) is the principal civilian advisor to the Secretary of Defense on special operations and low-intensity conflict matters. The ASD (SOLIC) has as his principal duty overall supervision (to include oversight of policy and resources) of special operations and low-intensity conflict activities.<sup>1</sup> At present there is no Senate-confirmed ASD (SOLIC), and Mr. Ezra Cohen is currently Acting ASD (SOLIC).<sup>2</sup>

As of 2020, USSOCOM consists of over 70,000 active duty, reserve, National Guard, and civilian personnel assigned to its headquarters (about 2,500 personnel), its four components, and sub-unified commands.<sup>3</sup> USSOCOM's components are the U.S. Army Special Operations Command (USASOC); the Naval Special Warfare Command (NSWC); the Air Force Special Operations Command (AFSOC); and the Marine Corps Forces Special Operations Command (MARSOC). The Joint Special Operations Command (JSOC) is a USSOCOM sub-unified command.

## Theater Special Operations Commands (TSOCs)

Theater-level command and control responsibilities are vested in Theater Special Operations Commands (TSOCs). TSOCs are sub-unified commands under their respective Geographic Combatant Commanders (GCCs). TSOCs are special operational headquarters elements designed

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<sup>1</sup> <https://policy.defense.gov/OUSSDP-Offices/ASD-for-Special-Operations-Low-Intensity-Conflict/>; accessed December 3, 2020.

<sup>2</sup> Ibid.

<sup>3</sup> 2020 Fact Book, USSOCOM, p. 12.

to support a GCC's special operations logistics, planning, and operational command and control requirements, and are normally commanded by a general officer.

In February 2013, based on a request from USSOCOM and with the concurrence of every geographic and functional combatant commander and military service chiefs and Secretaries, the Secretary of Defense transferred combatant command of the TSOCs from the GCCs to USSOCOM.<sup>4</sup> This means USSOCOM has the responsibility to organize, train, and equip TSOCs, as it previously had for all assigned SOF units as specified in U.S. Code, Title 10, Section 167. This change was intended to enable USSOCOM to standardize, to the extent possible, TSOC capabilities and manpower requirements. While USSOCOM is responsible for the organizing, training, and equipping of TSOCs, the GCCs continue to have operational control over the TSOCs and all special operations in their respective theaters. TSOC commanders are the senior SOF advisors for their respective GCCs. Each TSOC is capable of forming the core of a joint task force headquarters for short-term operations, and can provide command and control for all SOF in theater on a continuous basis. The services have what the DOD calls "Combatant Command Service Agency (CCSA)" responsibilities for providing manpower, non-SOF peculiar equipment, and logistic support to the TSOCs. The current TSOCs, the GCCs they support, and the CCSA responsibility for those TSOCs are as follows.<sup>5</sup>

- Special Operations Command South (SOCSOUTH), Homestead Air Force Base, FL; supports U.S. Southern Command; its CCSA is the Army.
- Special Operations Command Africa (SOCAFRICA), Stuttgart, Germany; supports U.S. Africa Command; its CCSA is the Army.
- Special Operations Command Europe (SOCEUR), Stuttgart, Germany; supports U.S. European Command; its CCSA is the Army.
- Special Operations Command Central (SOCCENT), MacDill Air Force Base, FL; supports U.S. Central Command; its CCSA is the Air Force.
- Special Operations Command Pacific (SOCPAC), Camp Smith, HI; supports U.S. Pacific Command; its CCSA is the Navy.
- Special Operations Command Korea (SOCKOR), Yongsang, Korea; supports U.S. Forces Korea; its CCSA is the Army.
- Special Operations Command U.S. Northern Command (SOCNORTH), Peterson Air Force Base, CO; supports U.S. Northern Command; its CCSA is the Air Force.

