(2)

THE UNITED STATES NAVAL WAR COLLEGE

REFORMING THE JOINT
MILITARY ESTABLISHMENT

By

JEFFREY S. MC KITRICK, MAJOR, U.S. ARMY

PUBLISHED BY

THE CENTER FOR NAVAL WARFARE STUDIES

CENTER FOR ADVANCED RESEARCH

(2)

REFORMING THE JOINT MILITARY ESTABLISHMENT

By

JEFFREY S. MC KITRICK, MAJOR, U.S. ARMY

NAVAL WAR COLLEGE
NEWPORT, RI

JUNE 1985

UNCLASSIFIED

SECURITY CLASSIFICATION OF THIS PAGE (When Data Entered)

REPORT DOCUMENTATION PAGE	READ INSTRUCTIONS BEFORE COMPLETING FORM
1. REPORT NUMBER: 84-89	2. GOVT ACCESSION NO.: AD-A158 221	3. RECIPIENT'S CATALOG NUMBER
4. TITLE (and Subtitle): Reforming the Joint Military Establishment	5. TYPE OF REPORT & PERIOD COVERED: Final
	6. PERFORMING ORG. REPORT NUMBER
7. AUTHOR(s): Jeffrey S. McKitrick, Major, U.S. Army	8. CONTRACT OR GRANT NUMBER(s)
9. PERFORMING ORGANIZATION NAME AND ADDRESS: Center for Advanced Research, Naval War College, Newport, RI	10. PROGRAM ELEMENT, PROJECT, TASK AREA & WORK UNIT NUMBERS
11. CONTROLLING OFFICE NAME AND ADDRESS: Same	12. REPORT DATE: June 1985
	13. NUMBER OF PAGES: 78
14. MONITORING AGENCY NAME & ADDRESS (if different from Controlling Office)	15. SECURITY CLASS. (of this report): Unclassified
	15a. DECLASSIFICATION/ DOWNGRADING SCHEDULE

16. DISTRIBUTION STATEMENT (of this Report)

A: Approved for public release
Distribution unlimited

17. DISTRIBUTION STATEMENT (of the abstract entered in Block 20, if different from Report)

18. SUPPLEMENTARY NOTES

19. KEY WORDS (Continue on reverse side if necessary and identify by block number)

Military Reform
Joint Chiefs of Staff
Military Advice
Military Planning
Military Operations

20. ABSTRACT (Continue on reverse side if necessary and identify by block number)

The joint military establishment has undergone a number of changes since its inception in 1947. Yet criticisms of the establishment persist in terms of how effectively it renders advice, plans, and conducts operations.

The following changes could help meet some of those criticisms:

DD FORM 1 JAN 73 1473 EDITION OF 1 NOV 65 IS OBSOLETE

S/N 0102-LF-014-6601

UNCLASSIFIED

SECURITY CLASSIFICATION OF THIS PAGE (When Data Entered)

1. Designate the Chairman of the JCS as the Senior Military Advisor
2. Have the Joint Staff work for the Chairman
3. Expedite joint staffing procedures
4. Develop a five year, fiscally-constrained joint strategic plan
5. Develop a near-term military strategy
6. Rotate service chiefs as Acting Chairman
7. Establish a Joint Doctrine Division in JCS
8. Establish a Joint Requirements and Programs Directorate in JCS
9. Submit component command budgets through the CINCs
10. Establish a CINC contingency fund
11. Replace the JCS with the Chairman in the chain of command.

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Over the past forty years more than twenty major studies have been conducted on how to best organize the joint military establishment. This fact alone establishes the continuing disatisfaction with the effectiveness of the establishment and continuing inability to "fix" it.

Criticisms of the joint military establishment focus on its inability to deliver good, timely advice from the deliberative process of the Joint Chiefs of Staff; inadequate strategic and war planning; and poorly conducted joint operations.

Yet evidence to support these charges is not readily mustered. It is mainly in the form of anecdotal, personal experiences of senior officials, which is necessarily subjective and open to dispute. Nonetheless, when viewed in its entirety, such evidence makes a compelling case that the joint military establishment is not as effective as it could and should be.

Proposals for change, however, unless viewed in the larger context of the joint military establishment's role in national security, can result in changes which either do not solve the problem, or solve only one part while exacerbating others. It is for this reason that this paper presents an analytical framework for evaluating reform proposals. Specifically, proposals by General David Jones, General Edward C. Meyer, Representative William Nichols, and those proposals put forward in 1983 by the Department of Defense and the Joint Chiefs of Staff are evaluated. The evaluation discloses that none of them, as presented, is adequate to meet the full range of criticisms which cover the entire spectrum of joint military responsibilities.

Historically, reform since 1947 has tended to centralize decision authority, streamline command authority, strengthen the Joint Staff, increase joint military involvement in resource allocation, increase involvement of the CINCs, and be incremental - codifying existing ad hoc practices.

The reason for the latter is that there always exist in the government a number of obstacles to major reform. Today these obstacles exist in Congress, the White House, OSD, the military departments, and the JCS.

For this reason, for reform to take place, it must be incremental, be supported by the major actors, be a codification of existing practices and be done by DoD directive rather than legislation.

Specifically, the following changes are recommended:

- Designate the Chairman of the Joint Chiefs of Staff as the "Senior Military Advisor".
- Have the Joint Staff work for the Chairman.
- Expedite joint staffing procedures.
- Develop a five year, fiscally-constrained Joint Strategic Planning Document.
- Develop a near-term military strategy and conform the CINCs' war plans to that strategy.
- Direct that service chiefs rotate as Acting Chairman.
- Establish a Joint Doctrine Division in JCS.
- Establish a Joint Requirements and Programs Directorate in JCS.
- Submit component command budgets through the CINCs to the JCS.
- Establish a CINC contingency fund.
- Replace the JCS with the Chairman in the chain of command.

While most of these recommendations are incremental, or codify existing practice, their adoption would improve the effectiveness of the joint military establishment in fulfilling its responsibilities.

CHAPTER I

INTRODUCTION

Since World War II, the United States has organized its military establishment in a joint manner, recognizing the fact that, in an increasingly dangerous, complex and interconnected world, single-service warfare is gone forever. The resulting joint military establishment consists of the Organization of the Joint Chiefs of Staff (composed of the Chairman, the Joint Chiefs, the Joint Staff, and various joint agencies, such as the Joint Deployment Agency) and the unified and specified Commands. Nonetheless, vestiges of the pre-World War II service-oriented military establishment continue to exist in the form of the military departments (and, were expanded in 1947 with the establishment of the new Department of the Air Force) and powerful service component commands in the unified commands.

The shift to "jointness" has not been an easy one. Since its inception, the joint military establishment has been studied ("to death", in the view of many people), criticized (unfairly, in the view of others), reorganized and debated. The current round of debate was sparked in 1982 by criticism of the existing organization and recommendations for change by the outgoing Chairman of the Joint Chiefs of Staff, General David Jones. The outgoing Army Chief of Staff, General Edward Meyer, went even further in criticizing the organization and calling for changes. Those criticisms, viewed in the context of the international and domestic settings, prompted Congress to hold extensive hearings on the subject of JCS reorganization. The resulting 1984 legislation, Public Law 98-525, made only modest changes in the

current structure. However, continuing interest in the subject and congressional promises that the subject would be a "top priority" in the next legislative session, seem to indicate that this current round of debate is far from over.

However, two essential questions must first be answered if productive change is to occur. First, what are the problems with the current joint military establishment? Second, can organizational changes correct those problems, and if so, which ones should be made and how?

With regard to the second question, there are at least two schools of thought. One school says that it is not the boxes on the organizational chart that matter as much as the "blokes" in the boxes. Or, as Air Force Secretary Verne Orr put it, "The right people will work successfully regardless of the organization and the wrong people can't work at all no matter how perfect the organization is."[1]

An alternative school holds that, while organizational changes may not resolve all the problems which exist, organization does affect effectiveness and, therefore, reorganization can increase efficiency. As former Defense Secretary Harold Brown stated, "[there] is no excuse for not dealing with military organizational problems, which do, as history shows, substantially affect the military effectiveness of any military establishment."[2] The number of improvements which have been made through organizational change since World War II (particularly the National Security Act of 1947 which established, inter alia, the joint military establishment) would seem to suggest that the latter school of thought has a great deal of merit. Such a conclusion does not negate the views of people like Secretary Orr, but only

claims that his view looks at the two extremes. There are other, possibly more frequent situations, where the people involved are neither the "right" ones or the "wrong" ones, but rather ones whose effectiveness can be improved by better organization.

Further, the effectiveness of the organization of the military establishment can not be evaluated in isolation from existing international and domestic factors. Changes in weapons, communications, the military threat, and alliances - to name but a few - have combined to change the nature of warfare. Thus, the current military organization, which had been adequate previously, may now be obsolete. It also should be noted that it is difficult at best to determine, a priori, the actual results of any organizational change. Personalities, time and circumstance have a way of shaping changes which often can take them far afield from their intended results.

Even if one agrees that changes are necessary, one is still left with the question of how such changes should be enacted. Should they be done internally, by DoD directive, or by legislation? The answer to this question will determine how easily they can be done (or undone) and may have constitutional implications affecting the President's role as Commander-in-Chief and his relationship with Congress. This aspect will be pursued further later in the paper.

Returning to the first question, what are the problems with the current joint military establishment? To answer this question adequately, one must examine the responsibilities of the establishment. Basically, they are threefold:

- To provide timely and high-quality joint military advice to the President and the Secretary of Defense;
- To conduct joint planning;
- To conduct joint military operations.

The responsibility to provide joint military advice is essentially that of the Joint Chiefs of Staff, flowing from Title 10 of the US Code which designates the Joint Chiefs of Staff (which includes the Chairman) as "the principal military advisers to the President, the National Security Council, and the Secretary of Defense."[3] This situation does not preclude the National Command Authority from soliciting (or receiving) advice from other sources such as the Commanders-in-Chief (CINCs) of the Unified and Specified Commands.

The responsibility for joint planning encompasses three areas: strategic planning, war planning, and logistics planning. Strategic planning is a responsibility of the Joint Chiefs of Staff, as prescribed by Title 10.[4] Strategic planning is designed to set long term strategic goals and objectives of the armed forces in order to accomplish the national objectives established by civilian authorities. The primary JCS document for strategic planning is the Joint Strategic Planning Document (JSPD), which in theory should be used as a basis for force planning, programming and budgeting. War planning is done primarily by the CINCs, in their role as the "war-fighters", to meet near term requirements. The CINCs' war plans describe how the forces under their operational control might be employed in the event of conflict today. The CINCs receive guidance from the JCS in the formulation of their war plans through the requirements and forces available for planning

delineated in the Joint Strategic Capabilities Plan (JSCP). The war plans are reviewed by the JCS, but the amount of JCS influence over them varies, with CINCSAC's war plan (the Single Integrated Operational Plan - SIOP) being probably the one most directed. Logistics planning is done by the JCS in support of strategic and war planning.

The responsiblility for conducting joint military operations rests primarily with the CINCs, although the preferences of the National Command Authority obviously can and do affect operations. At one extreme, for example, it is well known that targets for bombing missions in North Vietnam during the Vietnam War were selected in the White House. At the other end of the spectrum, it appears that CINCLANT had considerable freedom in his conduct of the Grenada operation.

Given that these are the responsibilities of the Joint Military Establishment, there are widespread perceptions that these responsibilities are not fulfilled as effectively and efficiently as they should be. For example, a Wall Street Journal editorial claimed,

> "As things stand now, the Pentagon is not a fighting machine. It is four separate organizations that compete for budget money and the favor of Congress. Its command structure is such that no one has sufficient power to integrate the forces provided by the services into unified, mission-oriented fighting groups... Even in some of its more successful operations of recent years, the US military has shown it is weak in joint-operations planning and execution."[5]

These perceptions have been exacerbated by fiscal difficulties (such as the budget deficit) and consequent pressures on defense resource allocations, heightened by the continually growing Soviet threat, fueled by recurring

stories recounting gross inefficiencies and waste in defense spending, and exemplified by apparent military "failures" such as occurred in Iran and Beirut.

