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18 June 1986

MEMORANDUM FOR: See Distribution

FROM:

SUBJECT: S. 2453 - Cohen/Nunn Proposal for
Establishment of DoD/NSC Anti-Terrorism
"Low Intensity Conflict" Positions

1. Attached for your information please find a copy of pages S. 5971 - 5976 from the Congressional Record of 15 May 1986. These pages contain the text of an anti-terrorism bill, S. 2453, as well as the remarks of its cosponsors, Senators Nunn and Cohen, upon introduction.

2. To remedy an alleged deficiency in the organization of the Executive Branch to combat terrorism as well as "other forms of low intensity warfare", S. 2453 would explicitly reorganize that Branch as follows:

- ° create within the Department of Defense (DoD) the position of "Assistant Secretary of Defense for Special Operations and Low Intensity Conflict";

- ° establish within DoD a "Unified Command for Special Operations Forces";

- ° create within the National Security Council a "Board for Low Intensity Conflict"; and,

- ° recommend to the President that he establish within his Executive Office the position of "Deputy Assistant to the President for National Security Affairs for Low Intensity Conflict" and designate that person as chairman of the Board noted above.

3. Senator Nunn admits in his remarks on p. S 5974 that the bill represents "micromanagement" of the Executive Branch. This, plus other reservations he expresses about the bill, indicates that it may have been introduced for Executive Branch reaction, not legislative action.

4. The bill has been referred to the Senate Armed Services Committee where both sponsors serve with Senator Nunn being the Ranking Minority Member (both also serve on the Senate Select Committee on Intelligence). There is, at this point, no similar legislation in the House.

5. We will keep you advised of further developments concerning this legislation.


STAT



Legislation Division
Office of Congressional Affairs

Attachment,
as stated

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Program and the Nation's providers of health services.

Mr. President, Congress repeatedly has reaffirmed its commitment to a Medicare Program that works for our elderly citizens. Among other important adjustments we have made in the program since its inception, we have legislated program reforms that curtailed Medicare Program costs, increased the solvency of Medicare's trust funds, limited beneficiary premium expenses, and extended coverage to disabled persons and to health maintenance organizations.

As a result of such reforms, notable changes have occurred in Medicare's financing structure. For example, during the 20-year period from 1966 to 1986, the maximum annual worker's payroll contribution for Medicare's hospital insurance—that is, part A—increased over 2,200 percent, from \$23.10 to \$534.60. And enrollees' monthly premiums for Medicare's supplementary medical insurance—that is, part B—have increased over 415 percent, from \$3 to \$15.50.

But despite these reforms, there remains a significant difference between the rate of increase in Medicare expenditures and the rate of growth of the Nation's aggregate taxable payroll. Per capita health costs for persons 65 years and older increased 525 percent during the 15 years between 1965 and 1980.

It has been repeatedly noted that Congress must develop proposals to ensure the financial solvency of Medicare. But these must be thoughtful, carefully crafted, comprehensive proposals that achieve the proper balance between costs and quality care. These proposals must maintain that kind of cooperative relationship between Government and health providers which is absolutely essential if Medicare is to work.

Mr. President, I believe the more disturbing aspects of the current Medicare Program illustrate the need for the careful investigation and review that is being undertaken by the Senate Finance Committee. I strongly support this effort.

We on the Democratic side of the aisle have repeatedly and unequivocally demonstrated our commitment to the fundamental purpose of the Medicare Program—to provide comprehensive, accessible, affordable, quality health care to our elderly citizens. I believe Democrats will demonstrate such commitment in the future, and I pledge my efforts to such ends.

I am sure that such efforts will receive bipartisan support, because this program affects people of all colors and races and all parties. I want to express my appreciation to the Finance Committee for the work it has done, is doing, and will continue to do with this extremely important program.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The minority leader has 5 minutes remaining of the leadership time, plus 5 minutes on a special order.

Mr. BYRD. Mr. President, I ask unanimous consent that I may reserve the remaining time under the leadership order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. As to the 5 minutes that I have remaining on a special order, I yield that to the distinguished minority whip for his use or for his yielding to any other Senator who may need such time.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR CRANSTON

The PRESIDING OFFICER. Under the previous order, the Senator from California [Mr. CRANSTON] is recognized for not to exceed 5 minutes, plus the 5 minutes that the minority leader had yielded to him.

HUMAN RIGHTS IN SRI LANKA

THE CASE OF RAMANUJAM MANIKKALINGAM

Mr. CRANSTON. Mr. President, Ramanujam Manikkalingam graduated last June from MIT with a bachelor's degree in physics. Because Ram was committed to using his scientific education in his homeland, Sri Lanka, he returned there last July.

On March 27, Ram Manikkalingam disappeared from his home in Colombo, Sri Lanka.

