

A New Strategic Service for a New Cold War

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KEY TAKEAWAYS

Consolidating irregular and unconventional warfare capabilities would buy the time needed to reconstitute our conventional armed forces and strategic deterrent.

Distribution of capabilities and authorities for special operations and sensitive activities across the Defense Department constrains their effective employment.

Special operations and sensitive activities beyond those already within Special Operations Command can be consolidated without revising existing law or allocating new resources.

What Is Old Is New Again

The Office of Strategic Services (OSS) was established by President Franklin Roosevelt on July 11, 1941, to consolidate capabilities distributed across the U.S. government to prevail in the Second World War. After the war, the National Security Act of 1947¹ dissolved the OSS and redistributed its components across departments and agencies with mixed results during the Cold War with the Soviet Union. Threats have evolved, and so should our strategic capabilities.

The challenge of a new Cold War with the Chinese Communist Party (CCP)² requires that the Department of Defense (DOD) consolidate and expand its unique capabilities, authorities, and infrastructure to conduct a global campaign to deter conflict and, if necessary, defeat threats to our interests. No other

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department or agency of our government has the capability and capacity to do so.

The systematic neglect of our armed services³ since victory in the Cold War with the Soviet Union makes it necessary that a new strategic service be created that can reduce the risk of conventional confrontation and buy the time required to reconstitute our armed forces and strategic deterrent: both the *bridge to* and a *complement for* a more viable deterrent. Far from making conflict more likely, this initiative will make conflict less likely by ensuring a more effective deterrent. We possess tremendous capabilities, but they are dispersed across fractured organizations, which limits their effectiveness, and are not fully leveraging existing authorities.

Defense capabilities are uniquely suited to the conduct of special operations and sensitive activities that the nation needs and can be better organized, resourced, and employed both to reduce the risk of conventional conflict, thereby making it less likely that it will occur, and to prevail in the new Cold War with the CCP and manage the risk from rogue states that threaten our interests and whose actions could cause us to divert our critical resources.

The National Security Act of 1947 presumed that the successful conclusion of the Second World War allowed for an evolution that relieved the War Department (now Department of Defense) of the responsibility for many OSS activities and operations with the creation of the Central Intelligence Agency (CIA). The division of labor was a recurring challenge and may no longer be viable.⁴ Meanwhile, those agencies that can engage in a broader range of activities against the CCP now lack the scale, organization, and in some instances the culture, expertise, and experience to conduct the full range of special operations and sensitive activities that this conflict requires so that we can avoid, not propel ourselves into, a larger conventional conflagration.

The CCP publicly claims that it does not want a “new Cold War” but has been actively engaged in unrestricted warfare against the U.S. and other Western economies, societies, corporations, and scientific establishments—on an industrial scale—for at least the past decade. Conversely, U.S. policymakers and military leaders talk publicly about how we are already in a new Cold War but have done little of a practical nature to meet the threat from China.

The Past Informs the Present

Throughout the Cold War, the U.S. struggled to compete with the Union of Soviet Socialist Republics (USSR, or Soviet Union), and “hot” wars would

often result from the USSR's asymmetric advantage as it employed surrogates like Vietnam and Cuba to confront the U.S. and its allies. While the DOD resurrected its special operations capabilities in the 1950s, their scope was mostly limited to direct support for conventional operations in armed conflict.⁵

The Vietnam War expanded the scope of DOD's ability to support unconventional warfare and improve partners' capabilities to defend against lawlessness and insurgency.⁶ By the 1980s, significant military resources supported an unconventional warfare campaign against the Soviets in Afghanistan, contributing to their withdrawal and ultimate collapse.⁷