This paper will examine whether such perceptions are justified, and if so, what changes, if any, can and should be made to increase the efficiency and effectiveness of the joint military establishment. The paper will focus on the JCS and the Unified and Specified Commands. The larger question concerning the organization and operation of the Defense Department, with its military departments, numerous agencies, and the Office of the Secretary of Defense is outside the scope of this study. Those entities will be considered only as they directly impinge upon the more narrow joint military establishment.

I will first construct an analytical framework with which to evaluate the current organization and proposals for change. A brief history of the joint military establishment will lead to an identification and evaluation of current criticisms. An analysis of the Jones proposal, the Meyer proposal, the Nichols Bill, and the recently passed Public Law 98-525 (as representatives of the myriad of reorganization proposals) will be made using the analytical framework. An examination of the current positions of the major actors - Congress, the White House, OSD, the JCS, and the military departments - will identify the prerequisites for, and obstacles to, reform. Finally, I will conclude with a set of recommendations designed to meet those prerequisites as well as the requirements of the analytical framework.

CHAPTER II

THE ANALYTICAL FRAMEWORK

It is tempting to evaluate the current organization and proposals for change simply in light of how well each enhances the capability of the joint military establishment to fulfill a particular responsibility, such as providing military advice. To take such an approach, however, ignores the interrelated nature of the various responsibilities and runs the risk of making a "fix" in one area which degrades the capability to fulfill other responsibilities. Further, there may be inherent tensions among the responsibilities which effectively preclude reaching an optimal solution for each and force one to settle for maximal solutions for all.

For example, a proposal to create a single military Chief of the Armed Forces could arguably increase the efficiency of the military in conducting joint operations since it would vest command authority in a uniformed person, rather than civilian (like the defense secretary) and a single person, rather than a committee (like the Joint Chiefs of Staff). Yet, such a proposal, standing alone, could threaten other responsibilities, such as providing military advice, by making the military a rival to, instead of adviser to, the defense secretary and by stifling the views of other senior military officers, thereby degrading the quality of the advice.

There even may be tensions inherent within each responsibility. To be effective, advice should be both timely and of good quality. While timeliness may be enhanced by having a single person provide the advice (for example, the Chairman vice the Chiefs), the quality of the advice may be lessened if other

views are not heard.

To avoid these problems, it is useful to describe the national security structure from top to bottom in terms of the points of interaction with the joint military establishment. In this way, proposals can be analyzed by examining them in this framework of the national security structure, tensions identified and made explicit, and trade-offs consciously made.

The national security structure, as it pertains to the joint military establishment has three basic components, national strategy, national security policy, and national security posture[6] (see Figure 1). National strategy is a rather slippery concept which has seldom been well-articulated and in the formulation of which the military establishment qua military has little involvement since it is essentially political in nature.

National security policy can be viewed as being the integration of military policy, economic policy, and diplomatic policy designed to implement the national strategy.[7] Naturally, the military establishment is most involved with military policy, but it does play a role in the other two policy components as well. For example, in economic policy, dependence on foreign-supplied oil has a direct national security implication. In diplomatic policy, the nature of alliances and arms control negotiations are but two examples which have national security implications.

National security posture is the result of military strategy and force structure.[8] Designed to meet the requirements of both deterrence and a war-fignting capability, the national security posture is the direct responsibility of the military establishment and includes war plans, military doctrine, force procurement and structuring, and command and control of military forces.

ANALYTICAL FRAMEWORK

- NATIONAL SECURITY POLICY
  - DIPLOMATIC
  - ECONOMIC
  - MILITARY

ADVICE

NATIONAL SECURITY POSTURE

PLANNING AND OPERATIONS

- MILITARY STRATEGY
  - WAR PLANS
  - MILITARY DOCTRINE
- FORCE STRUCTURE
  - PROCUREMENT
  - COMMAND AND CONTROL

The current military establishment, as well as proposals to change it, will be evaluated later in terms of how well its responsibilities for advice, planning, and operations are met or would be met within this structure.

CHAPTER III

A HISTORY OF REFORM

A brief recounting of the changes, and proposals for change, in the joint military establishment is useful in three ways. First, it places today's organization (and reform proposals) in an historical context. Second, it shows that current criticisms and proposals are not new and, in fact, have been voiced (and in some cases, acted upon) since the joint military establishment was formed (see Annex B). Some people conclude that this record demonstrates that incremental change cannot resolve fundamental problems. Others conclude the opposite - the history of US national security since World War II demonstrates that only incremental changes were needed to allow the joint military establishment to fulfill its reponsibilities adequately. This issue is critical, because many reform proposals today hinge on the question of "how much change is enough." Finally, an historical review can indicate trends in organizational reform which may identify directions for future changes.

The JCS were established by presidential directive during World War II primarily so that the US military would have a counterpart to the British Chiefs of Staff to represent the US on the combined US-British Chiefs of Staff. The original members were the Army Chief of Staff, the Chief of Naval Operations and the Commanding General of the Army Air Force. Admiral Leahy was designated later as the Chief of Staff to the Commander in Chief, serving as a de facto chairman with a primary responsibility for liaison between the JCS and the President. There was no Joint Staff; rather the JCS relied upon a

series of joint committees and agencies for their staff support. Unified commands were established, with the services designated as executive agents. A European Command was formed under Army control, a Pacific Command under the Navy, and a Southwest Pacific Command under the Army. Two Army Air Force Bomber Commands were essentially the forerunner of today's specified commands.

As the war wound down, attention was focused on what the post-war military establishment should look like. In 1945, Army General J. Lawton Collins proposed codifying into law the Joint Chiefs of Staff structure. At the same time, he recommended the establishment of a single Chief of Staff of the Armed Forces who would: (1) be the principal military advisor to the President and the Secretary of Defense, (2) exercise authority over the operational commands and (3) exercise authority over the services. The Navy view, as expressed in Ferdinand Eberstadt's Report of 1945, was that the existing arrangement had worked well during the war and should be continued without major change.

The National Security Act of 1947 (which provided the basis for Title 10 of the US Code), although the result of a compromise between the Army and the Navy, followed Eberstadt's proposals more closely than those of Collins. The act provided legal authorization for the Joint Chiefs of Staff and authorized a Joint Staff (of 100 officers) and a Director of the Joint Staff, both entities to be responsible to the corporate body of the Joint Chiefs. The act provided legislative authority for the establishment by the president of Unified and Specified Commands (Truman had approved the first Unified Command Plan in 1946), and allowed for officers to be designated as Chief of Staff to the Commander-in-Chief (as Admiral Leahy had been). In practice, nowever,

this position was never filled.

The 1949 amendments to the act followed the thrust of the 1948 Hoover Commission Report and pulled the military departments and the JCS into a centralized Department of Defense. The amendment also created the position of Chairman of the Joint Chiefs of Staff as a member (without a vote) of the JCS and directed that he shall:

> "(1) preside over the Joint Chiefs of Staff, (2) provide agenda for the meetings of the Joint Chiefs of Staff and assist them in carrying on their business as promptly as practicable; and (3) inform the Secretary of Defense, and, when the President or the Secretary of Defense considers it appropriate, the President, of those issues upon which the Joint Chiefs of Staff have not agreed."[9]

The Chairman was specifically prohibited from exercising military command over the JCS or any of the armed forces.[10] The Joint Staff was expanded to 210 officers.

In 1953, Eisenhower, through executive action, gave the Chairman the authority to manage the Joint Staff and further made the selection and tenure of Joint Staff officers subject to the Chairman's approval. Further, the military departments were brought into the chain of command by revising Department of Defense Directive 5100.1.[11] The revision was intended to strengthen civilian control by inserting the service secretary (of the military department acting as executive agent) between the Secretary of Defense and the service chief (and thence to the combatant commander).

By 1958 Eisenhower had decided that further changes were needed. He submitted a set of proposals to Congress which became the Department of Defense Reorganization Act of 1958. The Chairman was given a vote in JCS

deliberations, authorized to task the Joint Staff on his own authority, and authorized to select the Director of the Joint Staff. The size of the Joint Staff was expanded to 400 officers and the Chairman was authorized to manage it on behalf of the Joint Chiefs of Staff. The 1953 command arrangement was deemed to be too cumbersome, so DoD Directive 5100.1 again was revised establishing two separate command channels. The operational channel went from the Secretary of Defense, through the JCS, to the commanders of the unified and specified (combatant) commands. The support channel went from the Secretary of Defense to the military departments (and thence to the service component commands of the combatant commands).[12] Additionally, Vice Chiefs of each service were established and the service chiefs were directed to delegate more authority to the Vice Chiefs for running the service and to devote more attention themselves to their responsibilities as Joint Chiefs.

The 1958 reforms were the last major change to the joint military establishment -- although Eisenhower clearly saw them as the first step in an evolutionary process.[13] Over the past five years a number of DoD actions have sought specifically to involve the joint military establishment more effectively in the resource allocation process. The Chairman of the JCS has been made a member of the Defense Resources Board (DRB), where final trade-offs are made between competing service programs. He also has been made a member of the Defense Systems Acquisition Review Council (DSARC). The CINCs now provide information to the DRB, concerning their high priority needs and the services must explain how (or why not) they are meeting those needs.[14] A Strategic Plans and Resource Analysis Agency (SPRAA) has been established under the Director of the Joint Staff to "assist the Joint Chiefs of Staff in

fulfilling their statuatory responsibilities to review the major material and personnel requirements of the Armed Forces in accordance with strategic and logistic plans."[15]

Finally, Public Law 98-525, passed in 1984 as part of the DoD FY85 Budget Authorization Act, incorporated some of the changes sought in the House-passed Nichols Bill. Specifically, the Chairman was appointed as the spokesman for the CINCs on operational requirements, and the tenure of Joint Staff officers raised from three to four years. The three year cap on tne Director's tour was lifted and provisions were made for the Chairman to select Joint Staff officers from the "most outstanding" officers of each service. Finally, the chairman was given the authority to determine when issues on the joint agenda would be decided.

From the foregoing discussion at least six trends can be discerned. First, there appears to be a slight trend toward centralization of decision authority (e.g., the creation of OSD and strengthening of the office of the chairman). Second, there appears to be a trend toward streamlining command authority (e.g., the establishment of combatant commands). Third, efforts are continually made to strengthen the Joint Staff, in terms of both quantity and quality and in terms of more specific responsiblity to the Chairman. Fourth, increased, effective participation by the joint military establishment in the resource allocation process has been increasingly sought. Fifth, a greater involvement by the CINCs has evolved, not only in resource allocation, but also in doctrinal development and war planning. And sixth, legislated changes have codified existing practices, rather than breaking new ground.

CHAPTER IV

CRITICISMS OF THE JOINT MILITARY ESTABLISHMENT

Despite these reforms, criticisms persist. Criticisms of the joint military establishment can be grouped according to the three categories of responsibilities outlined earlier - advice, planning, and operations. Quite often the criticisms spill over from one category to another, a fact which further validates the use of a larger analytical framework, such as the one constructed in this paper, to evaluate those criticisms and proposals for change. The advice responsibility, for example, can relate to advice on items of diplomatic policy, such as arms control, or to items of military policy, such as strategy or force structure. Further, most criticisms are either anecdotal or based on personal observations or both. There has been no serious, empirical investigation of what problems exist. The nature of the institution, however, makes such an investigation nearly impossible. As Army Undersecretary James Ambrose has noted, the only way to know for certain whether the current structure is effective or not is to have a war - and it definitely is not worth having a war just to find that out.[16]

Nonetheless, there is some validity in determining what the recipients of military advice think of the advice they receive, what members of the JCS think about their own capabilities to plan, and what the CINCs think about their ability to conduct joint operations.

Advice. The key criticism, assistant defense secretary Lawrence Korb maintains, is the indisputable inability of the JCS to provide good and timely advice from the deliberative planning process (as opposed to advice in a

crisis). He cites as an example the fact that it recently took two years to receive a JCS response to an inquiry on what the proper troop strength level in Europe should be and even then the response was vague and imprecise.[17] Of course, it may be that the JCS was deliberately vague (not willing to be tied down to a specific number that could become a ceiling rather than a floor for troop levels) and slow (hoping that the problem would go away). If so, then the JCS was acting no differently than any other government agency when forced to address an issue they did not want to address. But such a conclusion does not resolve the basic issue of providing in a timely manner good military advice which has been solicited by civilian authorities.