## **Additional USSOCOM Responsibilities**

In addition to Title 10 authorities and responsibilities, USSOCOM has been given additional responsibilities. In the 2004 Unified Command Plan (UCP), USSOCOM was given the responsibility for synchronizing DOD planning against global terrorist networks and, as directed, conducting global operations against those networks.<sup>6</sup> In this regard, USSOCOM "receives, reviews, coordinates and prioritizes all DOD plans that support the global campaign against terror, and then makes recommendations to the Joint Staff regarding force and resource

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<sup>4</sup> Information in this section is taken from USSOCOM Information Paper, "Special Operations Forces: 2020: Theater Special Operations Commands," April 25, 2013.

<sup>5</sup> USSOCOM Pamphlet, "United States Special Operations Command, GlobalSOF Network2020," 2013.

<sup>6</sup> "Fact Book: United States Special Operations Command," USSOCOM Public Affairs, February 2013, p. 10.

allocations to meet global requirements.”<sup>7</sup> In October 2008, USSOCOM was designated the DOD proponent for Security Force Assistance (SFA).<sup>8</sup> In this role, USSOCOM performs a synchronizing function in global training and assistance planning similar to the previously described role of planning against terrorist networks. In 2018, USSOCOM was also assigned the mission to field a Trans Regional Military Information Support Operations (MISO) capability intended to “address the opportunities and risks of global information space.”<sup>9</sup>

## **Army Special Operations Command**

U.S. Army SOF (ARSOF) includes approximately 33,000 soldiers from the active Army, National Guard, and Army Reserve organized into Special Forces, Ranger, and special operations aviation units, along with civil affairs units, military information units, and special operations support units.<sup>10</sup> ARSOF Headquarters and other resources, such as the John F. Kennedy Special Warfare Center and School, are located at Fort Bragg, NC. Five active Special Forces (SF) Groups (Airborne),<sup>11</sup> consisting of about 1,400 soldiers each, are stationed at Fort Bragg and at Fort Lewis, WA; Fort Campbell, KY; Fort Carson, CO; and Eglin Air Force Base, FL. Special Forces soldiers—also known as the Green Berets—are trained in various skills, including foreign languages, that allow teams to operate independently throughout the world. Two Army National Guard Special Forces groups are headquartered in Utah and Alabama.

An elite airborne light infantry unit specializing in direct action operations,<sup>12</sup> the 75<sup>th</sup> Ranger Regiment, is headquartered at Fort Benning, GA, and consists of three battalions of about 800 soldiers each, a regimental special troops battalion, and a regimental military intelligence battalions. The Army’s special operations aviation unit, the 160<sup>th</sup> Special Operations Aviation Regiment (Airborne) (SOAR), consists of five battalions and is headquartered at Fort Campbell, KY. The 160<sup>th</sup> SOAR features pilots trained to fly the most sophisticated Army rotary-wing aircraft in the harshest environments, day or night, and in adverse weather and supports all USSOCOM components, not just Army units.

Some of the most frequently deployed SOF assets are Civil Affairs (CA) units, which provide experts in every area of civil government to help administer civilian affairs in operational theaters. The 95<sup>th</sup> Civil Affairs Brigade (Airborne) is the only active CA unit that exclusively supports USSOCOM. Military Information Support Operations (formerly known as psychological operations) units disseminate information to large foreign audiences through mass media. Two active duty Military Information Support Groups (MISGs)—the 4<sup>th</sup> Military

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<sup>7</sup> Ibid.

<sup>8</sup> Information in this section is from testimony given by Admiral Eric T. Olson, Commander, USSOCOM, to the House Terrorism, Unconventional Threats and Capabilities Subcommittee on the Fiscal Year 2010 National Defense Authorization Budget Request for the U.S. Special Operations Command, June 4, 2009.

<sup>9</sup> Statement of General Raymond A. Thomas, III, U.S. Army, Commander, United States Special Operations Command before the Senate Armed Services Committee, February 14, 2019, p. 12.

<sup>10</sup> Information in this section, unless otherwise noted, is taken from 2020 Fact Book, USSOCOM, p. 18.

<sup>11</sup> Airborne refers to “personnel, troops especially trained to effect, following transport by air, an assault debarkation, either by parachuting or touchdown.” Joint Publication 1-02, Department of Defense Dictionary of Military and Associated Terms, 12 April 2001 (As Amended Through 31 July 2010).