When he vanished from his house without his shoes or wallet, his family and friends feared the worst—that he has been taken into custody by the government. For weeks, the Sri Lankan security forces denied he was being detained.

After a month without word of his whereabouts, Sri Lankan officials finally admitted that Ram was taken into custody, allegedly on April 23. The authorities claim his arrest occurred on or about this same date, April 23, although Ram was last seen on March 27.

This is most significant, because Ram is alleged to have committed criminal acts on April 17, almost 3 weeks after his family believes he was taken by the security forces. When Ram's mother was finally allowed to see him on May 2, Ram confirmed that he had been in custody since March 28.

Although he has not yet been formally charged with any illegal activities, unconfirmed rumors report that he was arrested for a curfew violation. This type of treatment frequently occurs in Sri Lanka, according to numerous reports from human rights groups and individuals. Members of the Tamil minority in that country

have suffered arbitrary arrests, arbitrary killings, torture, and long-term incommunicado detention for real or alleged separatist activities.

"Disappearances" were first reported in 1983, and particularly since 1984. Amnesty International has received an increasing number of reports that families of people reported to have been arrested by the security forces are unable to establish the detainees' whereabouts. In many cases, officials deny knowledge of the arrest or detention. Reports of these activities have sharply increased.

In its January 1986 report, the United Nations working group on enforced or involuntary disappearances stated that it had transmitted to the Sri Lankan Government 194 cases of enforced or involuntary disappearances.

Ram is, by all appearances, another such case. Ram was an active member of the ADP Fraternity—many of whose members have contacted my office in recent weeks to express their deep concern for Ram's welfare.

I have also received word from Ram's brother, Sudarshan, currently a student at Hampshire College, that Ram is scheduled to appear before a board this Friday, May 16, as a result of his mother's direct plea to the Sri Lankan Attorney General. This board has the power to release him.

Ram's many friends, relatives, and supporters in the United States are not trying to make a political issue out of his detention. They ask only that he be promptly charged and that, if he is not released, that he receive a fair and speedy trial.

I strongly urge Sri Lankan President Jayewardene and Attorney General Shiva Pasupathy to insure that Ram receives fair treatment on Friday and that if he is not released by the board tomorrow that he be formally charged and receive defense counsel.

If he is not released by the Minister of National Security on Friday, I urge President Jayewardene to see that Ram receives a prompt and fair trial, and receives full access to all necessary medical care in the interim.

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RECOGNITION OF SENATOR COHEN

The PRESIDING OFFICER. Under the previous order, the Senator from Maine [Mr. COHEN] is recognized for not to exceed 5 minutes.

S. 2453—ENHANCEMENT OF CAPABILITIES TO COMBAT TERRORISM

Mr. COHEN. Mr. President, I rise today to introduce S. 2453, a bill to enhance the ability of the United States to combat terrorism and other forms of unconventional warfare.

A new form of warfare has emerged in recent years, a form of warfare that

we have not properly understood, and that we have not effectively deterred. This war has not been openly declared, but is being waged across the globe. It takes the form of terrorist attacks and guerrilla insurgencies.

In both cases, the objectives and modes of operation are similar. Terrorists and guerrillas, both operating from sanctuaries, seek to attract media attention, to instill fear, to undermine the stability and prosperity of target governments, and in some cases to drive a wedge between the United States and its allies.

The dimensions of this problem are clear, as is the threat to U.S. interests. Currently, over 40 nations and 4 million people are engaged in some form of armed conflict. In our own hemisphere, there are nine active insurgencies, in addition to serious problems created by drug-traffickers and other armed subversive groups.

International terrorism has now reached epidemic proportions. In 1968, the year that statistics on terrorism were first compiled, there were 20 fatalities worldwide attributed to terrorism. Last year, there were over 900 deaths resulting from terrorism. At the same time, guerrilla forces, often actively nurtured and supported by the Soviet Union and client states, continue to undermine stability in various parts of the world. While the threat to U.S. interests from a single insurgent movement or terrorist incident may be small, the cumulative impact of these assaults is potentially devastating.

This situation has highlighted a relatively new term in the lexicon of war: "Low-intensity conflict." Such conflicts—irregular battles and attacks perpetrated by irregular armies and individuals—are a lethal product of a world in which ideas and beliefs are pushed on the world's consciousness by grisly acts of violence.

Hence, while the United States must remain well-prepared to deter nuclear and conventional warfare, the day-to-day challenge for the foreseeable future seems destined to fall in that gray area between millennial peace and all-out war. This places a premium on our ability to conduct "special operations"—missions carried out through forces which must be specially trained and equipped to engage in this new type of conflict.