Former defense secretary James Schlesinger argues that, "the existing structure of the JCS, if it does not preclude the best military advice, provides a substantial, though not insurmountable barrier to such advice."[18] Former Undersecretary of the Navy R. James Woolsey has characterized the corporate advice of the Joint Chiefs as "intellectual flab clothed in flaccid prose."[19] Former Undersecretary of Defense Robert Komer observed "I was not given much military advice corporately by the JCS because it was perfectly clear to them, as well as to me, that the corporate advice they were able to give would not be terribly useful."[20]

Former CNO Admiral James Holloway has countercharged that criticisms labelling JCS advice as bad are "a euphemistic way of saying that when the JCS do not provide the desired answer they are providing bad advice. Having dismissed the JCS with this charge, the administration, or Congress or the media, or the public shop around and find their own military experts who will say what they want to hear."[21] While such a claim is undoubtedly true

occassionally, such a conclusion still begs the question of whether advice is more often labelled "bad" because it does not address the issues adequately or because it is not what decision-makers want to hear. Further, to conclude that Holloway's claim holds most often is to cast the strongest of aspersions on the motives and intentions of our elected and appointed officals, not only in a particular administration, but over time, since such criticisms of JCS advice are not unique to the officials of one administration.

Senior civilian officials do not criticize the capability of the nation's senior military officers to provide timely and good advice on their own. As former defense secretary Harold Brown points out, advice he received from the service chiefs as individuals was "very wise, very thoughtful."[22] Rather, it is the corporate advice received from the joint structure which is viewed as being dismal. Former national security adviser Brent Scowcroft observes that as long as the military is run at the top by a committee, you "will not get the kind of unalloyed advice that the President needs from the wealth of intelligence and wisdom that resides in the military services."[23] Brown is more specific in stating that the papers and positions produced by the joint system were "perfectly adequate, pedestrian outputs" or on important or contentious issues, where service interests were involved, were "either a useless logrolling exercise, or else downright mischievous by suggesting something that obviously couldn't work".[24] "On procurement", Brown goes on to say, "you always get logrolling. But on operations, you would get a situation where the most important thing would be that nobody's ox got gored, that everybody has a piece of the action and that there was no substantial shift in the previously negotiated responsibilities".[25] (Note the overlap

here between criticism of advisory responsibilities and operational responsibilities of the JCS). The result of the situation Brown describes is pointed out by Schlesinger. "The office of the Secretary of Defense has provided the analyses cutting across service lines which the Joint Chiefs of Staff cannot now provide".[26] The point is that "joint" advice will be provided to the Secretary - he needs and demands it. The only questions are what role will the JCS play in its formulation and how much influence will they have.

Even some of the Chiefs seem to recognize the inadequacies of their institutional advice. Some of the 1982 incumbents have been quoted as saying "...Joint advice frequently has no impact", and "Procedural changes within the Joint process are needed to encourage prompt, objective and Joint consideration and resolution of issues..." and, "the JCS staffing procedure is flawed. It seeks the lowest common denominator."[27] Thus, while some chiefs, such as Admiral Holloway, extol the virtues of the fact that the Joint Chiefs are able to reach unanimous decisions on nearly every issue, other chiefs such as Air Force General Lew Allen characterize those decisions as "mush".[28]

There is an air of self-fulfilling prophecy about the problem of advice. If the JCS provide bad advice, then the defense secretary is not likely to listen, and increasingly less likely to ask for it. This in turn, as former Army chief General Harold K. Johnson notes, often forces the JCS to seek unanimity on issues in order to increase their influence by presenting a united military front on issues.[29] Unfortunately, in the quest for unanimity, the quality of the advice can be degraded. This degradation leads

to an even greater disinclination on the part of the defense secretary to seek and use joint military advice. Further, there are those who argue that divergent views on the part of the Chiefs are both necesssary and useful, in that they highlight the real issues involved, present civilian leaders with a greater range of options from which to choose, and avoid the problem of lowest-common denominator advice.

But the availability of divergent views can be used as a wedge to divide the chiefs and such division can allow the defense secretary to pick and choose among the advice until he finds the one which supports his favored position. Further such divisions among the chiefs are trumpeted by the press and seized upon by the Congress as evidence that there is not complete support for the defense secretary's (or president's) position on a particular issue.

Thus, it would seem necessary to establish the credibility of joint military advice at the start of each administration. Establishment of credibility is complicated if the JCS is seen by the incoming administration as "belonging" to the previous administration due to JCS support of previous policies. Part of this problem is alleviated through the normal rotation process, as new officers are selected to serve as the JCS by the new administration. Nonetheless, one is still left with the issue of timely and good advice in the interim.

I have argued elsewhere that much of the influence and effectiveness of the JCS currently rests on the quality of the personal relationships between the Chiefs and between them and the secretary of defense and the president.[30] Indeed, General John Vessey, the current Chairman of the JCS, argues much the same thing.[31] Certainly, good personal relationships among

those parties go a long way in establishing trust, confidence, credibility and influence - a situation which seems to hold today with the current players.[32]

But, what if those relationships do not exist, as is often the case at the start of a new administration? How can they be established, nurtured and strengthened? Obviously, personal relationships (like leadership) can not be legislated nor directed--they must be developed. It would appear that they could be developed, barring severe personality conflicts, if the joint military establishment, as an institution, was perceived as being able to render timely and quality advice regardless of the particular individuals serving at the time. That perception generally does not exist today.

Various participants ascribe the lack of timely and quality advice to various structural deficiencies. Some, such as former Army Chief, General Edward Meyer, blame the "dual-hat" nature of the system, where chiefs of the services are also the Joint Chiefs. This situation results in an inherent conflict of interest, in their view, since one cannot expect a service chief to do other than defend the programs and positions of the service he represents. Yet, in his role as a Joint Chief, he may be asked to rule against those very service programs and positions. This is impossible to do, critics maintain, and the result is that service interests dominate joint interests, and logrolling occurs among the chiefs where they each defend the other's programs and fail to make the tough trade-off decisions. Further, dual-hatting gives one person two full-time jobs, and when time constraints build the joint responsibility can be given short shift, despite the presence of service vice chiefs, whose position was created to ameliorate this difficulty. Thus, for example, in the five years between 1976 and 1981, only

24% of the time were all the members present for a JCS meeting, and 40% of the time two or more were absent.[33]

Others counter that dual-hatting is not a counter-productive burden. Former CNO Admiral Thomas Hayward testified that "while I am a naval officer first, I am also well aware of my obligations and responsibilities as a member of the Joint Chiefs of Staff."[34] Further, General Vessey recounts a situation where Admiral James Watkins, as CNO, approved a Navy program which General Vessey, speaking for the CINCs, could not support. Admiral Watkins agreed with his perspective, and as a member of the Joint Chiefs, did not support that program either.[35] This example again demonstrates that good personal relationships can overcome the dichotomous nature of the dual-hat system, but does not fully resolve the issue of what to do before those relationships are established.

Still others, such as Admiral Holloway, argue that dual-hatting is a benefit, since joint advice is given by the service chiefs who are the most knowledgeable individuals on the capabilities and readiness of the units in their service.[36] Thus, they argue, removing the service chiefs from the joint policy advice arena could result in advice which was outdated, misinformed, or too limited in scope. Further, others argue that the operational perspective of the joint arena is a benefit to the service chiefs, helping them shape service programs and policies to meet the operational requirements of the CINCS. While this is undoubtedly true it should be kept firmly in mind that it is the CINC, not the service chief, who will have to employ military force and thus in any dispute over programs and policies, the CINC's views should be given priority.

Distinct from those who see dual-hatting as the problem are those, such as Brent Scowcroft, who see the problem as being the committee-like nature of the JCS. By their very nature, these critics argue, committees cannot offer sharp, timely advice. Removing the service chiefs from the joint policy arena would not solve the problem if they were only replaced by another committee. Further, the service chiefs could well continue to serve as Joint Chiefs if there was the authority vested in a single person to force timely and quality advice. Some people, such as Undersecretary of the Army James Ambrose, counter that this authority already exists in the person of the Secretary of Defense.[37] But given the tremendous responsibilities of the secretary and the dozens of subordinates and agencies already reporting to him, it is unlikely that he will have the time or inclination to participate so deeply in JCS deliberations.

Finally, there are those who lay the blame for poor advice directly at the door of the Joint Staff. Since the law stipulates that "the Chairman of the Joint Chiefs of Staff manages the Joint Staff and its Director, on behalf of the Joint Chiefs of Staff", its product can only reflect the committee nature of the system.[38] Former Director of the Joint Staff Vice Admiral Thor Hanson has testified "that the job was very frustrating because I was directing a staff that worked for a committee, not an individual," and that this fact "was made very clear to me...on a daily basis".[39] This situation has led some people, like former CINCPAC Admiral Robert Long, to conclude that "on some occasions the chairman has been reluctant...to specifically task the (Joint) staff and to direct it. I would recommend clarification of that so

that clearly the chairman does have some direct authority over the Joint Staff."[40]

Others who blame the Joint Staff for poor advice claim that the services, especially the Navy, have not in the past put their best officers on the Joint Staff. Vice Admiral Hanson notes that, "during my two years as director, not one lieutenant commander or commander on the Joint Staff was selected below the zone for promotion." Further, he notes that "Navy Joint Staff selection percentages consistently lag far behind not only Navy headquarters staff percentages, but also the overall fleet average."[41]

Planning. Criticism of the joint military establishment's fulfillment of its planning responsibility can be divided into three categories - strategic planning, contingency planning, and war planning.

Strategic planning, in this instance, is not planning for national strategy, as in the previously constructed paradigm. Such planning more appropriately falls within the purview of elected and appointed civilian officials and the military input to that process is more accurately characterized as advice. Rather, strategic planning in this context refers to long range planning of military strategy - goals, objectives, tasks, and requirements.

The criticism is that the JCS does not do strategic planning or does not do it well. Schlesinger observes that the JCS, as currently organized, and as they now function, does not participate in a meaningful way in the development of long range strategy for our military forces.[42] Elliot Richardson claims that "there has been a tendency of civilian components of the government to take over... strategic planning functions, partly because they weren't being

carried out adequately by the Joint Chiefs of Staff."[43] Ambrose cites as evidence of this inadequacy the fact that the JCS has been recommending the same number of Army divisions for the past 25 years, independent of shifts in US interests and the threat and that he "can't find any sound basis" for the recommendations.[44]

One reason for this inadequacy on the part of JCS long-range planning is the fact that there is no institutionalized long-range planning procedure for developing national strategy. Each administration does that differently and often on an ad hoc basis. While a number of departments and agencies, such as defense and state, work on providing overall internal guidance, rarely are they integrated into a coherent, cohesive national security policy, much less a national strategy.[45] As former CNO Admiral Thomas Moorer points out, "we have not had a formal document setting forth national objectives since Mr. Eisenhower's term. So the Joint Chiefs of Staff have to kind of put it together from the state of the Union message, press releases, testimony, and things of that kind."[46] There are indications that the current administration has succeeded in putting together an integrated national strategy, but its linkages with military strategy are not clear.

A further reason given for the inadequacy of JCS strategic planning is that there is no connection between the joint strategic planning document (the JSPD) and the force programming and budgeting done by the services. Some critics conclude that "because it is not limited by likely budget totals, the JSPD is widely disregarded as unrealistic and, therefore, as relatively unimportant to the PPBS system."[47] This situation is in fact true, and should come as no surprise, since the JSPD projects 11 years into the future

where it is impossible to accurately determine available resources. Further, the JSPD cannot set effective programming goals since the defense program projects only five years ahead.

Other criticisms of the joint military establishment's ability to plan focus on contingency and war planning. Both types of planning are typically done by the CINCs and represent kinds of military strategies for the near-term, but without the benefit of an overarching, global military strategy.