<sup>12</sup> Direct action operations are short-duration strikes and other small-scale offensive actions conducted as a special operation in hostile, denied, or politically sensitive environments, as well as employing specialized military capabilities to seize, destroy, capture, exploit, recover, or damage designated targets. Direct action differs from conventional offensive actions in the level of physical and political risk, operational techniques, and the degree of discriminate and precise use of force to achieve specific objectives.

Information Support Group (MISG) (Airborne) and 8<sup>th</sup> Military Information Support Group (MISG) (Airborne)—are stationed at Fort Bragg, and their subordinate units are aligned with Geographic Combatant Commands.

## **Air Force Special Operations Command**

The Air Force Special Operations Command (AFSOC) is one of the Air Force's 10 major commands, with approximately 20,800 active, reserve, and civilian personnel.<sup>13</sup> AFSOC units operate out of four major continental United States (CONUS) locations and two overseas locations. The headquarters for AFSOC is Hurlburt Field, FL.<sup>14</sup> AFSOC units are stationed as follows:

- 1<sup>st</sup> Special Operations Wing, Hurlburt Field, FL;
- 24<sup>th</sup> Special Operations Wing, Hurlburt Field, FL;
- 27<sup>th</sup> Special Operations Wing, Cannon Air Force Base, NM;
- 137<sup>th</sup> Special Operations Wing (Air National Guard), Oklahoma City, OK;
- 193<sup>rd</sup> Special Operations Wing (Air National Guard), Harrisburg, PA;
- 352<sup>nd</sup> Special Operations Wing, Royal Air Force Mildenhall, UK;
- 492<sup>nd</sup> Special Operations Wing, Hurlburt Field, FL;
- 919<sup>th</sup> Special Operations Wing (Air Force Reserves), Duke Field, FL; and
- 353<sup>rd</sup> Special Operations Group, Kadena Air Base, Japan.<sup>15</sup>

Air Force Special Operations Command specialties generally fall into four groups:

- **Special Tactics:** Special Tactics comprises Special Tactics Officers, Combat Controllers, Combat Rescue Officers, Pararescuemen, Special Operations Weather Officers and Airmen, Air Liaison Officers, and Tactical Air Control Party Operators.
- **Special Operations Aviators:** Aircrew who fly a fleet of specially modified aircraft in permissive, contested, denied, or politically sensitive environments. Missions include long-range infiltration and exfiltration; nonstandard aviation; precision strike; aerial refueling; military information support operations; foreign internal defense; and command, control, intelligence, surveillance, and reconnaissance.
- **Combat Aviation Advisors:** Combat aviation advisors work with foreign aviation forces as part of Foreign Internal Defense, Security Force Assistance, and Unconventional Warfare operations.
- **Support Air Commandos:** A variety of Air Force specialties who serve in mission support, maintenance, and medical specialties in support of AFSOC units.<sup>16</sup>

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<sup>13</sup> Information in this section, unless otherwise noted, is taken from 2020 Fact Book, USSOCOM, p. 26.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid., p. 27.

<sup>16</sup> Ibid., pp. 28-29.

## **Naval Special Warfare Command<sup>17</sup>**

The Naval Special Warfare Command (NSWC) comprises approximately 10,000 personnel, including active duty and reserve component Special Warfare Operators, known as SEALs; Special Warfare Boat Operators, known as Special Warfare Combatant-craft Crewmen (SWCC); reserve personnel; support personnel, referred to as Enablers; and civilians. NSWC headquarters is located at Coronado, CA, and is composed of eight active duty SEAL Teams, two reserve component SEAL Teams, two SEAL Delivery Vehicle (SDV) Teams, three Special Boat Teams, and two Special Reconnaissance Teams. Because SEALs are considered experts in special reconnaissance and direct action missions—primary counterterrorism skills—NSWC is viewed as well-postured to fight a globally dispersed enemy ashore or afloat. NSWC forces can operate in small groups and have the ability to quickly deploy from Navy ships, submarines and aircraft, overseas bases, and forward-based units. Naval Special Warfare Groups (NSWGs), NSWC's major components, are stationed as follows:

- NSWG-1, San Diego, CA;
- NSWG-2, Virginia Beach, VA;
- NSWG-3, Joint Base Pearl Harbor-Hickam, HI;
- NSWG-4, Virginia Beach, VA;
- NSWG-10; Virginia Beach, VA; and
- NSWG-11, Can Diego, CA.<sup>18</sup>

## **U.S. Marine Corps Forces Special Operations Command (MARSOC)<sup>19</sup>**

On November 1, 2005, DOD created the Marine Special Operations Command (MARSOC) as a component of USSOCOM. MARSOC comprises almost 3,000 personnel, including Critical Skills Operators (enlisted), Special Operations Officers, Special Operations Independent Duty Corpsmen (medics), Special Operations Capabilities Specialists, Combat Service Support Specialists, and Marine Corps Civilians.<sup>20</sup> MARSOC consists of the Marine Raider Regiment, which includes 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Marine Raider Battalions; the Marine Raider Support Group; 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Marine Raider Support Battalions; and the Marine Special Operations School. MARSOC headquarters, the 2<sup>nd</sup> and 3<sup>rd</sup> Marine Raider Battalions, the Marine Special Operations School, and the Marine Raider Support Group are stationed at Camp Lejeune, NC. The 1<sup>st</sup> Marine Raider Battalion and 1<sup>st</sup> Marine Raider Support Battalion are currently stationed at Camp Pendleton, CA. MARSOC forces have been deployed worldwide to conduct a full range of special operations activities. MARSOC missions include direct action, special reconnaissance, foreign internal defense, counterterrorism, and information operations.

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<sup>17</sup> Information in this section, unless otherwise noted, is taken from 2020 Fact Book, USSOCOM, p. 23.

<sup>18</sup> <https://www.nsw.navy.mil/CONTACT/Components/>; accessed March 6, 2020.

<sup>19</sup> Information in this section is from “Fact Book: United States Special Operations Command,” USSOCOM Public Affairs, February 2013, p. 20; “U.S. Special Operations Command Factbook 2015” USSOCOM Public Affairs, p. 30; and CRS discussions with USSOCOM staff, September 10, 2013.

<sup>20</sup> 2020 Fact Book, USSOCOM, p. 30.

## MARSOC to Consolidate at Camp Lejeune, NC<sup>21</sup>

Reportedly, the 1<sup>st</sup> Marine Raider Battalion and 1<sup>st</sup> Marine Raider Support Battalion will move from Camp Pendleton, CA, to Camp Lejeune, NC. Beginning in the fall of 2019, the move is planned to be completed during the summer of 2022. Concerns have been expressed that the move to Camp Lejeune could result in family stress, decreased training efficiency, negative culture and morale, and a decrease in recruiting and retention. MARSOC reportedly contends the move will save money on several fronts and create greater training opportunities by having all three battalions together. Associated cost savings are said to include

- saving millions of dollars due to the lower cost of living in North Carolina;
- moving all the Raiders to Camp Lejeune could save \$55 million between 2021-2026 from reduced Basic Allowance for Housing (BAH) and the elimination of Permanent Change of Station (PCS) costs; and
- eliminating the need for duplicate equipment, reducing MARSOC acquisition costs by \$65 million, and permitting the return of \$33 million worth of equipment to the Marine Corps.<sup>22</sup>

## Joint Special Operations Command (JSOC)<sup>23</sup>

From USSOCOM's 2020 Factbook:

The Joint Special Operations Command, located at Fort Bragg, North Carolina, is a sub-unified command of the U.S. Special Operations Command. It is charged to study special operations requirements and techniques, ensure interoperability and equipment standardization, plan and conduct Special Operations exercises and training, and develop joint Special Operations tactics.

