

category for special operations forces of the Five-Year Defense Plan of the Department of Defense created pursuant to Pub. L. 99-661, §1311(c), set out below, was to be created not later than 30 days after Dec. 4, 1987, and required the Secretary of Defense to submit to committees of Congress on such date a report explaining the program recommendations and budget proposals included in such category and a certification that all program recommendations and budget proposals for special operations forces had been included.

Pub. L. 99-661, div. A, title XIII, §1311(c)-(e), Nov. 14, 1986, 100 Stat. 3985, 3986, provided that:

“(c) MAJOR FORCE PROGRAM CATEGORY.—The Secretary of Defense shall create for the special operations forces a major force program category for the Five-Year Defense Plan of the Department of Defense. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, with the advice and assistance of the commander of the special operations command, shall provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

“(d) PROGRAM AND BUDGET EXECUTION.—To the extent that there is authority to revise programs and budgets approved by Congress for special operations forces, such authority may be exercised only by the Secretary of Defense, after consulting with the commander of the special operations command.

“(e) GRADE FOR COMMANDERS OF CERTAIN AREA SPECIAL OPERATIONS COMMANDS.—The commander of the special operations command of the United States European Command, the United States Pacific Command [now United States Indo-Pacific Command], and any other unified combatant command that the Secretary of Defense may designate for the purposes of this section shall be of general or flag officer grade.”

[Identical provisions were contained in section 101(c) [§9115(c)-(e)] of Pub. L. 99-500 and Pub. L. 99-591, which was repealed by Pub. L. 102-484, div. A, title IX, §936(c), Oct. 23, 1992, 106 Stat. 2479.]

REPORT ON CAPABILITIES OF UNITED STATES TO CONDUCT SPECIAL OPERATIONS AND ENGAGE IN LOW INTENSITY CONFLICTS

Pub. L. 99-500, §101(c) [title IX, §9115(h)(2)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-125, Pub. L. 99-591, §101(c) [title IX, §9115(h)(2)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-125, and Pub. L. 99-661, div. A, title XIII, §1311(h)(2), Nov. 14, 1986, 100 Stat. 3986, required President, not later than one year after the date of enactment, to transmit to Congress a report on capabilities of United States to conduct special operations and engage in low intensity conflicts, the report to include a description of deficiencies in such capabilities, actions being taken throughout executive branch to correct such deficiencies, the principal low intensity conflict threats to interests of United States, and the actions taken and to be taken to implement this section.

**[§ 167a. Repealed. Pub. L. 115-232, div. A, title VIII, §812(a)(1)(A), Aug. 13, 2018, 132 Stat. 1846]**

Section, added Pub. L. 108-136, div. A, title VIII, §848(a)(1), Nov. 24, 2003, 117 Stat. 1554; amended Pub. L. 109-163, div. A, title VIII, §846(a), Jan. 6, 2006, 119 Stat. 3391; Pub. L. 110-181, div. A, title VIII, §825, Jan. 28, 2008, 122 Stat. 227, provided for delegation of limited acquisition authority to the commander of the unified combatant command for joint warfighting experimentation.

**§ 167b. Unified combatant command for cyber operations**

(a) ESTABLISHMENT.—(1) With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of

Defense, shall establish under section 161 of this title a unified combatant command for cyber operations forces (hereinafter in this section referred to as the “cyber command”).

(2) The principal mission of the Cyber Command is to direct, synchronize, and coordinate military cyberspace planning and operations to defend and advance national interests in collaboration with domestic and international partners.

(b) ASSIGNMENT OF FORCES.—(1) Active and reserve cyber forces of the armed forces shall be assigned to the Cyber Command through the Global Force Management Process, as approved by the Secretary of Defense.

(2) Cyber forces not assigned to Cyber Command remain assigned to combatant commands or service-retained.

(c) GRADE OF COMMANDER.—The commander of the cyber command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating that officer’s permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.

(d) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the cyber command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to cyber operations activities.

(2)(A) Subject to the authority, direction, and control of the Principal Cyber Advisor, the commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to cyber operations activities (whether or not relating to the cyber command):

(i) Developing strategy, doctrine, and tactics.

(ii) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for cyber operations forces and for other forces assigned to the cyber command.

(iii) Exercising authority, direction, and control over the expenditure of funds—

(I) for forces assigned directly to the cyber command; and

(II) for cyber operations forces assigned to unified combatant commands other than the cyber command, with respect to all matters covered by section 807 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 886; 10 U.S.C. 2224 note) and, with respect to a matter not covered by such section, to the extent directed by the Secretary of Defense.

(iv) Training and certification of assigned joint forces.

(v) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

(vi) Validating requirements.

(vii) Establishing priorities for requirements.

(viii) Ensuring the interoperability of equipment and forces.