The task is difficult but by no means impossible. Israeli successes in special operations are legendary. The British, too, have had marked success in this area. They have defeated Communist insurgencies in Malaya and Oman. They stormed the Iranian Embassy in a counterterrorist operation in 1980, killing all of the terrorists involved without the loss of life to any of their military personnel or civilian hostages. The British also demonstrated the value of special forces during the Falkland Island campaign, destroying Argentinian aircraft on the runway at Pebble Beach, capturing the South

Georgia Islands, and operating behind Argentinian lines, gathering intelligence and harassing and demoralizing the Argentinian defenders. Despite the intensity and duration of the Falkland Islands conflict, British special forces suffered only one loss to enemy fire.

The United States, by contrast, for all its resources, has suffered repeated setbacks. During the mission to rescue the U.S. merchant vessel *Mayaguez* from Cambodia, we lost more men than we saved. The Iranian hostage rescue mission ended in confusion and disaster. In the Granada operations, which pitted overwhelming U.S. forces against a tiny island nation, disturbing questions have been raised by the unexpected difficulty of our victory, including the failure of some of our special forces to achieve their objectives.

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.

U.S. special forces are scattered among the armed services, underfunded, and misunderstood. There are serious problems in the way we are organized to conduct the planning of special operations and provide the necessary personnel and equipment. The United States also lacks the necessary coordination among different Government organizations to implement a coherent strategy for combating unconventional warfare.

In short, we are not well organized for unconventional conflicts—and it shows.

The legislation I am introducing today will not solve all these ills. We must, however, go to the root of the problem and revamp the organization on which our special forces are built. We must also address problems in the coordination of our military, political, and economic efforts.

The bill would establish a joint military organization for special forces, create a structure within the National Security Council to coordinate planning for low-intensity conflict, and establish an office in the Defense Department, headed by a high-level official, to ensure that funding needs and policy considerations related to low-intensity warfare are factored into United States planning.

The need for greater integration of U.S. special forces is evident from historical experience. As retired Army Maj. Gen. John K. Singlaub noted about the ill-fated mission in Iran, "We tried to bring disparate units from all over the Armed Forces, from all over the world—and then put them into an ad hoc arrangement to do a very complicated plan." Under these circumstances it is not surprising that the mission failed. Six years later, we still do not have an adequate combined special forces capability.

In 1984, a Joint Special Operations Agency (JSOA) was created to provide greater coordination. However, it only "advises" the Joint Chiefs of Staff. As such, it does not have the authority necessary to function effectively. The Army has established the Joint Special Operations Command, but this is essentially a single-service operation which cannot achieve the effective integration of different service elements.

The chief Pentagon official responsible for special operations, Noel Koch, has continually emphasized the inadequacy of the current organizational structure. In a recent interview, Mr. Koch noted, "We need to create something that doesn't depend on the mercy of the existing services . . . something that makes special operations function jointly."

Given the politically sensitive nature of special operations, we need a clear and uncluttered chain of command and control from the highest level. We also need forces that integrate personnel from each branch of service and which, when possible, are deployed close to potential areas of operation.

This legislation addresses these needs through the establishment of an organization with elements from each of the military services—a "unified command" in military parlance—to conduct counterterrorist operations and prepare special operations units for deployment near potential operating areas. I believe that such a structure would greatly improve the efficiency and effectiveness of U.S. special forces in a number of ways:

PLANNING

In the attempt to rescue U.S. prisoners of war at Son Tay, North Vietnam, and in the Iranian rescue mission, our Military Establishment formed commissions to produce plans and achieve interservice coordination. After months of planning, both missions failed. With a unified command for special operations, we would have a self-contained multiservice organization that could perform similar missions more quickly and efficiently. The missions would be planned and carried out by personnel with special operations backgrounds and training. In short, a unified command would bring operations and planning together under one roof.

INTELLIGENCE SUPPORT

A unified command would help ensure the receipt of timely intelligence—a serious problem at present. It could also help to facilitate the flow of information in the opposite direction, since intelligence collection is one of the principal tasks of special forces.

MORALE

Special operations are regarded as a virtually dead-end career path. Only last month, the Army bypassed all of its special forces personnel and selected an armor officer to head the Joint Special Operations Agency. The message seems to be clear—if you want to

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get ahead, don't serve in special forces. It is my hope that a unified command for special forces will increase promotion opportunities for special forces personnel and the desirability of serving in this demanding career field.

The successes of the Israeli Army in special operations, such as the Entebbe raid, are well known. What is less well known is that there is not a single general in the Israeli Army that has not served in special forces.

In addition to problems of command and control, U.S. special forces suffer from inconsistent and often inadequate funding.

The average age of our special operations aircraft for transporting troops and equipment to crisis areas is in excess of 20 years, and the status of these aircraft is further degraded by the extraordinary stresses they are subjected to, including low-altitude flying and landings on unimproved runways. In January of this year, the Armed Services Committee received testimony that 6 years after the failed Iranian hostage rescue mission, the United States still does not have the capability to perform a similar mission. In fiscal year 1985, despite the guidance of the Pentagon's civilian leadership, the Military Airlift Command placed special forces airlift 59th on its list of priorities.

