

A JOINT STAFF TO BELIEVE IN



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At the national level, the United States requires a unified joint military staff with executive authority to manage issues that have grown beyond the frontiers of the geographic combatant commands. The national military command structure must adapt to confront the armed conflicts and defense matters of the new millennium. Global national security challenges that require a whole-of-government effort can no longer be militarily compartmentalized in geographic or functional military commands whose scope cannot encompass them. Similarly, the resource environment demands a more efficient model than that designed during the Cold War for a more discrete adversary set. This environment also requires creative circumvention to adapt to extant threats. Though there are challenges to this concept, civilian overarching authority, sufficient separation of power, governmental transparency and oversight, and the cultures and traditions of the Armed Forces make us ready for a new construct. The time has come to change the Joint Chiefs of Staff into a Joint Command Staff.

Strategic Realities

The 2006 National Security Strategy and 2008 National Defense Strategy both define a set of interests of the United States that is almost entirely transregional. Specific challenges highlighted by the former are terrorism, weapons of mass destruction, weapons proliferation, global economic development, regional conflicts, and failed states—and the opportunities these provide for the Nation’s adversaries. Section IX of the National Security Strategy is devoted to the need to “transform America’s security institutions to meet the challenges and

States can best be described as “hybrid warfare,” or conflicts in which the adversary employs a variety of techniques across the spectrum of military operations in order to attack the United States while escaping its conventional warfighting capacity.³

It is safe to assert that most strategies cite global threats.⁴ Common knowledge of these realities has created a public consciousness of them and an expectation of structural change in government to meet these global challenges in all arenas, including the structure of the National Command System, with the possibility of a change in the nature of

than a message relay between the Secretary and a geographic or functional combatant command (a step that the Secretary can ignore), the Joint Chiefs should provide a global command staff.

This role of executive authority within the operational chain of command would neither obviate nor change the roles and positions of the Service chiefs and staffs, who would remain the principal advisors to national authorities for their Service functions while recruiting, training, and equipping forces that can be provided to the joint command system.⁶ Leaving this arrangement untouched would continue the balance of power provided by the Services, who would retain most of the personnel and budgets that drive military operations and without which no operating joint force can function.

Converting the Joint Staff to an executive authority in the chain of command would accomplish four major goals, however. This change would:

- provide a national global command staff for global military issues
- establish an authoritative military point of contact for interagency affairs and operations anywhere in the world, for any military purpose; this global role would be performed in the most logical place in the chain of command, at the national command level of the Joint Staff, collocated with the centers of authority of the other agencies of the “interagency”
- streamline DOD strategic authority for Title 10 Armed Forces roles and missions
- create staff efficiencies that could enable the growth of more operational units while reducing the burden of redundant staff elements.

Dated Structures

Exploring each area in detail reveals how this seemingly simple change achieves tremendous results. The present command system, for example, remains largely what it was at the close of World War II. Codified by the National Security Act of 1947 and the Unified Command Plan, little other than some aspects of authorities has changed since then.⁷ The Goldwater-Nichols Department of Defense Reorganization Act of 1986 rationalized the joint character of the unified commands and altered the balance of operational authority once and for all in favor of the joint combatant commands, which exercise it on

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opportunities of the 21st century.”¹ Though interagency operations are certainly important, and though the Department of Defense (DOD) has enacted a series of transformational actions and experiments with regard to its subordinate offices and agencies, the fundamental pillar of national security is the Armed Forces; for this reason, the National Security Strategy begets the National Defense Strategy and National Military Strategy. Yet no transformation of the national military command structure has taken place other than the addition of limited geographic combatant commands (U.S. Northern Command and U.S. Africa Command [USAFRICOM]).

The 2008 National Defense Strategy, the next step in the thinking process, further defines the strategic environment by enunciating six basic threats:

- violent extremist movements such as Islamic terrorists
- hostile states armed with weapons of mass destruction (refined in the document to include the proliferation of these weapons)
- rising regional powers
- emerging space and cyber-threats
- pandemic disasters
- growing competition for resources.²

Of these six threats, four to five are clearly global or, at the very least, transregional in nature. As observers have noted, the conflicts of the near future for the United

the Joint Chiefs of Staff. Recommendations abound, including disposing of the geographic combatant command concept in favor of some sort of interagency approach, such as a Joint Interagency Command.⁵ This notion is conceptually derived from the success of the Joint Interagency Task Force. The new entity would have expanded authority rather than serving merely as a coordination center, and that authority would entail an exhaustive alteration of both legislation and procedure.