In the case of contingency plans, Komer claims that in his review of nonnuclear contingency plans he was particularly disturbed by their assumptions on the availability of resources and forces. "...[T]he contingency plans were too generalized, depended on the availability of resources and units which were sometimes notional, that is, they didn't exist, and involved a great deal of overlapping use of resources that would probably not be available in two places simultaneously."[48]

One CINC has stated that "the CINCs sometimes get fuzzy guidance from the Joint Chiefs of Staff. The CINCs recognize that JCS guidance must be based on OSD guidance that may itself tend to lack specifics; but it is virtually impossible for a military commander to deal with a military mission that depends on guidance objective such as 'deter', or 'dissuade'."[49]

The problems are compounded by the fact that the CINCs have the responsibility for executing the plans, but they do not (totally) control the present resources to do so. The forces assigned to combatant commands are assigned only for "operational control" and essentially belong to the services' component commands (within the combatant command).[50] Additionally, forces not assigned to combatant commands remain "for all

purposes" in the military departments.[51] Further, the CINCs have little control over the resource allocation process; therefore, they cannot directly increase their future capabilities to accomplish their mission. Any desired programmatic or budgeting change must go down to the CINC's component commands and back up to the military departments for incorporation in the service programs. The result, General Paul Gorman, former CINCSOUTH, notes, is that "program elements (submitted by Component Commanders) are not always handled within the services with the priority that we CINCs serving in the field would like to see."[52] Recent changes, described earlier, involving the CINCs more deeply in the DRB process, requiring the service programs to specifically address CINCs' priorities, and the involvement of SPRAA, may alleviate some of these problems. But the fact remains that the CINCs have no programmatic authority and cannot directly shape the forces they will have to lead to war. As Admiral Crowe, CINCPAC concludes, despite these changes, the unified commander's "influence in the resource allocation process is not yet commensurate with [his] responsibilities".[53]

Further, in the heat of the "battle of the budget", planners sometimes lose sight of what the real battles may require (or are forced to ignore them). An officer in Air Force Plans described the process in the following way. The service program is initially put together using the following criteria, in priority: 1) Operational requirements, 2) Dollars available, 3) Acquisition capability, and 4) Political considerations (e.g. where the system will be built). In the process, however, the priorities get turned on their head and operational requirements become the least important.[54]

Joint Operations. Since many criticisms of planning responsibility

concern planning for operations, clearly many of those same criticisms are directed as well to the conduct of operations.

Identifying specific criticisms directed solely at operations is more difficult. First, operational mistakes may be as much the result of the fog and friction of war as anything else; it is therefore arguable that any specific military failure could not have been forseen and corrected in advance. Second, the joint operational capability has not been severely stressed since World War II. Without such a major test it is difficult to know if occasionally occurring deficiencies are manifestations of systemic problems or only non-recurring incidents. Finally, operational defects tend not to repeat themselves, making it difficult to isolate a problem and correct it.

Nonetheless, criticisms have been levelled at the joint operational capability. The commander of US Forces Grenada, for example, has concluded that "we need to get better at joint operations with the Navy."[55]

Generally, criticisms seem to fall into three groups; transition to wartime, military doctrine, and command and control. General Meyer argues that our peacetime organization is not conducive to war fighting and thus, should war occur, we will be forced to shift to a more effective ad hoc wartime organization. In an age of intercontinental missiles, mechanized land forces, and long range aircraft, such a transition could reduce our ability to respond militarily in a timely manner and could prove to be the decisive factor in the war. General Andrew Goodpaster testified that indeed such a transition took place during the Vietnam conflict.[56] Fortunately, the

threat in that case was not severe enough to cause irreparable damage to US security as a result of the transition.

Those who argue that current military doctrine is inadequate for supporting joint operations point to the fact that doctrine is typically service-oriented, not jointly oriented, since the services are charged with the responsibility for training their forces. The results of this situation can be adverse. General Gorman states that doctrine "is peculiarly the province of each service which is charged with developing the service peculiar material and training, but the situation can arise, and has, in which joint concepts, requirements, and ideas are slighted by services in discharging those responsibilities."[57]

A report prepared for CINCLANT on the Grenada operation, for instance, appears to conclude that "airspace management lacked coordination and that could have resulted in 'more serious' problems, if hostile fighters had been present."[58]

Not all criticisms of military doctrine focus on service dominance, however. Over the past few years the Army and the Air Force have been working together to develop a joint military doctrine called AirLand Battle (ALB), which defines how those two services would fight future wars in a mutually supporting way. Nonetheless, the SACEUR, commander of the theater in which such a joint doctrine would prove most efficacious, has rejected AirLand Battle and instead persuaded NATO to adopt as military doctrine a slightly different approach known as Follow-on Force Attack (FOFA). The two doctrines seek to achieve victory in Europe by different means. The CINCUSAREUR, who is also the NATO CENTAG commander, seems to have side-stepped part of this

problem by directing his corps commanders to use ALB as their operational doctrine, even though he must follow FOFA.[59] But, by doing so, other problems in the theater may arise if adjacent army groups (and supporting air forces) are not following the same doctrine.[60]

Finally, there are those who focus on cumbersome and ineffective command and control as degrading our capability to conduct joint operations. This perspective has two major aspects. First, the unified commands are not truly joint, but rather more like a loose confederation of single-service forces. For example, the service-oriented component commands are not responsible to the CINCs either in doctrinal terms (as noted in the above ALB-FOFA example) or in resource terms (as noted earlier in the discussion on strategic planning). General Rogers points out "The service views are well represented...[but] the cross-service or joint views have a smaller constituency and limited formality of expression..."[61] As a result, joint operations can degenerate into a series of individual service actions, lacking cohesiveness and integration.

Second, the service-dominated, committee nature of the JCS can result in each service demanding a "piece of the action", as Schlesinger pointed out, and therefore less efficient operations. An example of this committee command structure leading to less efficient military operations, some argue, was the fact that four different air wars were conducted in Vietnam - one by the Air Force, one by the Navy, one by the Army, and one by the Marine Corps. By implication, an integrated, combined command structure could have avoided such a situation. As LTG John Cushman concludes, "because the military services

and departments are the strong and enduring institutions of the military establishment, the JCS have long been failing the field commands in their harmonizing functions."[62]

CHAPTER V

REFORM PROPOSALS

A number of proposals have been made to correct the perceived problems of the joint military establishment in effectively and efficiently fulfilling its responsibilities in advising, planning, and operating. This section will examine four--the Meyer proposal, the Jones proposal, the Nichols Bill and the JCS/DoD proposal of 1983.

Meyer Proposal. General Meyer saw the preeminent problem as being the "dual-hatting" of the service chiefs as joint chiefs. Therefore, he recommended eliminating this situation by eliminating the JCS organization and creating a National Military Advisory Council of distinguished four-stars from each of the services to develop military strategy and translate policy into programming guidance for the services. The Council chairman would direct the Council, manage the Joint Staff, and be the principal military advisor. Once the defense secretary approved council recommendations, those recommendations would be binding on the services. The services would be charged with executing budgetary programs and focusing on the discrete service aspects of doctrinal, tactical, and technological innovation. The CINCs would do near-term contingency and war planning based on guidance from the chairman and the council.

Meyer's proposal is similar to that proposed by the first CJCS, General Omar Bradley, and advocated by others since then, such as Senator Symington in his 1960 report. How would Meyer's proposal affect our national security policy and national security posture?

In terms of national security policy, Meyer's proposal might increase the quality of advice on diplomatic, economic, and military policy by establishing an advisory council free of service parochialism and unencumbered by the need for protecting service interests. On the other hand, the quality of advice could be degraded by what some term the "Ivory Tower complex". That is, by being separated from the day-to-day status and operations of forces, the advisory council could render advice that is unrealistic or out-of-date. Additionally, the Council might lack the institutional clout needed for obtaining the information necessary to make effective decisions.

Further, some argue that Meyer's approach divides responsibility for policy planning from responsibility for policy execution, thus making it difficult to affix responsibility. On the otherhand, some argue that the current system suffers the same defect, since the JCS does policy planning, but the CINCs execute the policy. As General P.X. Kelley testified in House hearings on the Beirut bombing incident, the service chiefs (and Joint Chiefs) are not in the operational chain of command, and thus are not responsible for operational failures.[63]

The first problem could be alleviated by the council members keeping close track of the status of forces tnrough interaction with the service chiefs and CINCs. Since the council's advice on national security policy would deal with mid-to-long term policy, the council need not get as involved as tne service chiefs in tne near term details of force status. The second problem relates to the first and could be alleviated by insuring a strong connection between the war plans of tne CINCs (the military policy executors) and the strategic planning guidance of the council. While these linkages may

be implicit in Meyer's proposal, they would have to be made explicit, and mechanisms established for their fulfillment, in order for the proposal to be as effective as possible.

Certainly the strengthened chairman in Meyer's proposal should increase the timeliness of military advice by avoiding the currently cumbersome Joint Staff procedures, which even opponents of JCS reform, such as Admiral Holloway, concede is not timely.[64]

In terms of the military strategy and force structure components of our national security posture, Meyer's proposal could improve the military strategy position, if the above linkages are made. Further, the advisory council's deliverance of program guidance to the services could improve the cross-service, jointness of our force structure.

On the other hand, Meyer does not directly address the areas of military doctrine or operational command and control, both of which have a direct effect on our national security posture.

Jones Proposal. General Jones advocates modifying the current joint military establishment by strengthening the CJCS, giving him more control over the Joint Staff, limiting service staff involvement in the joint process, and strengthening the CINCs' role with respect to their service component commanders.

Jones' proposal could improve the timeliness of advice on national security policy by designating the CJCS, rather than the JCS, as the "principal military advisor" to the President, Secretary of Defense, and National Security Council. As Admiral Harry Train, a former CINCLANT and DJS notes, "It has become more acceptable (for the Chairman to express his

individual views) as the years have gone by. We have evolved into that. Ten years ago it was accepted less than it is today."[65] Certainly the current chairman does not seem bashful about expressing his own views. It may be that this aspect of the Jones proposal would only codify existing practice.

It is not clear that the Jones proposal would materially affect the quality of JCS advice, however. Although enhanced Joint Staff support of the CJCS would improve his capability to render good advice, the retention of the service chiefs in the joint arena provides another avenue of advice to decision-makers. As discussed earlier, there is a divergence of views on the merits of presenting differing advice.

The Jones proposal would affect command and control by changing the command channel to run through the CJCS, rather than the JCS coporate body as is currently the practice. This practice would certainly streamline the command channel, thereby enhancing command and control. It may also enhance the transition from a peacetime to a wartime posture.

Jones would also change the command and control arrangements by strengthening the authority of the CINCs over the component commands. Yet, Jones is not explicit on how this increased authority would be accomplished and it is difficult to evaluate this aspect without specifics. But, in general, it would seem to be a proper approach if it would strengthen the warfighting capability of the CINCs.

Jones pays little attention to the relationship between war plans, military doctrine and force programming with military strategy. In this regard, his proposal is inadequate and would have to be fleshed out before it could be seen as making a comprehensive contribution to the increased

effectiveness of the joint military establishment.

Nichols Bill. Representative Nichols' plan, as encapsuled in H.R. 3718 which passed the House in 1984, sought mainly to enhance the role of the CJCS. It would have made him a member of the NSC, given him control of the Joint Staff, appointed him as "supervisor" of the CINCs, authorized him to provide military advice in his own right, and have run the chain of command through the CJCS, not the JCS.

Of these proposed changes, the most contentious is that of making the chairman a member of the NSC. To do so, argue those like John Kester, is to make him an equal of the individual who is his nominal superior, the Secretary of Defense, and is patently unacceptable.[66] As a result, even strong advocates of reform such as the newly-appointed Chairman of the House Armed Services Committee, Representative Les Aspin, have shown a willingness to drop that approach.[67] Certainly, placing the chairman on the NSC would seem to blur the command relationships and, while it might improve the timeliness of advice, the costs appear too nigh. Furthermore, the chairman is already by law an advisor to the NSC. Such a relationship appears to be adequate.

The Nichols Bill's attempt to appoint the CJCS as the "supervisor" of the CINCs appears to have been an effort to increase the linkage between the JCS and the combatant commands while trying at the same time not to raise visions of a "man on horseback" which could result from making the chairman a commander. This formulation was a step further than Jones' proposal to make the chain of command merely run "through" the CJCS [illegible], in an effort to avoid opposition, Nichols' approach injected additional ambiguity into the picture. As a consequence it is impossible to evaluate its impact adequately.