Inadequate funding for special forces is not a problem unique to the Air Force. As one special forces officer stated last year in an article in *Military Review*, the professional journal of the Army:

The U.S. Army still does not regard guerrilla warfare, insurgency and counterinsurgency as unique and is unwilling to devote resources to our most likely form of involvement. The state of preparedness for this role is at its lowest state in 20 years.

This bill should help remedy the funding problems which have hampered our special forces capability by establishing an Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict. As a member of the Defense Resources Board, the new Assistant Secretary would be able to give special operations forces the advocate they need in decisions affecting personnel and equipment.

In addition, under the provisions of the Defense Reorganization Act now before the Congress, the four-star general who commands the unified command for special forces would be reporting to a strengthened Chairman of the Joint Chiefs and his Vice Chairman, who would have greater responsibility for preparing the national strategy and budget.

These factors will not guarantee that special forces receive everything they want, but they will guarantee that special forces have their day in court.

The Vice President's Task Force on Combating Terrorism issued its report recently, calling for, among other things, a new National Security Council position to strengthen coordination

of our national counterterrorism program. The legislation I am introducing today calls for the establishment of a Deputy Assistant to the President for National Security Affairs for Low-Intensity Conflict and a coordinating board for low-intensity conflict within the National Security Council. These initiatives, in my view, are necessary to ensure that counterterrorist and counterinsurgency operations are properly integrated into the overall framework of U.S. policy.

Mr. President, the Reagan administration deserves credit for its initiatives on special operations, including the recent increases in the number of troops, equipment, and dollars spent. Despite these efforts, however, serious problems remain.

As a member of the Senate Select Committee on Intelligence and the Senate Armed Services Committee, I have had ample opportunity to examine the threat to our country from unconventional warfare and our ability to respond to this threat. In my view, we are not adequately prepared to fight the most likely battles of the present or the future.

Simply increasing the funding that we devote to special operations and low-intensity conflict will not solve this problem. We must also take immediate steps to repair a flawed organizational structure that leaves special operations forces at the mercy of interservice rivalries and a military bureaucracy in which support for special operations runs counter to mainstream thought and careers. We also need to more effectively coordinate the efforts of the various civilian institutions which have roles to play in low-intensity conflict. I hope that my colleagues in Congress, the stewards of our national security in the administration, and the American people will support this effort.

Mr. President, I would like to say before yielding the floor to my colleague from Georgia that I have the privilege of serving on the Armed Services Committee and the Select Committee on Intelligence with the Senator from Georgia. I think we both share the view that this threat is increasing; that we are ill prepared to deal with it; that time has not been a factor in our favor; that we are no better prepared today than we were 6 years ago to carry out an Iranian rescue-type mission. Noel Koch, the man who has been assigned the responsibility for beefing up this capability, is reportedly prepared to resign. He made the statement not too long ago that our military bands are in a higher state of readiness than some of our special operations forces. That is not an exaggeration, and Mr. Koch would not make that statement without some basis in fact.

This may not be the most perfect form of legislation to accomplish our objective. We have just gone through a major reorganization of the entire Department of Defense. But no one is

paying sufficient attention to this problem. And if it takes legislation—which may not be the best route to achieve it, since it should be done by the executive branch—I am prepared to push the legislation.

But it seems to me, Mr. President, that this problem is going to intensify, and we are going to have mounting casualties. And if we continue to experience confusion, and lack a coherent plan, then I think we will have abdicated our responsibility by our failure to take action.

Mr. President, I ask unanimous consent that the text of the bill be printed in the *RECORD*.

There being no objection, the bill was ordered to be printed in the *RECORD*, as follows:

S. 2453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL FINDINGS

The Congress finds—

(1) that the threat to the United States and its allies from unconventional warfare, including terrorism and insurgency, is increasing each year at an alarming rate;

(2) that although the United States must continue to maintain and improve its strategic and conventional forces in order to deter aggression and protect the security of both the United States and its allies, the use of force by the United States since the end of the Korean conflict has increasingly been in response to guerrilla insurgencies against allies of the United States and against terrorist attacks directed at the United States;

(3) that the use of armed force by the United States in the foreseeable future will most likely be in counterterrorist, counterinsurgency, and other unconventional operations;

(4) that the capabilities needed to respond to unconventional warfare are not those traditionally fostered by the Armed Forces of the United States;

(5) that the Department of Defense has placed an overwhelming emphasis on planning and preparation to fight a large scale war and, as a consequence, units assigned counterterrorist, counterinsurgency, and other special operations missions have not been adequately supported, particularly in airlift capability;

(6) that the Department of Defense has not given sufficient attention to the tactics, doctrines, and strategies associated with those combat missions most likely to be required of the Armed Forces of the United States in the future;