## Civilian Oversight of USSOCOM<sup>24</sup>

While Congress created the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD [SOLIC]) in 1987 (10 U.S.C. §138), it has been suggested that post-2001, as USSOCOM amassed resources and influence, the office of ASD (SOLIC) failed to keep pace, contributing to USSOCOM's over emphasis on direct action missions, ethics problems, and resulting in a command not prepared to meet the challenges of great power competition.<sup>25</sup> Furthermore, even though Congress expanded ASD (SOLIC)'s role and responsibilities in 2017 (§922, FY2017 National Defense Authorization Act; P.L. 114-328), some have felt that it has been difficult to restore civilian leadership to USSOCOM (e.g., at present, there is only an Acting ASD [SOLIC], Mr. Ezra Cohen). Without stronger guidance from civilian leadership in the

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<sup>21</sup> Information in this section is taken from Philip Athey, "It's Official: Marine Raiders Leaving California for a New Home in North Carolina," *Marine Corps Times*, January 6, 2020.

<sup>22</sup> Ibid.

<sup>23</sup> Taken directly from 2020 Fact Book, USSOCOM, p. 34.

<sup>24</sup> Mark E. Mitchell, Zachary Griffiths, and Cole Liveratos, "America's Special Operators Will be Adrift Without Better Civilian Oversight," *War on the Rocks*, February 18, 2020.

<sup>25</sup> Ibid.

Pentagon and Congress, it was considered unlikely that USSOCOM would enact the necessary changes to produce capable and ethical special operations forces.<sup>26</sup>

Three potential solutions for enhancing civilian oversight and control could include (1) continuing DOD's "incremental but non-committal approach" toward meeting the requirements of Section 922 of the FY2017 National Defense Authorization Act, (2) congressional elevation of ASD (SOLIC) to an Under Secretary of Defense for Special Operations reporting directly to the Secretary of Defense, or (3) making ASD (SOLIC) an independent Assistant Secretary of Defense similar to the Assistant Secretary of Defense for Public Affairs.<sup>27</sup>

## **Acting Secretary of Defense Miller Announces Implementation of Section 922, FY2017 National Defense Authorization Act (P.L. 114-328)<sup>28</sup>**

On November 18, 2020, Acting Secretary of Defense Christopher C. Miller announced that he was implementing the reforms outlined in Section 922 of the Fiscal Year 2017 National Defense Authorization Act by "elevating Special Operations forces to a level on par with military departments as authorized and directed by Congress."<sup>29</sup> As such ASD (SOLIC) is to report directly to the Secretary of Defense "instead of through the current bureaucratic channels."<sup>30</sup> The Acting Secretary of Defense also said "he hopes that in the future, Congress will elevate the ASD (SOLIC) position to Under Secretary of Defense."<sup>31</sup>

Reportedly, some former USSOCOM commanders have differing opinions of this action. Former USSOCOM Commander Army General Joseph Votel reportedly stated that the action "is probably good for SOF/SOCOM because it takes it out from under Office of the Secretary of Defense (OSD) for Policy and it may help with getting action on some of the more important budgetary and conceptual issues that SOCOM will be dealing with."<sup>32</sup> Former USSOCOM Commander Army General Raymond Thomas reportedly had a different opinion, noting the action was "not a big deal and an ill-timed, understaffed decision," further suggesting "that such changes are complicated with profound implications for DOD, ironically, demonstrated with the recent roll out of U.S. Space Command which is still a work in progress."<sup>33</sup>

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<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> DOD Transcript, "Acting SECDEF Announces OSD Changes at Fort Bragg, NC," November 18, 2020, <https://www.defense.gov/Newsroom/Transcripts/Transcript/Article/2419853/acting-secdef-announces-osd-changes-at-fort-bragg-nc/>.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> David Vergun, "Special Operations Leader to Report Directly to Acting Defense Secretary," *DOD News*, November 18, 2020, <https://www.defense.gov/Explore/News/Article/Article/2419154/special-operations-leader-to-report-directly-to-acting-defense-secretary/>.

<sup>32</sup> Meghann Myers and Howard Altman, "Pentagon Shakeup Means More Civilian Oversight for Special Operations," *Military Times*, November 18, 2020.