The other aspects of the Nichols Bill are similar in nature to the Jones and Myer proposals and share the same strengths and weaknesses.

DoD/JCS Proposal. In response to Congressional inquiries, Secretary of Defense Caspar Weinberger made his own recommendation for JCS reform in 1983.[68] Those recommendations were made to him unanimously by the JCS and included putting the CJCS in the chain of command and removing or relaxing legislative restrictions on the Joint Staff in terms of size, tenure and reassignment. In arguing for inserting the CJCS in the chain of command, Weinberger testified: "Placing the chairman in the chain of command is a necessary step to provide smoother functioning of our command system during the transition to war."[69] The current chairman testified that such a command channel was already in place in practice and "works well".[70]

The DoD and JCS concluded that congressional action on other reform proposals was unnecessary as "other improvements can most probably be made within the boundaries of existing legislation."[71]

Public Law 98-525. Subsequently, Congress passed Public Law 98-525 which, inter alia, removed or relaxed some of the legislative restrictions on the Joint Staff and slightly increased the authority of the chairman over Joint Staff officers. (See Annex C for a complete description). Congress did not agree, despite the advocacy of the chairman and the defense secretary, to placing the chairman in the chain of command (although, as noted earlier, neither does the law place the JCS in the chain of command. That is done by DoD Directive 5100.1).

The new law did, however, designate the chairman as the "spokesman" for the CINCs on "operational requirements", a role Secretary Weinberger had

verbally directed General Vessey to perform. Further, the chairman was directed to "determine when (joint) issues under consideration shall be decided". How the first change will be translated in practice remains to be seen. The second change seems to provide the chairman with more authority to insure timeliness of advice.

CHAPTER VI

TODAY'S JOINT MILITARY ESTABLISHMENT

Many of the criticisms of the joint military establishment, as discussed in the earlier section, appear to have been resolved. But many have not. How well does today's joint military establishment fulfill its responsibilities and meet the requirements of the analytical framework for both national security policy and posture?

Since the dual-hatting of the service chiefs continues to be the order of the day, then, to the degree that such a JCS structure presents an inherent conflict of interest and pressures toward protecting service interests, military advice on national security policy will continue to exhibit lowest-common-denominator tendencies. These tendencies can be mitigated to the extent that service chiefs "think joint", as the current chiefs seem to do, but such a situation is personality-dependent, not institutionally-required. Further, because of expanding defense budgets, the current joint military establishment has not had to face the tough choices on resource allocation that earlier ones have confronted, making "jointness" relatively easy. Finally, it is doubtful that even the current ease of jointness will lead to meaningful changes in the long-standing division of roles and missions or changes in the Unified Command Plan.

These tendencies also can be reduced by having the chairman provide his own views, not just those of the JCS. Indeed, that seems to be the current situation. Secretary Weinberger testified, "I also have the Chairman's personal advice, not just as leader of the Joint Chiefs, but in his own right

as the Nation's senior serving military officer."[72] Nonetheless, some previous chairmen have seemed reluctant to exercise that authority, even though Title 10 clearly includes the chairman as a member of the Joint Chiefs of Staff and designates the Joint Chiefs of Staff as "the principal military advisors."[73] Again, this willingness on the part of the chairman is personality-dependent. A change in Title 10 may be required in order to make the chairman, not just authorized to offer advice in his own right, but, indeed, responsible for doing so.

Further, since the Joint Staff continues to work for the corporate body of the JCS, it is still susceptible to delay and watering-down of analysis through consensus-seeking. The chairman's new authority over issue decisions may reduce the delays, but only induce faster "log-rolling." Even though the recent increase in authority of the chairman over selection and tenure of joint staff officers may preclude some of that, the benefits may be at the expense of consuming some of the chairman's time and attention.

Finally, the committee nature of the JCS remains. As long as the defense secretary appears willing to seek and follow military advice, as seems to be the case presently, a committee system is not that disadvantageous. Split decisions on the part of the JCS are allowable and, in fact, may be desirable since they present considered, divergent views to decision-makers. However, should a defense secretary seem less inclined to seek or listen to JCS opinions, unanimity might be sought by the "committee" as a way to increase their influence and the quality of advice could be degraded.

The effectiveness of the joint military establishment in the determination of our national security posture has been increased by recent changes, but much still needs to be done.

In the area of military strategy, the current JCS nave taken a step in the right direction by developing a global war plan and war gaming that plan with the CINCs' war plans to identify deficiencies. But a military strategy and a global war plan are not identical. The former is developed from the top down, that is from the national strategy. The latter is formulated from the bottom up, that is from the CINC's war plans. The increased involvement of the CINCs is useful in determining the nature of the threat and requirements to meet that threat. Yet, since tne CINCs are oriented on the present, such involvement is more useful in the formulation of war plans than in the development of mid to long term strategy.[74]

Further, unless a military strategy is explicitly tied to joint force programming it will also not be useful. The creation of SPRAA in the JCS was intended to provide the cnairman with a capability (albeit limited) to address this proolem. But its subsequent subjugation to the corporate body of the JCS makes it as susceptible as any other part of tne Joint Staff to log-rolling and watered-down analysis. Joint programs are currently managed by a single service designated as the executive agent for the program (with C^3 a notable exception, since the JCS has a directorate coordinating those programs). As a result joint programs often fail to meet joint requirements. The Joint Requirements and Management Board (composed of the Vice Chiefs and the Director of the Joint Staff) was established in 1984 in an attempt to set joint requirements first and then identify joint programs to meet those requirements. Although the JRMB's initial efforts at identifying joint requirements for current joint programs have been successful, it is doubtful,

given the board membership, that it can devote the time and effort necessary to identify all future joint requirements and oversee their execution.

Finally, unless war plans and contingency plans are tied to forces available the usefulness of those plans remains limited. The current global war plan developed by JCS does tell the CINCs the minimum and possible forces available for planning. But, the current command and control arrangements between the services, the CINCs and the component commands preclude effective determination by the war planners of forces actually available.

In the area of military doctrine, a 1982 JCS pilot program directed the CINCs for the first time to work on joint doctrine in areas such as second echelon attack, theater air defense and sea lane defense.[75] That program is not yet complete, but as long as the services hold the primary responsibility for doctrinal development (the JCS do have responsibility for developing certain types of doctrine) we are likely to see more CINC-service disputes such as we saw on FOFA and ALB. Further, as long as the services buy the forces the CINCs would command, the ability of the CINCs to develop doctrine to meet their specific needs will remain constrained by forces made available to them by the services. These problems were compounded by the fact that until recently there was no central agency in the JCS for the development and coordination of joint doctrine. The Policy division, J5, has just been designated as the agency on the Joint Staff responsible for "management of joint doctrine-related matters". Nevertheless, it is not clear that the Policy Division has sufficient resources to adequately fulfill this responsibility.

Finally, in the area of command and control there has been little

improvement. Although the CJCS has additional leverage in his role as the CINCs' "spokesman", it is not clear how this will translate into increased authority. Further, the problem of the CINCs' control over their component commands remains.

CHAPTER VII

OBSTACLES TO REFORM

Assuming that further changes should be made to increase the effectiveness of the joint military establishment, what obstacles stand in the way of enacting such changes? Barriers can be identified in five organizations - the Congress, the White House, OSD, the military departments, and the JCS.

Congress. It is ironic that the institution pushing the hardest for reform is also an obstacle, but such is the case. There are two sources of this inconsistency. To many observers the issue breaks along partisan lines, with the Democratic House trying to force change through an opposing Republican Senate. Indeed, recent experience would seem to indicate that this is true--the House-passed Nichols bill stalled in the Senate.[76] Nonetheless, there is strong bipartisan support for reform in the House and Senators Nunn and Goldwater have formed a bipartisan task force in the Senate Armed Service committee to investigate reform issues.

There is also an inherent Congressional interest in keeping the services from further integration. Many members of Congress would rather have the military departments maintain their individual power. Such fragmentation allows legislators to influence the separate services, play one off against the other, and benefit politically by supporting programs which benefit particular Congressional constituencies.[77] Examples such as Senator Cranston's support for the California-based B1 production and Representative Addabo's support for the New York-based A10 production come to mind. Despite

this inherent interest, however, in recent years many congressmen and senators seem to have submerged their particular interests in favor of support for the JCS reform initiatives eminating from Capitol Hill.

Beyond these institutional characteristics, critics have claimed that there is a Navy lobby at work in Congress. Senator Tower, an ex-Navy man, proved to be a major obstacle to passage of the Nichols Bill by the Senate Armed Services Committee.[78] In this light, last minute maneuvers to incorporate JCS reform into the larger issue of DoD reform was seen as a way of "burying" JCS reform, since DoD reform is so encompassing as to make change nearly impossible.[79] Other Capitol Hill staffers deny this state of affairs pointing out that the SASC Report of 1984 predated this maneuver and included DoD reform along with JCS reform.[80] Nonetheless, this report was never released to the public, ostensibly because the SASC staff director, Jim McGovern, was a close friend of Navy secretary John Lehman, and Lehman was opposed to the report's call for reform.[81]

Given Aspin's newly-won chairmanship of the HASC and Goldwater's interest in, and Nunn's commitment to, reform on the Senate side, the prospects seem likely for renewed efforts toward reform on the part of the 99th Congress. How intense those efforts will be, given the annual Congressional fixation on the budget and current concerns over the deficit, remains to be seen. Further, the Congressional obstacles previously noted will have to be overcome in order for efforts to go beyond the respective Armed Services Committees.

It is not clear what form reform will take - JCS reform or reform of the entire Department of Defense. JCS reform is probably easier, since it would

tread on fewer bureaucratic toes. But there are indications that many in the Senate genuinely feel that JCS reform without DoD reform is only marginally significant. If the latter view prevails, it may be a long time before any further changes are seen, especially without White House and OSD support.

The White House. Clearly, neither the President, nor his advisors, have assigned a high priority to reform to date. As the last major reform in 1958 was a presidential initiative, it seems likely that without presidential support reform proposals will not go far. Current White House thinking seems to be that reform is "Cap's problem" and should remain so, leaving the presidential image untarnished. But should Congressional pressure become strong enough, the White House must be prepared to intercede and work to develop a consensus among the major actors on what changes should be made. To this end, it is likely that White House staffers are already at work identifying what changes can be enacted.

OSD. The Secretary of Defense has also remained relatively uninvolved and uninterested in major reform. Apparently he feels, in part, that it is far more important to devote his efforts to development and passage of each year's defense budget and supporting reform efforts would make the budget vulnerable to Congressional reductions. Further, it appears that the Secretary feels that major reform is not necessary, as the changes of the past four years (noted above) have been sufficient to resolve any shortcomings. Finally, it would be extremely difficult for Secretary Weinberger to start championing reform at this late date, as it could be taken by some people as an admission that he improperly ran the Defense Department for the past four years.

In general, the defense secretary will oppose changes which diminish his authority, as some reform proposals could do. And defense secretaries institutionally oppose legislated changes to components of OSD, seeing such changes as infringing on their executive authority as derived from the president.

Thus, if further change is to come, OSD desires to be the instrument of that change rather than allow Congress to impose it. Yet a delicate balance is at work. With Congressional interest in reform, if DoD showed an interest in it, pressure would mount to achieve even greater change.

It is for this reason that information was closely held on the so-called Cox Group - an ad hoc group established at the direction of the deputy defense secretary under the direction of General Counsel Chapman Cox (until 1984, assistant Navy secretary). The Cox Group has representatives from each of the services roughly at the under/assistant secretary level and from OSD, JCS and, since January 1985, from the NSC. It is charged with keeping track of reform proposals. As yet, they have formed no proposals of their own, in the belief that further reform is not needed until the recent changes are fully implemented and their impact assessed.[82]

It may be that if Congressional pressures for reform mount in the next session, OSD would be forced to respond. If so, then OSD will undoubtedly point out that the Cox Group has been studying reform and concludes that no more reform is needed. If Congressional pressure continues, then OSD will probably ask for more time to implement and evaluate recent changes. If the pressure still continues, OSD will probably ask Congress to surrender some of its control over procurement so that DoD can reduce its costs and improve its

management practices (e.g. expanded authority for multi-year contracting to reduce unit costs). Additionally, OSD may ask Congress to reorganize itself and simplify the budgeting process to reduce the time spent by DoD officials on Capitol Hill in support of budget proposals. Such an approach already enjoys some support in Congress and would direct Congressional efforts at reform away from DoD. Whatever the tactics, it is likely that OSD will, in the absence of White House pressure, remain reactive, rather than initiating reform proposals.