(7) that problems at command and control have repeatedly beset military forces of the United States engaged in counterterrorist and counterinsurgency operations and other low intensity conflicts;

(8) that such problems were evident during the Mayaguez incident, the Iranian hostage rescue mission, the Grenada operation, and the Beirut peacekeeping mission;

(9) that the establishment of a unified command for special operations would help to eliminate problems of command and control;

(10) that a unified command should be assigned responsibility for coordinating the planning of special operations and for the joint training of units whose principal missions involve counterterrorism, counterinsurgency, or other special operations;

(11) that a unified command should also exercise operational control over units

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whose principal missions involve special operations when such units are not assigned to other commands;

(12) that the establishment of a unified command for special operations will create promotional opportunities thereby removing a barrier which has deterred many officers in the past from pursuing careers in the field of special operations;

(13) that establishing a unified command for special operations will facilitate the exchange of information between special operations units and other commands and agencies of the United States;

(14) that a unified command for special operations will enhance civilian oversight of special operations and provide the Chairman of the Joint Chiefs of Staff and civilian authorities with a greater diversity of military advice and options;

(15) that the Secretary of Defense has placed increased emphasis on increasing the capabilities of the United States to respond to terrorism, insurgency, and other unconventional warfare threats, but while some progress has been made, the persistence of inadequate service support for units assigned counterterrorist, counterinsurgency, and related special operations missions further emphasizes the need for organizational reform;

(16) that the creation of an Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and a unified command for special operations would greatly improve the effectiveness, funding levels, readiness, force structure, and command and control of special operations forces; and

(17) that greater coordination of policies with respect to unconventional warfare operations is greatly needed within the National Security Council.

SEC. 2. ESTABLISHMENT OF ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT

Section 136(b) of title 10, United States Code, is amended by inserting at the end the following new paragraph:

"(7) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict. He shall have as his principal duty the overall supervision of special operations and low intensity conflict affairs of the Department of Defense."

SEC. 3. REQUIREMENT FOR ESTABLISHING A UNIFIED COMMAND FOR SPECIAL OPERATIONS FORCES

Section 124(a) of title 10, United States Code, is amended—

(1) by striking out "and" at the end of clause (1);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by inserting after clause (2) the following new clause:

"(3) establish a unified command for special operations forces, unless the President determines such action is not in the national interest."

SEC. 4. ESTABLISHMENT OF COORDINATING BOARD

Section 402 of the National Security Act of 1947 (50 U.S.C. 402) is amended by inserting at the end the following new subsection:

"(e) The Council shall establish within the Council a coordinating board to be known as the 'Board for Low Intensity Conflict'. The Board shall have as its principal duty the coordination of low intensity conflict policy for the United States."

SEC. 5. SENSE OF THE CONGRESS REGARDING THE APPOINTMENT OF A DEPUTY ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS FOR LOW INTENSITY CONFLICT

It is the sense of the Congress that the President should establish within the Executive Office of the President the position of Deputy Assistant to the President for National Security Affairs for Low Intensity Conflict. It is further the sense of the Congress that the President should designate such Deputy Assistant as the chairman of the Board for Low Intensity Conflict established under section 402(e) of the National Security Act of 1947 (50 U.S.C. 402(e)), as added by section 4 of this Act.

Mr. COHEN. Mr. President, I yield the floor to my colleague, the Senator from Georgia.

Mr. NUNN. Mr. President, what time is remaining under the special order?

The PRESIDING OFFICER. The Senator from Maine has 2 minutes remaining.

Mr. NUNN. Mr. President, I rise to support the bill just introduced by Senator COHEN. I am pleased to be a cosponsor.

Mr. President, I will just take a very brief period of time. First, I wish to congratulate the Senator from Maine for putting his finger on a very serious problem. The question is often asked, Why is Congress micromanaging the operations of the Defense Department? The reason is because the executive branch is not managing it, and that is a regrettable statement of fact. Congress should be a board of directors. This legislation should not be necessary but, in fact, it is necessary because we have to get the attention of some people in the executive branch, particularly in the Department of Defense, and make them understand that the Congress of the United States knows that this problem is being neglected.

The Senator from Maine has done an outstanding job of bringing this to the attention of our body. We have just gone through a major reorganization bill. We delegated a broad amount of authority to the Secretary of Defense under that bill. There may be some details in this legislation that might contravene at least the philosophy of the reorganization bill, so we are going to have to proceed cautiously as we examine this legislation.

□ 1030

But the Senator from Maine is exactly correct in saying that we have a serious problem. We are not better equipped now than we were 6 years ago to carry out an Iranian hostage-type rescue mission, primarily in the transportation area. The Air Force has been, in my opinion, dragging its feet in terms of dealing with the problem of transportation of special operations forces. They are now beginning to do better at it. I am hopeful that this improvement will be something that is not just a short-term trend.