A series of failures to anticipate and prevent significant threats to our interests—for example, the fall of the Shah in Iran, the Soviet invasion of Afghanistan and its collapse, and the acquisition of nuclear weapons by Pakistan and North Korea—were unaddressed and became systemic. The Goldwater–Nichols Department of Defense Reorganization Act of 1986⁸ and the Nunn–Cohen Amendment sought to address the lack of unity of effort within DOD following the sub-optimal results⁹ identified by the Holloway Commission¹⁰ after Operation Eagle Claw, the failed attempt to rescue American hostages in Iran, and internal DOD reviews after Operation Urgent Fury, the invasion of Grenada in October 1983. Special Operations Command was established as a Unified Combatant Command and consolidated many of the capabilities distributed across the department after the dissolution of the OSS in 1947. Many capabilities, including those related to sensitive intelligence collection in denied areas, remained outside the command.

Following the terrorist attacks of September 11, 2001 (or 9/11) the Intelligence Reform and Terrorist Prevention Act of 2004 (IRTPA) compelled closer post-9/11 coordination between defense and intelligence agencies but has not successfully aligned resources and authorities and has left tremendous capabilities underemployed, focused on lower priorities, and unintegrated with emerging capabilities such as cyber and space. As a result, we are unable to address the risk and range of threats from the People's Republic of China (PRC), Russia, Iran, and North Korea effectively.¹¹

The 9/11 Commission report identified the gap and recommended that paramilitary capabilities be returned to and consolidated within DOD,¹² but this was abandoned. The scope of the challenges that confront us exceeds the scope of those that resulted in the recommendation, and it should be reviewed.

As indicated above, the OSS was established by President Franklin Roosevelt in 1942 to collect and analyze information for the Joint Chiefs

and conduct special operations not assigned to other agencies. This model recognized that the scope and scale of its activities exceeded those of all other departments and agencies and required significant support and coordination in support of wartime military objectives. With a scale and infrastructure that made it uniquely capable of supporting, sustaining, and effectively conducting a global campaign, the OSS was responsible for “the planning, development, coordination and execution of the military program for psychological warfare” and “the compilation of such political, psychological, sociological and economic information as may be required by military operations.”¹³

The OSS “was given authority to operate in the fields of sabotage, espionage, and counterespionage in enemy-occupied or controlled territory, guerrilla warfare, underground groups in enemy-occupied or controlled territory and foreign nationality groups in the United States.”¹⁴ The terrorist attacks of September 11, 2001, resulted in a shift across much of Defense Special Operations toward counterterrorism.¹⁵

As we enter a new Cold War with the CCP, we might well consider a more practical distribution of our resources toward counterproliferation and unconventional and irregular warfare while retaining a counterterrorism focus according to the constellation of threats we face. Consolidating our forces would reduce redundancy and enable greater efficiency. This would include the still-developing capabilities in the space and cyber domains, which would allow for innovation and integration with existing special operations and sensitive activities on the emerging frontiers of conflict.¹⁶ Naturally, the resulting operations and activities would be conducted in coordination with and would fully support the work of other departments and agencies such as the Departments of State, Commerce, and Treasury as appropriate.

What Needs to Be Done

The challenge from the Chinese Communist Party (CCP) and the emerging “Axis of Evil” requires consolidation and expansion so that we can employ our unique capabilities to conduct special operations and sensitive activities more effectively to deter conflict and successfully manage competition to prevail in the new Cold War with China.

The National Security Act of 1947¹⁷ dissolved the OSS and redistributed its components across departments and agencies. A great deal of coordination was required to guide and effectively employ capabilities and authorities on an ad hoc basis amid competing agendas and conflicting

priorities among divided hierarchies. Threats have evolved, and so should our national security apparatus just as it did during the previous Cold War.