Military Departments. Both the military and civilian components of the military departments have reasons for opposing further reform. Both value the amount of autonomy they are given (which has increased under Weinberger) and fear that reform may threaten it. Indeed, some people, such as assistant Air Force secretary Tidal McCoy, argue that even more authority and autonomy should be granted to the service secretaries.[83]

Others, such as Navy secretary John Lehman, argue that JCS reform proposals, such as putting the CJCS in the chain of command, would "dilute and diminish the authority of the Secretary of Defense".[84] But if the chairman was still subordinated to the defense secretary, it is not clear how such a condition could occur.

Civilian control of the military is often thrown up by civilians in the service secretariats as being threatened by reform proposals.[85] But former defense secretaries Laird, Richardson, Schlesinger and Brown characterize such arguments as "bugaboos raised by the Secretary of the Navy" and as a "red herring".[86] Further, six former defense secretaries have stated that "by improving the quality of military advice, stronger joint military institutions

should reinforce, not usurp, the ability of civilian leaders to manage the Department of Defense."[87] If defense secretaries are not worried about civilian control as a result of reform, why should the service secretaries? It may be that, as Schlesinger wryly notes, "the worry about the general staff is that it will dominate the Navy, not civilians. Let the civilians fend for themselves."[88] Further, as Harold Brown observes, "...the civilian control we are most concerned about is operational control over the application of military force and the service secretary doesn't play a part in that."[89]

The military services also oppose reform that would threaten their responsibility and authority to man, equip, train, and maintain the force and their additional authority over the component commanders.[90] It would appear that those services, such as the Navy, which traditionally have viewed their authority and responsibility as being adequate to meet their service interests, which are the most strategically independent, and which have the most autonomy are the most opposed to reform.[91]

The current position of the military departments seems to be the same as OSD - any changes that were needed have now been carried out, or can be done internally.

JCS. The JCS itself is an obstacle to reform. The service chiefs are opposed to changes which might threaten their control over the services or exclude them from the joint arena.

Additionally, the chiefs and the chairman are spending a great deal of time in meeting with the defense secretary and the president and evidently feel their meetings and discussions are influential in formulating national security policy. Their fear is that JCS reform might jeopardize the fine

working relationships which have been established.

The chairman, as the only JCS member without a service constituency, has a somewhat different perspective. While, in the abstract, any chairman might encourage or initiate changes which would enhance his authority to impose a joint perspective on advice and policy, in practice it is not that easy. The chairman faces a leadership constraint. To the degree that the chairman takes the lead in proposing or endorsing change, he is that much more likely to harm the personal relationships between himself and the chiefs on which is based much of his present ability to lead the JCS. It is a question of balancing near term costs with long term benefits. The chairman must walk this fine line, while using his powers of personal persuasion to bring the chiefs along slowly through incremental changes and institutionalization of evolved existing practices. Thus, people seeking JCS reform proposals should not look to the presiding chairman to provide them.

Indeed, as one Joint Staff officer put it, "Asking the JCS to reform itself is like asking a patient to heal himself."[92]

CHAPTER VIII

CONCLUSIONS AND RECOMMENDATIONS

The foregoing analysis points out remaining deficiencies in the joint military establishment and the obstacles to additional reform which exist. Any recommendations for further reform must take note of both areas. Additionally, recommendations must be sensitive to how changes are made in order to reduce existing obstacles.

It is doubtful that any major reform will take place, absent a military disaster which generates public demand for major change. Although some feel that the Beirut bombing incident and the Grenada operation or the current budget deficit can be translated into substitutes for a military disaster, such optimism seems misplaced. Thus, the first rule for reform is that it must be incremental if it is to be adopted.

The second rule is that a consensus supporting a particular proposal should be generated among the four major actors - the White House, Congress, OSD, and the JCS. Failure to do so could jeopardize adoption of the proposal. For appearances sake, if nothing else, OSD and JCS should be seen as the initiator of the proposal, with White House support, and Congressional concurrence.

The third rule is that the incremental changes should, as far as practicable, institutionalize or modify existing practices. This approach assures that changes will be supportable.

The final rule is that change should be brought about, to the extent possible, by DOD directive rather than legislation. This approach provides

additional future flexibility to implement further change, should the situation warrant, and avoids possible constitutional problems posed by Congressional action in areas belonging to the president in his role as commander-in-chief. For example, although a 1978 Defense General Counsel ruling concludes that nothing in the law prohibits the CJCS from being placed in the chain of command, there is some disagrement with that assessent on Capitol Hill.[93] These types of disputes are best avoided in the future.

With these rules in mind, what specific changes should be made to improve the efficiency and effectiveness of the joint military establishment? The following recommendations are made with this dictum in mind: "Do not let the best be the enemy of the good."

In the area of national security policy, the following changes would seem to offer improvements in the timeliness and quality of joint military advice.

- Designate the chairman as the "Senior Military Advisor". Since Title 10 already makes him the "senior serving military officer" and a "military advisor," combining those two titles would serve to clarify his right to offer advice in his own right. Further, it would seem to avoid concerns that the chiefs would lose some of their advisory capacity, as proposals to make the CJCS the "principal military advisor" could conceivably do. This change should be effected through legislation.

- Direct that the Joint staff reports to the chairman, in his capacity as the senior serving military member of the JCS. This change would clarify

the chairman's ability to task the joint staff, as granted in Title 10, without eliminating the ability of the other chiefs to task the staff to work on joint issues. The current legislative language prescribing the relationship of the joint staff (and the Director) to the chairman should be eliminated. The new relationship should be established by DoD directive.

- Direct that the JCS will produce a schedule for the service Chiefs to serve as Acting Chairman. The acting chairmanship should be rotated quarterly or semi-annually and the acting chairman should be directed to arrange his schedule to be available to the national command authority in the chairman's absence. Such a procedure would insure active participation by the chiefs in the joint arena and give them the added incentive and opportunity to "think joint." Additionally, it would foster a sense of teamwork among the JCS and reduce the perceived need for a vice chairman. Such a change codifies existing practice and should be implemented by DoD directive.

- Expedite Joint Staff products by streamlining the joint staffing procedures. This change can be made internally by the JCS. Specific consideration should be given to eliminating the complex and cumbersome "flimsy-buff-green-red stripe" approach. In its place, papers would be written within a specific J-staff office, or introduced by a service chief, distributed to the service operations deputies for comments (who could task their own staff or a joint staff office to review them) and then forwarded to the chairman for approval.

In the area of national security posture, the following changes may offer improvements in the joint military establishment's development of military strategy and the requisite force structure.

- Develop a five year strategic planning document to go with the FYDP. Such a document could be usefully integrated as the strategic guidance portion of the Defense Guidance. The draft version should be sent out to the CINCs for advice and comment, in order to increase the CINCs' capability to shape next year's resources and future forces. The CINCs should comment on their component commands' forces so that the JCS could keep the CINCs' views in mind as they conduct cross-service and inter-theater leveling. This approach would preclude the CINCs having to get deeply involved in the DOD PPBS since specific trade-offs would be made by the JCS and OSD. This change would further help the CINCs, since their views would be registered prior to the development of service programs rather than after the fact as is currently the case. By focusing attention on realistic planning horizons, this approach should resolve some of the disjunctions that exist between strategy and force structure. The current 10 year JSPD should be retained to establish long term strategic goals and objectives.

- Direct the CINCs to conform their war plans to a near term joint military strategy. The JCS should develop a near term joint military strategy for the use of existing forces. The CINCs' war plans should conform to this strategy. Review of war plans by J3 and J5, at a minimum, would ensure that those plans were in keeping with the strategy and would provide the necessary

linkage between war plans and military strategy. This change can be done by DOD directive.

- Establish a Joint Doctrine Division in J5, JCS. As General Vessey has said "the foundation of Joint [war] planning is joint doctrine."[94] Further, doctrine drives training, and the JCS are charged to "formulate policies for joint training" (see Annex A). Clearly the JCS can do so more effectively if they have control over joint doctrine, rather than allowing the services to develop it on an ad hoc basis. While the services should continue to develop service-unique doctrine, joint doctrine should be coordinated through a joint doctrine division. This change can be made internally by the JCS, although legislation may be required to allocate the manpower spaces to JCS.

- Establish a Joint Requirements and Programs Directorate in JCS. This directorate would identify evolving joint requirements, develop programs to meet those requirements, and manage the programs. This approach would commit more resources than currently available to joint programs and would eliminate problems engendered by services acting as executive agents for joint programs. The JCS would be given programming and budgeting authority for joint programs. This change can be implemented by DoD directive.

- Direct that component commands submit their budgeting requirements through the CINCs to the JCS. This change will provide the CINCs more involvement in the shaping of the services' operating and maintenance budgets and will allow the CINCs to identify deficiencies to bring to the attention of

the JCS and OSD, before service budgets are completed. This change can be implemented by DoD directive.

- Establish a combatant command contingency fund. This change was attempted in FY 83 and FY 84 in the form of a CINCs O&M Fund, but was not approved by Congress. The fund could be as high as 100 million dollars, and would be dispensed to cover immediate shortfalls in the combatant commands (particularly in readiness items such as repair parts, ammunition, or fuel) which occur due to unanticipated changes in the nature of the threat or unforeseen deficiencies in DOD's annual budget. This recommendation would require congressional action.

- Place the Chairman of the Joint Chiefs of Staff in the Chain of Command. This change was recommended by the JCS and the Secretary of Defense in 1983, but not implemented by Congress. Implementation of this recommendation would merely codify existing practice. As Admiral McDonald, CINCLANT, put it, "In effect, he is right now and in all practicality, we are working that way, it is just not codified."[95] Rather than Congress writing it into the law, however, what is needed is for Congress to remove the language in the law which seems to preclude such an arrangement. The President and the Secretary of Defense can then execute by direction their constitutionally-based perogative to determine how the chain of command should be structured. The decision can be implemented by DOD directive (5100.1).

The above recommendations are admittedly incremental, and in many

instances are marginal improvements. Yet they are necessary if the joint military establishment is to improve its contribution to our national security policy and posture. Further, they will provide the foundation for further incremental changes should time and circumstances so warrant.

ANNEX A

Statutory Responsibilities of the Joint Chiefs of Staff

(Title 10, Section 141)

1. Prepare strategic plans and provide for the strategic direction of the armed forces;

2. Prepare joint logistic plans and assign logistic responsibilities to the armed forces in accordance with those plans;

3. Establish unified commands in strategic areas;

4. Review the major material and personnel requirements of the armed forces in accordance with strategic and logistic plans;

5. Formulate policies for the joint training of the armed forces;

6. Formulate policies for coordinating the military education of members of the armed forces.

7. Provide for the representation of the United States on the Military Staff Committee of the United Nations in accordance with the Charter of the United Nations; and

8. Perform such other duties as the President or the Secretary of Defense may prescribe.

ANNEX B

Major Reorganization Studies of the Joint Chiefs of Staff

(Adopted from General Edward C. Meyer, "The JCS - How Much Reform is Needed", Armed Forces Journal International, April 1982)

1944 - McNarney Plan
1945 - Richardson Committee Majority Report
1945 - Eberstadt Plan
1945 - Collins Plan
1947 - Army - Navy Compromise Plan (Norstad - Sherman Plan)
1948 - Eberstadt Committee (of the Hoover Commission) Report
1949 - Commission on the Organization of the Executive Branch of the Government (Hoover Commission) Report
1953 - Rockefeller Committee Report
1953 - President Eisenhower's Reorganization Plan
1958 - Wheeler Committee Report
1958 - President Eisenhower's Reorganization Plan
1960 - Symington Study on Reorganization of the Department of Defense
1970 - Blue Ribbon Defense Panel (Fitzhugh) Report
1978 - Ignatius Report on Defense Reorganization
1978 - Steadman Report on National Military Command Structure
1982 - Two Separate Reports of the Chairman's Special Study Group
1982 - Jones Reorganization Proposal
1982 - Meyer Reorganization Proposal
1984 - Senate Armed Services Committee Staff Report

ANNEX C

CURRENT TITLE 10 LANGUAGE

JCS REORGANIZATION PROVISIONS ENACTED IN 1984 (P.L. 98-525)

§ 124. Combatant commands: establishment; composition; functions; administration and support

(a) With the advice and assistance of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall—

(1) establish unified combatant commands or specified combatant commands to perform military missions; and

(2) shall prescribe the force structure of those commands.