It is really regrettable that we cannot report to the American people that the situation is improved. But it

has not. Last year I sponsored an amendment to deal with these problems, which was included in the authorization bill. This amendment was simple and direct. It requires the Secretary of Defense to certify that he is providing sufficient funds in the fiscal year 1987 5-year defense plan to meet his own guidance to the military departments so as to ensure that the special operation requirements of the war-fighting commanders in the field are met by 1991. We finally received that certification on April 1, 1986. It took a long time to get it because the fiscal year 1987 5-year defense plan submitted in February fails to meet the guidance of the Secretary of Defense. The problem here is not the Secretary of Defense's guidance. It is very clear the problem is that no one has carried out the guidance. The Secretary has not required it to be carried out. The services have not budgeted sufficient resources to meet the Secretary's guidance, and evidently the Secretary was not prepared to change the services' plans to see that it did.

That situation now appears to be changing somewhat. The Secretary has finally forced the services to comply with his own policy guidance in the 5-year defense plan. This is a positive step forward, and is long overdue.

On the negative side, however, I think we ought to note that the commitment to meet these requirements is still in the future because the certification calls for no changes in the pending budget request. In other words, all of the improvements that are going to be made in this particular area are going to be in the outyears, as we call it, after the fiscal year we are dealing with now. That will not take place until 1991.

I think it is a sad state of affairs when we have the kind of problem we had 6 years ago with transportation of special forces, and yet 6 years later, after spending billions and billions of dollars, we still cannot report to the American people that we are in better condition than we were then.

So I congratulate the Senator from Maine. I look forward to working with him on this in the Armed Services Committee. We are going to be in conference with the House on legislation in this overall area. I think it is important that he has taken this leadership step. I am proud to be a coauthor with him of this amendment.

Mr. President, Senator COHEN has accurately recounted the recent history of employment of our special operations forces and the problems we have experienced. Let me add some of my own thoughts.

In my view, the most likely use of force by the United States in the foreseeable future is by our special operations forces. The threat that we face from terrorism and other forms of low intensity conflict mean that we must be prepared to deter, and respond if

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necessary, with special operations forces. In some instances, we must be ready to respond in a matter of hours which puts an extreme premium on operational readiness. In addition, democratic forces around the world are being challenged by insurgencies and we must have special operations forces that can assist in meeting that challenge.

Finally, our special operations forces must be prepared to play their vital role in a major war. Too frequently, Mr. President, we think of special operations forces only in their capacity to combat terrorism or to engage in counter-insurgency. We forget that they will perform extremely important missions to augment our conventional forces in a war. For example, special operations forces were the first American forces ashore in Grenada. In future such operations it is likely that they would perform a similar role.

Mr. President, this year the Committee on Armed Services held several hearings on the capabilities of our special operations forces. We learned about serious deficiencies in this area, both in terms of the readiness of those forces and the resource levels allocated to support them. We learned that our warfighting commanders in the field did not have the capabilities they needed. After one particularly alarming hearing Chairman GOLDWATER and I wrote to the Secretary of Defense.

Mr. President, I ask unanimous consent to have that letter printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 1.)

Mr. NUNN. In that letter we stated:

We are particularly concerned that six years after the tragedy at Desert One (the Iranian hostage rescue mission), we appear to have made few significant improvements in this essential capability.

This is a disgrace. After the massive commitment of defense resources over the past 5 years we are not as prepared as we should be to fight some of the most likely conflicts we face. Because many of the capabilities in this area are sensitive, I cannot go into the specific details of the very serious deficiencies.

The administration has maintained that revitalization of special operations forces is one of their most important policy objectives. On October 3, 1983, then Under Secretary of Defense Paul Thayer issued a memorandum directive to the military departments which outlined this key policy objective:

U.S. national security requires the maintenance of Special Operations Forces (SOF) capable of conducting the full range of special operations on a worldwide basis, and the revitalization of those forces must be pursued as a matter of national urgency.

The memo went on to issue some specific policy directives. Two merit attention here.

Necessary force structure expansion and enhancements in command and control, per-

sonnel policy, training, and equipment will be implemented as rapidly as possible and will be fully (emphasis in original) implemented not later than the end of Fiscal Year 1990.

and

Each Service will assign SOF and related activities sufficient resource allocation priority and will establish appropriate intensive management mechanisms to ensure that these objectives are met.

Despite the clear and unequivocal direction, we know from our hearings and examination of the budgets that the services have not followed this guidance. The Secretary of Defense has failed to insist that the services follow his own guidance. And quite frankly, the stated goal of having the capability 10 years down the road isn't exactly what I call a high priority, especially considering the woeful lack of readiness in certain key assets that has existed in the past several years.