After the disastrous Bay of Pigs invasion and the resulting investigation led by General Maxwell Taylor,¹⁸ it was determined that the scope of the endeavor grew beyond the CIA's capacity and capability, thereby contributing to its failure. A comprehensive review of activities resulted in Operation Switchback and the transfer of CIA paramilitary activities in Vietnam to the newly formed Military Assistance Command Vietnam's Studies and Observation Group, established in January 1964. The resulting partnership demonstrated the effectiveness and limitations of combined operations.¹⁹

The Goldwater–Nichols Act of 1986²⁰ took critical steps but remains imperfect. For example, the Assistant Secretary for Special Operations and Low Intensity Conflict (ASD SOLIC) does not control special operations resources and personnel and cannot challenge the generals it purports to oversee. Similarly, the Intelligence Reform and Terrorism Prevention Act of 2004²¹ addressed significant shortfalls that contributed to the 9/11 attacks but fell short of the recommendations made by the commission that was created to investigate the attacks.²² Both legislative efforts sought to correct the deficiencies introduced in the dispersal of strategic capabilities following the Second World War, but more remains to be done.

Our ability to conduct special operations²³ and sensitive activities²⁴ has yielded results greater than the resources committed and would be vital in deterring conflict and prevailing if deterrence were to fail. Consolidation of the elements responsible for conducting them is required—and can be operational—immediately without revision of existing law or allocation of new resources. This will not exclude other departments or agencies but will provide a more comprehensive effort in collaboration with other components of our government and those of our partners and allies, which DOD is uniquely capable of conducting.

Conclusion

It is time to complete the consolidation of Defense Special Operations and sensitive activities and refocus them to prevail in the new Cold War with China. In short, it is time to rebuild the OSS—not as it was, but as it now ought to be—based on the ever-evolving nature of conflict and our experience since the OSS's dissolution.

Endnotes

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3. See, for example, *2024 Index of U.S. Military Strength*, ed. Dakota L. Wood (Washington: The Heritage Foundation, 2024), https://www.heritage.org/sites/default/files/2024-01/2024_IndexOfUSMilitaryStrength_0.pdf.
4. See *War Report, Office of Strategic Services (OSS)*, Vol. 1, prepared by History Project, Strategic Services Unit, Office of the Assistant Secretary of War, War Department, Washington, D.C. (Washington: U.S. Government Printing Office, July 1949), https://stacks.stanford.edu/file/druid:yk502ct8920/OSS_war_report_v1_hq_organization.pdf (accessed October 30, 2024), and *War Report, Office of Strategic Services (OSS)*, Vol. 2, prepared by History Project, Strategic Services Unit, Office of the Assistant Secretary of War, War Department, Washington, D.C. (Washington: U.S. Government Printing Office, July 1949), https://stacks.stanford.edu/file/druid:yk502ct8920/OSS_war_report_v2_operations_in_the_field.pdf (accessed October 30, 2024).
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7. Charles M. Simpson III, *Inside the Green Berets, The First Thirty Years: A History of the U.S. Army Special Forces* (Novato, CA: Presidio Press, 1983).
8. H.R. 3622, Goldwater–Nichols Department of Defense Reorganization Act of 1986, Public Law 99-433, 99th Congress, October 1, 1986, <https://www.congress.gov/bill/99th-congress/house-bill/3622/text> (accessed October 31, 2024).
9. See Senate Concurrent Resolution 80, A concurrent Resolution to Authorize the Printing of 2,000 Additional Copies of the Committee Print of the Committee on Armed Services (99th Congress, 1st Session) entitled “Defense Organization: The Need for Change,” 99th Congress, introduced October 22, 1985, <https://www.congress.gov/bill/99th-congress/senate-concurrent-resolution/80> (accessed November 4m, 2024).
10. See *Final Report of the Special Operations Review Group*, July 1980, <https://nsarchive.gwu.edu/document/19709-national-security-archive-doc-10-final-report> (accessed November 4, 2024). The chairman of the commission was Admiral J. L. Holloway, III, USN (Ret.).
11. James Wirtz, *Understanding Intelligence Failure: Warning, Response and Deterrence* (London: Routledge, 2016).
12. See National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*, p. 415, https://digital.library.unt.edu/ark:/67531/metadcl23526/m2/1/high_res_d/GPO-911REPORT.pdf (accessed October 31, 2024). “Congress and the President created the National Commission on Terrorist Attacks Upon the United States (Public Law 107-306, November 27, 2002).” *Ibid.*, p. xv.
13. President Franklin D. Roosevelt, “Military Order, Office of Strategic Services,” filed June 15, 1942, in Greg Bradsher, “The Creation of the Office of Strategic Services,” National Archives, Textual Records Division, The Text Message Blog, August 24, 2021, <https://text-message.blogs.archives.gov/2021/08/24/the-creation-of-the-office-of-strategic-services-oss/> (accessed October 31, 2024).
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15. Mark Moyar, *Oppose Any Foe: The Rise of America's Special Operations Forces* (New York: Basic Books, 2017).
16. Major Brian Hamel, “Reframing the Special Operations Forces–Cyber–Space Triad Special Operations’ Contributions to Space Warfare,” *Military Review*, Vol.04-SE (March 2024), pp. 121-129, <https://www.armyupress.army.mil/Portals/7/military-review/Archives/English/March-2024/MR-Space-Missile-Defense-Special-Edition-UA1.pdf> (accessed October 31, 2024).
17. See note 1, *supra*.
18. For links to the CIA’s five volumes of reports on the Bay of Pigs operation, including Volume 4, *The Taylor Committee Investigation of the Bay of Pigs*, see Central Intelligence Agency, Freedom of Information Act Electronic Reading Room, “Bay of Pigs Release,” updated October 31, 2016, <https://www.cia.gov/readingroom/collection/bay-pigs-release> (accessed October 31, 2024).
19. See Colonel Francis J. Kelly, *U.S. Army Special Forces, 1961-1971* (Washington: Department of the Army, 1985), <https://apps.dtic.mil/sti/trecms/pdf/AD1121094.pdf> (accessed October 31, 2024); Shelby L. Stanton, *Green Berets at War: U.S. Army Special Forces in Southeast Asia 1956-1975* (Novato, CA: Presidio Press, 1985); and Chalmers Archer Jr., *Green Berets in the Vanguard: Inside Special Forces, 1953-1963* (Annapolis, MD: Naval Institute Press, 2001).
20. H.R. 3622, Goldwater–Nichols Department of Defense Reorganization Act of 1986, Public Law 99-433, 99th Congress, October 1, 1986, <https://www.congress.gov/bill/99th-congress/house-bill/3622/text> (accessed October 31, 2024).