(b) The military departments shall assign forces to combatant commands established under this section to perform the missions of those commands. A force so assigned is under the full operational command of the commander of the command to which it is assigned. It may be transferred from the command to which it is assigned only by authority of the Secretary and under procedures prescribed by the Secretary with the approval of the President. A force not so assigned remains, for all purposes, in the military department concerned.

(c)(1) Combatant commands established under this section are responsible to the President and to the Secretary for such military missions as may be assigned to them by the Secretary with the approval of the President.

(d) Subject to the authority, direction, and control of the Secretary, each military department is responsible for the administration of forces assigned by that department to combatant commands established under this section. The Secretary shall assign the responsibility for the support of forces assigned to those commands to one or more of the military departments.

Added Pub.L. 87-651, Title II, § 201(a), Sept. 7, 1962, 76 Stat. 514.

Historical Note

Legislative History. For legislative [illegible] U.S.Code Cong. and Adm.News, p. history and purpose of Pub.L. 87-651, see 2436.

Cross References

Air Force Chief of Staff, supervision over members and organizations of Air Force, see section 8034 of this title.

Army Chief of Staff, supervision over members and organizations of Army, see section 3034 of this title.

Chief of Naval Operations, supervision over members and organizations of Navy and Marine Corps, see section 5081 of this title.

Commandant of Marine Corps, supervision over members and organizations of Marine Corps and Navy, see section 5201 of this title.

124(c)(2) Subject to the authority, direction, and control of the Secretary, the Chairman acts as the spokesman for the commanders of the combatant commands on operational requirements.

CURRENT TITLE 10 LANGUAGE

JCS REORGANIZATION PROVISIONS ENACTED IN 1984 (P.L. 98-525)

CHAPTER 5—JOINT CHIEFS OF STAFF

§ 141. Composition; functions

(a) There are in the Department of Defense the Joint Chiefs of Staff consisting of—

(1) a Chairman;

(2) the Chief of Staff of the Army;

(3) the Chief of Naval Operations;

(4) the Chief of Staff of the Air Force; and

(5) the Commandant of the Marine Corps.

(b) The Joint Chiefs of Staff are the principal military advisers to the President, the National Security Council, and the Secretary of Defense.

(c) Subject to the authority and direction of the President and the Secretary of Defense, the Joint Chiefs of Staff shall—

(1) prepare strategic plans and provide for the strategic direction of the armed forces;

(2) prepare joint logistic plans and assign logistic responsibilities to the armed forces in accordance with those plans;

(3) establish unified commands in strategic areas;

(4) review the major material and personnel requirements of the armed forces in accordance with strategic and logistic plans;

(5) formulate policies for the joint training of the armed forces;

(6) formulate policies for coordinating the military education of members of the armed forces;

(7) provide for representation of the United States on the Military Staff Committee of the United Nations in accordance with the Charter of the United Nations; and

(8) perform such other duties as the President or the Secretary of Defense may prescribe.

(d) After first informing the Secretary of Defense, a member of the Joint Chiefs of Staff may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate.

As amended Oct. 28, 1978, Pub.L. 95-485, Title VIII, § 807, 92 Stat. 1632.

1978 Amendments. Subsec. (a)(5). Pub.L. 95-485, § 807(1)-(3), added subsec. (a)(5).

Subsec. (f). Pub.L. 95-485, § 807(4), redesignated former subsec. (d) as (f). Former subsec. (e), which authorized the Commandant of the Marine Corps to indicate to the Chairman of the Joint Chiefs of Staff any matter that directly concerned the Marine Corps and to meet with the Joint Chiefs, as a co-equal member, when that matter was under consideration, was struck out.

Subsecs. (d), (e). Pub.L. 95-485, § 807(5), redesignated former subsecs. (c) as (d), (d) as (e). Former subsec. (b) redesignated (c).

Subsec. (c). Pub.L. 95-485, § 807(5), redesignated subsec. (b) as (c).

§ 142. Chairman

(a) The Chairman of the Joint Chiefs of Staff shall be appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces. He serves at the pleasure of the President for a term of two years, and may be reappointed in the same manner for one additional term. However, in time of war declared by Congress there is no limit on the number of reappointments.

(b) In addition to his other duties as a member of the Joint Chiefs of Staff, the Chairman shall, subject to the authority and direction of the President and the Secretary of Defense—

(1) preside over the Joint Chiefs of Staff;

(2) provide agenda for the meetings of the Joint Chiefs of Staff and assist them in carrying on their business as promptly as practicable; and

(3) inform the Secretary of Defense, and, when the President or the Secretary of Defense considers it appropriate, the President, of those issues upon which the Joint Chiefs of Staff have not agreed.

142(b)(2) provide agenda for the meetings of the Joint Chiefs of Staff (including any subject for the agenda recommended by the Joint Chiefs of Staff), assist them in carrying on their business as promptly as practicable, and determine when issues under consideration shall be decided.

CURRENT TITLE 10 LANGUAGE

(e) While holding office, the Chairman outranks all other officers of the armed forces. However, he may not exercise military command over the Joint Chiefs of Staff or any of the armed forces.

Aug. 10, 1956, c. 1041, 70A Stat. 7; Sept. 7, 1962, Pub.L. 87-649, § 14c(1), 76 Stat. 501.

§ 143. Joint Staff

(a) There is under the Joint Chiefs of Staff a Joint Staff consisting of not more than 400 officers selected by the Joint Chiefs of Staff with the approval of the Chairman. The Joint Staff shall be selected in approximately equal numbers from—

(1) the Army;

(2) the Navy and the Marine Corps; and

(3) the Air Force.

The tenure of the members of the Joint Staff is subject to the approval of the Chairman of the Joint Chiefs of Staff, and except in time of war, no such tenure of duty may be more than three years. Except in time of war, officers completing a tour of duty with the Joint Staff may not be reassigned to the Joint Staff for a period of not less than three years following their previous tour of duty on the Joint Staff, except that selected officers may be recalled to Joint Staff duty in less than three years with the approval of the Secretary of Defense in each case. The number of such officers recalled to Joint Staff duty in less than three years shall not exceed 30 serving on the Joint Staff at any one time.

(b) The Chairman of the Joint Chiefs of Staff in consultation with the Joint Chiefs of Staff, and with the approval of the Secretary of Defense, shall select the Director of the Joint Staff. ~~Except in time of war, the tour of duty of the Director may not exceed three years. Upon the completion of a tour of duty as Director of the Joint Staff, the Director, except in time of war, may not be reassigned to the Joint Staff.~~ The Director must be an officer junior in grade to each member of the Joint Chiefs of Staff.

(c) The Joint Staff shall perform such duties as the Joint Chiefs of Staff or the Chairman prescribes. The Chairman of the Joint Chiefs of Staff manages the Joint Staff and its Director, on behalf of the Joint Chiefs of Staff.

(d) The Joint Staff shall not operate or be organized as an overall Armed Forces General Staff and shall have no executive authority. The Joint Staff may be organized and may operate along conventional staff lines to support the Joint Chiefs of Staff in discharging their assigned responsibilities.

Aug. 10, 1956, c. 1041, 70A Stat. 7; Aug. 6, 1958, Pub.L. 85-599, § 5(a), 72 Stat. 517.

JCS REORGANIZATION PROVISIONS ENACTED IN 1984 (P.L. 98-525)

143. Joint Staff

(a)(1) There is under the Joint Chiefs of Staff a Joint Staff consisting of not more than 400 officers selected by the Chairman of the Joint Chiefs of Staff. The Joint Staff shall be selected in approximately equal numbers from--

(A) the Army;
(B) the Navy and the Marine Corps; and
(C) the Air Force.

(2) Selection of officers of an armed force to serve on the Joint Staff shall be made by the Chairman from a list of officers submitted by that armed force. Each officer whose name is submitted shall be among those officers considered to be the most outstanding officers of that armed force. The Chairman may specify the number of officers to be included on any such list.

(3) The tenure of the members of the Joint Staff is subject to the approval of the Chairman of the Joint Chiefs of Staff.

[Delete second and third sentences of Section 143(b)]

(e) An officer who is assigned or detailed to duty on the Joint Staff may not serve for a tour of duty of more than four years. An officer completing a tour of duty with the Joint Staff may not be assigned or detailed to duty on the Joint Staff within two years after relief from that duty except with the approval of the Secretary. This subsection does not apply in time of war declared by Congress or in time of national emergency declared by the President.

CURRENT NATIONAL SECURITY ACT
1947 LANGUAGE

JCS REORGANIZATION PROVISIONS
ENACTED IN 1984 (P.L. 98-525)

§ 402. National Security Council—(a) Establishment; presiding officer; functions; composition

There is established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of—

(1) the President;
(2) the Vice President;
(3) the Secretary of State;
(4) the Secretary of Defense;
~~(5) the Director for Mutual Security;~~
(6) the Chairman of the National Security Resources Board; and
(7) The Secretaries and Under Secretaries of other executive departments and of the military departments, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board, when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.

Joint Staff (cont.)

Add new section:

646. Consideration of performance as a member of the Joint Staff.

The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall ensure that officer personnel policies of the Army, Navy, Air Force, and Marine Corps concerning promotion, retention, and assignment give appropriate consideration to the performance of an officer as a member of the Joint Staff.

ENDNOTES

1. Organization, Structure and Decisionmaking Procedures of the Department of Defense, Hearings before the Committee on Armed Services, United States Senate, 98th Congress, 1983 (Hereinafter referred to as SASC Hearings, 1983), p. 236.

2. Reorganization Proposals for the Joint Chiefs of Staff, Hearing before the Committee on Armed Services, House of Representatives, 97th Congress, 1982, p. 108.

3. 10 USC 141.

4. 10 USC 141. "The Joint Chiefs of Staff shall (1) prepare strategic plans and provide for the strategic direction of the armed forces . . ." See Annex A for complete list of the statutory responsibilities of the JCS.

5. Review and Outlook, "The Ponderous Pentagon," The Wall Street Journal, October 3, 1984, p. 30.

6. See U.S. National Security: A Framework for Analysis, edited by Daniel J. Kaufman, Jeffrey S. McKitrick and Thomas J. Leny, Lexington, Massachusetts, Lexington Books, 1985.

7. Ibid.

8. Ibid.

9. 10 USC 142.

10. 10 USC 142.

11. Department of Defense Directive 5100.1, "Functions of the Armed Forces and the Joint Chiefs of Staff," January 13, 1954.

12. Revision to DoD Directive 5100.1, "Functions of the Department of Defense and its Major Components," December 31, 1958.

13. Dwight D. Eisenhower, Waging Peace, p. 253.

14. Memorandum from the Deputy Secretary of Defense, Subject: Enhancement of the CINC's Role in the PPBS, dated 14 November 1984.

15. Memorandum from the Director of the Joint Staff, Subject: Establishment of the Strategic Plans and Resource Analysis Agency (SPRAA), dated 3 January 1984 and Charter of the Strategic Plans and Resource Analysis Agency, undated. The legislative intent in creating SPRAA was to provide additional assistance to the chairman in this area, but the JCS decided that SPRAA should work for the corporate body, not the chairman.

16. Interview with Undersecretary of the Army James Ambrose, Washington, DC, 22 January 1985.

17. Interview with Assistant Secretary of Defense Lawrence Korb, Washington, DC, 18 Janury 1985.

18. SASC Hearings, 1983, p. 187.

19. Reorganization Proposals for the Joint Chiefs of Staff, Hearings before the Investigations Subcommittee of the Committee on Armed Services, House of Representatives, 97th Congress, 1982. (Hereinafter referred to as HASC Hearings, 1982).