For these reasons, I sponsored an amendment to deal with these problems, which was included in last year's defense authorization bill. My amendment was simple and direct: it required the Secretary of Defense to certify that he has provided sufficient funds in the fiscal year 1987 5-year defense plan to meet his own guidance to the military departments so as to insure that the special operations requirements of the warfighting commanders in the field are met by 1991.

We finally received that certification on April 1, 1986. It took a long time to get it because the fiscal year 1987 5-year defense plan submitted in February fails to meet the Secretary's guidance, and evidently the Secretary was not prepared to change the service's plans to see that it did.

Fortunately, that situation has changed. The Secretary has finally forced the services to comply with his own policy guidance. The services have been directed to make major adjustments in their plans for special operations forces. This is a positive constructive step forward that is long overdue in my opinion. I do want to note, however, that the commitment to meet these requirements is still in the future, because the certification called for no changes in the pending budget request. All the increases are scheduled for future years and much of the capability still will not be in place in 1991. The challenge we now face is to insure that the services do not walk away from this latest directive.

The primary culprit in this sad story, unfortunately, is the Air Force, because the Air Force has the major procurement programs required to support the defense guidance. I state here that the Air Force, at least in the past, has failed to award priority to this key mission. The facts are compelling.

Special operations aircraft are among the oldest in the Air Force inventory. The average SOF aircraft is over 20 years old. This average will in-

crease virtually year-for-year until the next decade.

The current readiness of the special operations aircraft is disappointing. The precise numbers are classified. But it is telling to note that by a very large margin, Air Force tactical fighter squadrons are consistently more combat ready than are special operations squadrons. These special operations squadrons are crucial to our counter-terrorism capability and the low readiness state in this area is a shameful indictment of Air Force priorities.

During the past 4 years the Primary Special Operations Airlift Program has been the Combat Talon Program. The Combat Talon Aircraft is a modified C-130 transport, fitted with special systems designed to support long-range covert insertion and removal of special operations forces. During the past 4 years there have been eight program managers. The program has been repeatedly stretched out.

This is a very sad history of the Air Force's commitment to special operations forces. Let me say to my colleagues, that I chose the word "history" explicitly, because I believe the Air Force has come to realize the very serious nature of our requirement for special operations forces and has made recent changes to improve our capabilities.

I hope in coming months that we will start to see signs of improvement. Prior to March 1983, Air Force special operations elements were spread across several Air Force commands. This resulted in fragmented logistics support, a lack of long-range planning, no practical commonality between aircraft subsystems, and poor overall reliability and maintainability.

In March 1983, these elements were consolidated under the Military Airlift Command and efforts are underway to improve the situation. They established a new branch for special operations logistics at MAC headquarters. A large number of immediate quick fix programs have been or are being implemented. This is good news. But it is not enough.

MAC still consistently places other major new starts as a higher priority than its special operations forces and SOF modernization. Indeed, much of the SOF modernization plan remains unfunded in the Military Airlift Command's list of priorities.

Mr. President, at the core this represents a model case study of why we need to reorganize the Department of Defense. Senator COHEN recently wrote an excellent article in Armed Forces Journal International on the state of our special operations forces. In that article he noted:

Special Operations Forces (SOF), as indicated by the U.S. experience during the Grenada and Iranian rescue missions, are one aspect of the defense establishment that is most assuredly broken and must be fixed.

It is evident that the ills which beset SOP are in part a microcosm of the ills that occasioned the overall Senate Armed Services committee staff report on defense organization. (T)he United States still lacks joint military institutions capable of effectively integrating the forces of the different Services in combined operations.

The services do not give very high priority to special operations forces because they do not consider them major missions and do not require massive resources. The service's are more interested in preparing to fight the next world war, not the current ongoing war against state sponsored terrorism. And despite the fact that the administration has placed special operations forces as one of the Nation's highest priorities, it has failed to insist that the service's follow that national guidance.

Because these are the forces we are most likely to employ in the near term, how they perform will have an impact on our national security far beyond the scope of any operation. Our entire Armed Forces—and hence our military capacity—will be judged on whether these forces succeed or fail. If they succeed, the perception of American forces as strong and highly competent will be reinforced. If they fail, the world will conclude—wrongly, in my view—that the United States is a big bungling giant that cannot conduct effective military operations. We cannot afford to leave the world with this perception and unless we improve our current abilities we run this risk.

After the Vietnam war, funding and support for special operations dropped dramatically. Units deteriorated, equipment was not replaced, officers were not promoted and morale sank to rock bottom. In the late 1970's, that began to change. The growing threat of terrorism began to shake us out of our lethargy. The tragic failure of special operations forces at Desert I in the Iranian hostage rescue mission was the most dramatic evidence of the serious shortcoming of our special operations forces.