21. S. 2845, Intelligence Reform and Terrorism Prevention Act of 2004, Public Law 108-458, 108th Congress, December 17, 2004, <https://www.congress.gov/108/statute/STATUTE-118/STATUTE-118-Pg3638.pdf> (accessed October 31, 2024).
22. See note 9, *supra*.
23. Per 10 U.S. Code § 167, <https://www.law.cornell.edu/uscode/text/10/167> (accessed October 31, 2024).
24. For the purposes of this paper, this includes Sensitive Military Operations as defined in 10 U.S. Code § 130f(d)(1)–(3), <https://www.law.cornell.edu/uscode/text/10/130f> (accessed October 31, 2024); authorized covert action, 10 U.S. Code § 3093, <https://www.law.cornell.edu/uscode/text/50/3093> (accessed October 31, 2024); Sensitive Military Cyber Operations, 10 U.S. Code § 394, <https://www.law.cornell.edu/uscode/text/10/394> (accessed October 31, 2024); Defense Clandestine Service activities, 10 U.S. Code ch. 21, <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title10-chapter21&edition=prelim> (accessed October 31, 2024); authorized Intelligence and Special Activities, 10 U.S. Code § 2682, <https://www.law.cornell.edu/uscode/text/10/2682> (accessed October 31, 2024); and Operational Preparation of the Environment, 10 U.S. Code § 127(f), <https://www.law.cornell.edu/uscode/text/10/127f> (accessed October 31, 2024).