20. HASC Hearings, 1982, p. 556.

21. John Kester and James Holloway, The Joint Chiefs of Staff: A Better System, American Enterprise Institute, Foreign Policy and Defense Review, Volume 2, November 1, Washington, DC, 1980, p. 26. (Emphasis added.)

22. SASC Hearings, 1983, p. 534.

23. SASC Hearings, 1983, p. 495.

24. SASC Hearings, 1983, p. 534.

25. Ibid.

26. SASC Hearings, 1983, p. 185. (Emphasis added).

27. Report for the Chairman, Joint Chiefs of Staff by the Chairman's Special Study Gruop, The Organization and Functions of the JCS, April 1982. (Hereinafter referred to as the Brehm Report.)

28. HASC Hearings, 1982, pp. 244 and 181.

29. HASC Hearings, 1982, p. 286.

30. Jeffrey S. McKitrick, "Arms Control and the Joint Chiefs of Staff," Parameters, Vol. XIV, No. 3, Autumn, 1984, p. 71.

31. Reorganization Proposals for the Joint Chiefs of Staff, hearings before the Investigations Subcommittee of the Committee on Armed Services, House of Representatives, 98th Congress, 1983. (Hereinafter referred to as HASC Hearings, 1983).

32. See Richard Halloran, "A Commanding Voice for the Military," The New York Times Magazine, July 15, 1984.

33. Brehm Report, p. 25.

34. HASC Hearings, 1982, p. 101.

35. HASC Hearings, 1983, p. 67.

36. HASC Hearings, 1982, p. 213.

37. Interview with Ambrose, Washington, DC, 22 January 1985.

38. 10 USC 143. (Emphasis added.)

39. HASC Hearings, 1982, pp. 678 and 683.

40. HASC Hearings, 1982, p. 841.

41. HASC Hearings, 1982, p. 681.

42. SASC Hearings, 1983, p. 193.

43. Ibid., p. 130.

44. Interview with Ambrose, Washington, DC, 22 January 1985.

45. Philip A. Odeen, National Security Policy Integration, Washington, DC, Office of Management and Budget, 1979.

46. HASC Hearings, 1982, p. 165.

47. Unpublished Staff Report on the Organization and Decision-making Procedures of the Department of Defense, Committee on Armed Services, United States Senate, April 24, 1984. (Hereinafter referred to as SASC Staff Report, 1984).

48. HASC Hearings, 1982, p. 564.

49. Brehm Report, p. 34.

50. 10 USC 124. Title 10 says "operational command", but JCS Publication 1 says "operational command" is the same as "operational control".

51. Ibid.

52. SASC Hearings, 1983, p. 285.

53. Message from USCINCPAC to JCS, subject: Congressional Review of DoD Organization, dated 4 February 1985.

54. Comment by Air Force staff officer to Major Peter Chiarelli and Major Charles Gagnon, Washington, DC, 8 January 1985.

55. Interview with Major General Jack Farris, Jr., Army Times, November 5, 1984, p. 44.

56. HASC Hearings, 1982, p. 465

57. SASC Hearings, 1983, p. 283 (Emphasis added.)

58. Tom Burgess, "Air Support Hampered in Grenada, Report Says," Army Times, February 4, 1985, p. 4.

59. Interview with COL Don Snider, Office of the Deputy Chief of Staff for Operations, HQ, U.S. Army, Washington, DC, January 3, 1985.

60. See James Blackwell, "Conventional Doctrine: Integrating Alliance Forces" in Conventional Deterrence: Alternatives for European Defense, edited by James Golden, Asa Clark, and Bruce Arlinghaus, Lexington, Massachusetts, Lexington Books, 1984.

61. SASC Hearings, 1983, p. 278.

62. LTG John Cushman, Command and Control of Theater Forces: Adequacy, Cambridge, Massachusetts, Center for Policy Research, Harvard University, April, 1983, pp. 1-11 to 1-12.

63. Review of Adequacy of Security Arrangements, for Marines in Lebanon and Plans, for Improving That Security, Hearings before the Committee on Armed Services, House of Representatives, 98th Congress, 1983 (draft), pgs. 33, 43, 47, 52, 53, 60, 63, 83, 84.

64. HASC Hearings, 1982, p. 248.

65. HASC Hearings, 1982, p. 795.

66. John Kester, "Thoughtless JCS Change is Worse than None," Armed Forces Journal International, November, 1984, p. 113.

67. Reforming the Joint Chiefs of Staff, edited by Theodore Crackel, Washington, DC, The Heritage Foundation, 1984, p. 10.

68. HASC Hearings, 1983, pp. 3-17.

69. SASC Hearings, 1983, p. 46.

70. HASC Hearings, 1983, p. 64.

71. HASC Hearings, 1983, p. 64. (Emphasis added.)

72. SASC Hearings, 1983, p. 6.

73. 10 USC 141.

74. HASC Hearings, 1983, pp. 82-83.

75. HASC Hearings, 1983, p. 84.

76. Clinton Schemmer, "House JCS Reform Stalled; Tower Promises Separate Senate Bill," Armed Forces Journal International, September 1984, p. 9.

77. Interview with anonymous Congressional staffer, Washington, DC.

78. Ibid.

79. Interview with Assistant Defense Secretary, Lawrence Korb, Washington, DC, January 18, 1985.

80. Interview with anonymous Capitol Hill staffer, Washington, DC.

81. Ibid.

82. Interview with Undersecretary of the Army James Ambrose, Washington, DC, 22 January 1985.

83. Interview with Assistant Secretary of the Air Force Tidal McCoy, Washington, DC, 23 January 1985.

84. SASC Hearings, 1983, pp. 222-223.

85. SASC Hearings, 1983, p. 219.

86. Melvin Laird, American Enterprise Institute Conference, Washington, DC, December 4, 1984; Elliot Richardson, HASC Hearings, 1982, p. 693; James Schlesinger, SASC Hearings, 1983, p. 205; Harold Brown, HASC Hearings, 1982, p. 112.

87. Toward a More Effective Defense, Georgetown Center for Strategic and International Studies, Washington, D.C., February 1985, pg. vi).

88. SASC Hearings, 1983, p. 205.

89. SASC Hearings, 1983, p. 529.

90. HASC Hearings, 1982, p. 557.

91. Paul Gorman, "Toward A Stronger Defense Establishment," in The Defense Reform Debate, edited by Asa Clark, Jeffrey McKitrick, Peter Chiarelli, and James Reed, Baltimore, Maryland, Johns Hopkins University Press, 1984, pp. 287-297.

92. Interview with anonymous Joint Staff officer, Washington, DC.

93. Interview with anonymous Capitol Hill staffer, Washington, DC.

94. HASC Hearings, 1983, p. 84.

95. SASC Hearings, 1983, p. 303.

SELECTED BIBLIOGRAPHY

Articles

Burgess, Tom, "Air Support Hampered in Grenada, Report Says", Army Times, February 4, 1985, p. 4.

Halloran, Richard, "A Commanding Voice for the Military", The New York Times Magazine, July 15, 1984.

Healy, Melissa and Michael Duffy, "Joint Chiefs Draw Defense", Defense Week, February 4, 1985, p. 14.

Kester, John, "Thoughtless JCS Change is Worse Than None", Armed Forces Journal International, November 1984, pp. 113-118.

Jones, David C., "What's Wrong With Our Defense Establishment", The New York Times Magazine, November 7, 1982, p. 38.

McKitrick, Jeffrey S., "Arms Control and the Joint Chiefs of Staff", Parameters, Autumn, 1984, p. 71.

Meyer, Edward C., "The JCS-How Much Reform is Needed", Armed Forces Journal International, April 1982.

Schemmer, Clinton, "House JCS Reform Stalled; Tower Promises Separate Senate Bill", Armed Forces Journal International, September, 1984, p. 9.

Books

Barrett, Archie D., Reappraising Defense Organization, Washington: National Defense University, 1983.

Clark, Asa, et.al., The Defense Reform Debate: Issues and Analysis, Baltimore: The Johns Hopkins University Press, 1984.

Crackel, Theodore J., editor, Reforming the Joint Chiefs of Staff, Washington: The Heritage Foundation, 1984.

Eisenhower, Dwight D., Waging Peace, New York, Doubleday Books, 1965.

Golden, James, et. al., Conventional Deterrence: Alternatives for the Defense of Europe, Lexington, MA, Lexington Book, 1984.

Kaufman, Daniel J., et. al., U.S. National Security: A Framework for Analysis, Lexington, MA, Lexington Books, 1984.

Kester, John and James Holloway, The Joint Chiefs of Staff: A Better System, Washington: The American Enterprise Institute, 1980.

Reports

Cushman, John, Command and Control of Theater Forces: Adequacy, Cambridge: Center for Policy Reserach, Harvard University, 1983.

Chairman's Special Study Group, The Organization and Functions of the JCS, Washington, 1982.

Committee Staff, Senate Armed Services Committee, Report on the Organization and Decision-making Procedures of the Department of Defense, Unpublished, Washington, April 24, 1984.

Georgetown Center for Strategic and International Studies Defense Organization Project, Toward a More Effective Defense, Washington: Georgetown CSIS, February 1985.

Hudson Institute, A Report by the Committee on Civilian-Military Relationships, Indianapolis, September 17, 1984.

Odeen, Philip A., National Security Policy Integration, Washington: Office of Management and Budget, 1979.

Steadman, Richard C., The National Military Command Structure, Washington: Government Printing Office, 1978.

U.S. Congress, Hearings before the Investigations Subcommittee of the Committee on Armed Services, House of Representataives, 97th Congress, Reorganization Proposals for the Joint Chiefs of Staff, Washington: Government Printing Office, 1982.

U.S. Congress, Hearings before the Investigations Subcommittee of the Armed Services Committee, House of Representatives, 98th Congress, Reorganization Proposals for the Joint Chiefs of Staff, Washington: Government Printing Office, 1983.

U.S. Congress, Hearings before the Committee on Armed Services, U.S. Senate, 98th Congress, Organization, Structure and Decision Making Procedures of the Department of Defense, Washington: Government Printing Office, 1983.

U.S. Congress, Hearings before the Committee on Armed Services, House of Representatiaves, 98th Congress, Review of Adequacy of Security Arrangements for Marines in Lebanon and Plans for Improving that Security, Washington: draft, 1983.

Interviews

Ambrose, James, Under Secretary of the Army, Washington, D.C., Janury 22 and March 6, 1985.

Barrett, Arch, Staff member, House Armed Services Committee, Washington, D.C., December 11, 1984 and March 4, 1985.

Burns, J.H., Major, USA, Office of the Chairman of the Joint Chiefs of Staff, Washington, D.C., December 31, 1984.

Cropsey, Seth, Deputy Undersecretary of the Navy, Washington, D.C., January 17, 23 and March 7, 1985.

Donley, Michael, Director of Defense Programs, National Security Council, Washington, D.C., January 15, 1985 and February 26, 1985.

Fiegel, John, LTC, USAF, J5, JCS, Washington D.C., December 12, 1984.

Finn, Rick, Staff Member, Senate Armed Services Committee, Washington, D.C., December 11, 1984.

Korb, Lawrence, Assistant Secretary of Defense, Washington, D.C., January 11, 1985.

Kester, John, lawyer, former Special Assistant to the Secretary of Defense, Washington, D.C., March 6, 1985.

Locher, James, Staff Member, Senate Armed Services Committee, Washington, D.C., December 11, 1984 and March 4, 1985.

Lynn, William, Georgetown Center for Strategic and International Studies, Washington, D.C., December 14, 1984.

McCoy, Tidal, Assistant Secretary of the Air Force, Washington, D.C., January 23 and March 5, 1984.

Odeen, Philip A., Management Consultant, Washington, D.C., March 6, 1985.

Odom, William, LTG, USA, Assistant Chief of Staff for Intelligence, U.S. Army, Washington, D.C., January 11, 1985.

Olson, Hardin, MG, USA, Director, Strategic Plans and Resource Analysis Agency, JCS, Washington, D.C., January 2, 1985.

Stefan, James, LTC, USA, Office of the Deputy Chief of Staff for Operations, U.S. Army, Washington, D.C., March 1, 1985.

Thompson, Barry, COL, USAF, SPRAA, JCS, Washington, D.C., Janury 2, 1985.