In the wake of the failure of the Iranian rescue mission, first President Carter and then President Reagan, began to put increased emphasis on the reinvigoration of our special operations forces. The Joint Special Operations Agency was created in the office of the Joint Chiefs of Staff, and the Joint Special Operations Command was created at Fort Bragg. A number of memoranda and directions were written, and more money was provided.

However, this is not enough. We discovered in the operation in Grenada that the integration of special operations forces into combat operations conducted by regular units was not as smooth as it should be. We know from other examples that the command and control over these forces is not adequate. We know that readiness levels of key units has been spotty at best. Confusion often reigns, particularly in

their relationship to the unified commanders in the field.

Senator COHEN has explained the purposes of this bill and I will not repeat them. However, let me say that I believe that the President should consider creation of a unified command for special operations forces. That is probably the most important step that he can take, particularly because the DOD reorganization bill recently passed by the Senate, gives increased authority to unified commanders.

I also support the other provisions in Senator COHEN's bill, namely the creation of a senior official on the NSC staff, a coordinating body within the National Security Council, and the designation of an Assistant Secretary of Defense, all with responsibility for special operations and low intensity conflict. We do not need to create an additional Assistant Secretary of Defense position because the reorganization bill we just adopted provides for several Assistant Secretaries of Defense, but does not specify their titles in law. Thus, the Secretary of Defense has flexibility to designate one of those Assistant Secretaries of Defense positions as the Assistant Secretary for Special Operations and Low Intensity Conflict.

I have some reservations about the wisdom of placing these, all of these requirements in law. As Members of the Senate know, the DOD reorganization bill recently enacted by the Senate seeks to give the President and the Secretary of Defense as much flexibility as possible in organizing the Department of Defense. In addition, we were very aware of the President's constitutional responsibilities as Commander in Chief. Therefore, the reorganization bill does not specify any unified or specified commands in law. Moreover, it does not specify any Assistant Secretaries of Defense except one, the Assistant Secretary for Reserve Affairs.

Notwithstanding these concerns, Mr. President, I continue to believe that Senator COHEN's bill deserves serious consideration by the Armed Services Committee. I believe the administration should move in the direction suggested by Senator COHEN's bill and that it should be the focus for debate on these important issues, both in the Congress and in the public.

[EXHIBIT No. 1]

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, January 29, 1986.

HON. CASPAR WEINBERGER,
Secretary of Defense,
Washington, DC.

DEAR CAP: The condition of our Special Operations airlift assets continues to be a matter of considerable interest to our Committee. We are particularly concerned that six years after the tragedy at Desert One, we appear to have made few significant improvements in this essential capability.

It is discouraging to note that today we have exactly the same number of MC-130 Combat Talon aircraft (14) and AC-130 A/H

gunships (10/10) as we had at the time of Desert One, and two fewer HH-63 Pave Low helicopters than we had in May, 1980 (7 today, compared with 9 in 1980).

The apparent failure of the Department of Defense to overcome existing shortfalls in a timely fashion raises serious questions regarding the Department's ability to establish priorities.

Section 152 of the Fiscal Year 1986 Defense Authorization act^o was passed in an effort to assist the Congress in performing our oversight responsibilities in this area. As you know, that provision requires the submission to Congress of a plan for meeting both the immediate and near-term airlift requirements for the Joint Special Operations Command (JSOC) and special operations forces of the Unified Commander-in-Chief. Section 152 also requires a certification that the funds needed to meet these airlift requirements are included in the Fiscal Year 1987 Five Year Defense Plan.

This airlift plan will be a critical element in our deliberations on the Fiscal Year 1987 Defense Authorization bill. We request that you take whatever steps are necessary to ensure its timely delivery.

With best wishes,

BARRY GOLDWATER,
Chairman.
SAM NUNN,
Ranking Minority Member.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin [Mr. PROXMIRE] is recognized for not to exceed 5 minutes.

WHY SECRETARY HICKS SHOULD BE FIRED

Mr. PROXMIRE, Mr. President, the biggest military and fiscal decision the Congress must make in the next few years is whether or not to proceed with the strategic defense initiative or star wars. This decision will hinge primarily on its technological feasibility. If it is realistic to expect American scientists to design a system that will largely protect this country from a Soviet nuclear attack, the Congress will proceed. If not, we will not. The central question is, How do the great majority of Members of the Congress who are not physicists and who have almost no scientific training or experience make this decision in which technology is crucial? Answer: We rely heavily on the judgment of scientists who can speak their minds objectively and honestly. Our decision will be no better than the truth of the scientific advice we get.

Will Congress be able to rely on the scientific community to give us this truth? An article that appeared in the Washington Post by Fred Hiatt reports that it is going to be very hard for us as we make that decision to get the truth we must have.

Donald Hicks is the Under Secretary of Defense for Research and Engineering. Secretary Hicks has the central role in determining precisely who gets the billions of dollars in research money expended each year by the De-