<sup>33</sup> Ibid.

## DOD Review of DOD and USSOCOM Support to the Central Intelligence Agency (CIA)

Reportedly, DOD is reviewing a 15-year-old memorandum of understanding (MOA) with the CIA and could possibly move some personnel and resources from supporting the agency to other duties.<sup>34</sup> Although DOD officials suggest they are trying to better allocate resources to focus on great power competition with Russia and China, others are said to believe that the CIA has been using too many military assets and personnel—many of whom are from USSOCOM—and that DOD wants to reexamine this practice.<sup>35</sup> For example, it is reported that about two-thirds to three-fourths of the CIA’s fleet of unmanned aerial vehicles are owned by the Air Force.<sup>36</sup>

The CIA has relied heavily on special operations personnel to support its paramilitary activities, and the CIA and USSOCOM have worked together extensively since 2001 on global counterterrorism operations. It is not known how many or what types of USSOCOM personnel are detailed directly to the CIA or how long these details last. Some national security experts believe that reducing USSOCOM support to CIA paramilitary and counterterrorism efforts will have an overall detrimental influence on national security.<sup>37</sup> Others, however, advocate that DOD should assume primary responsibility for U.S. paramilitary activities from the CIA<sup>38</sup> in accordance with the recommendations of the 2004 9/11 Commission Report.<sup>39</sup>

## Potential Issues for Congress

### Acting Secretary of Defense Miller’s Decision on the Status of ASD (SOLIC)

Acting Secretary of Defense Miller’s decision on the reporting status of ASD (SOLIC) raises potential issues for Congress. Some of these potential issues include the following:

- What are the Acting Secretary of Defense’s plans for implementing his decision?
- What are the new authorities and responsibilities, if any, granted to the elevated ASD (SOLIC)?
- What other non-ASD (SOLIC) SOF-related changes does Acting Secretary of Defense Miller intend to implement with this and future policy decisions?
- Are there additional personnel and resource issues associated with this decision?
- How will this new reporting relationship influence ASD (SOLIC)’s interactions with other OSD staff entities such as OSD Policy?
- What roles and authorities will the newly elevated ASD (SOLIC) have in relationship to the Interagency?

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<sup>34</sup> Julian E. Barnes and Eric Schmitt, “Pentagon Weighs Sharp Drawback in Support for C.I.A.,” *The New York Times*, December 10, 2020.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Douglas A. Livermore, “Passing the Paramilitary Torch from the CIA to Special Operations Command,” *Small Wars Journal*, September 1, 2019.

<sup>39</sup> Recommendation 32 from *the 9/11 Commission Report* (Washington: GPO, 2004) pp. 415-416.

- Will additional congressional actions be required to implement Acting Secretary of Defense Miller's plans for elevating ASD (SOLIC)?
- How will this change strengthen civilian oversight of USSOCOM?
- Is this change likely to have an impact on USSOCOM's ethical environment and conduct of its forces?
- Will this change have an impact of USSOCOM acquisition authorities and activities?
- How will the elevation of ASD (SOLIC) influence the relationship with the Commander of USSOCOM?
- How does this change influence USSOCOM sub-unified commands such as JSOC?
- What are the operational impacts of Acting Secretary of Defense Miller's decision on U.S. Special Operations Forces?

## **DOD Review of DOD and USSOCOM Support to the Central Intelligence Agency (CIA)**

DOD's reported decision to review DOD and USSOCOM support to the CIA raises potential issues for Congress. Some of these potential issues include the following:

- What is the anticipated date of the completion of DOD's review?
- What office in DOD is in charge of the review?
- What, if any, roles do ASD (SOLIC) and USSOCOM play in the review?
- What role, if any, does the CIA play in the review?
- What, if any, other government agencies are involved in this review?
- Does DOD plan to brief the congressional defense and intelligence committees on the results of the review and, if so, when?
- Will there be any independent analysis of the review in terms of its potential impact on national security?
- If the results of the review are adopted, what are the associated resource and budgetary implications for both DOD and the CIA?

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