The answer may be simpler than many of these recommendations, requiring only the modification of a single law and certain assumptions rather than a radical alteration of the Unified Command Plan. For the military, the Nation persists with a unique but unsuitable construct largely for historical reasons that have little to do with the practical circumstances of today. For this reason, the United States should consider converting the Joint Staff into a national command element with the Chairman of the Joint Chiefs of Staff (CJCS) as its head. No change is required to preserve the role of the Chairman as advisor to the Secretary of Defense, or as the senior military advisor to both the President and National Security Council. But within the operational chain of command, the Chairman and his staff should be included, and they should have executive authority to provide a military link under the Secretary of Defense and between the Secretary and operating forces. Rather than serving as little more

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a geographic or functional basis today.⁸ As a result of these laws, the Joint Staff is tasked generally as follows:

... the Chairman of the Joint Chiefs of Staff shall be responsible for the following:

Strategic Direction. Assisting the President and the Secretary of Defense in providing for the strategic direction of the armed forces.

Strategic Planning.

- *Preparing strategic plans, including plans which conform with resource levels . . .*

- *Preparing joint logistic and mobility plans to support those strategic plans . . .*

Contingency Planning; Preparedness.

- *Providing for the preparation and review of contingency plans . . .*

- *Preparing joint logistic and mobility plans to support those contingency plans.⁹*

These foundations, while reasonable and solid, do not support the military against today's threats. By law, the Joint Staff may not address global concerns for reasons that will be addressed below. So while the staff can plan, it has no authority to act on or implement anything that it plans, muting the effects of its efforts.

Instead, each combatant command responds directly to the Secretary of Defense and President in the operational chain of command with no global military command to order and organize action between them. For military issues, this means that to manage the India-Pakistan border, the Secretary of Defense must manage U.S. Central Command (USCENTCOM) and U.S. Pacific Command. To examine Israeli-Palestinian-Arab issues,

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the Secretary manages U.S. European Command and USCENTCOM. Such examples are myriad, but more important are the transregional issues that affect more than two geographic and functional commands, such as terrorism, narcotics, human trafficking, and the proliferation of various weapons.

Although the 1947 and 1986 changes drove jointness into being, these structural evolutions did so by creating new fissures in the joint commands. For example, with certain important exceptions, a combatant command is not responsible to another combatant command for a common issue; disagreements must be resolved at the level of the Office of the Secretary of Defense. Rather than eliminating rivalries, the reforms merely changed the rivalries. Though it can be assumed that the conflict between combatant commands remains less virulent and less culturally driven than those between the Services, and based more on procedure and command personality, it still exists. The difficulty of encouraging U.S. Special Operations Command (USSOCOM) to talk with USCENTCOM, two headquarters that operate on the same Florida base, is almost axiomatic among military planners. The Joint Command Staff with executive authority would eliminate this issue by being able to resolve matters directly through its own authority, rather than translating it for the Office of the Secretary and adding layers of bureaucracy.

No other part of the executive branch, including those most involved in foreign affairs in the Department of State or the Central Intelligence Agency and Intelligence Community, follows the same geographic

divisions as the combatant commands. Moreover, even DOD's own combat support agencies, those Title 50 agencies given a wartime support role in U.S. law, do not follow these groupings in accordance with the nation-sets managed by the military commands. This difference makes managing the interagency process difficult even inside DOD; should these agencies coordinate through the Joint Staff as it exists in law today, there is no assurance that the agreement as conceived will be implemented by the military because the operational commands can demur, despite the coordinating role of the Joint Chiefs of Staff. Thus, a nonmilitary entity involved with the military in an international mission of the U.S. Government must theoretically coordinate with a multitude of combatant commands to secure final concurrence, or alternately it must force the Secretary of Defense to perform the coordination function, as the Joint Staff has no authority under law. Conversely, a Joint Command Staff with executive authority can facilitate coordination through a simpler set of contacts.

Functional combatant commands may fight globally, but they are limited to their specific purposes. Most notably, U.S. Strategic Command (USSTRATCOM) and USSOCOM have assumed a number of wartime roles and responsibilities, but these commands cannot achieve true unity of effort by themselves because even if they are designated a coordinating authority for a given issue, such as terrorism, the entire world in which they operate is someone else's physical zone of responsibility. USSTRATCOM, for instance, manages a series of efforts designed to create global staffs for specific functions in their eight joint component commands. Issues that these components have responsibility for range from missile defense to weapons of mass destruction.

In dealing with complex global problems, DOD has resorted to the knowledge base that it retains in its combat support agencies (CSAs), and the descriptions of USSTRATCOM's component commands identify the CSA that each is associated with. These agencies do not have military Title 10 authority, being subject instead to Title 50 (War and the National Defense). To give these CSAs Title 10 military authorities, the agencies partner with USSTRATCOM, who becomes nominally in charge of an effort run by an agency in Washington in order to obviate the need for a national military Title 10 staff

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DOD (Cherie Cullen)

to manage the function. The list of agencies in the component command descriptions includes the Defense Information Systems Agency, Defense Intelligence Agency (DIA), Defense Threat Reduction Agency, and Missile Defense Agency—and if not for classification might include more. This tortuous chain of command is symptomatic of a structure ill adapted to its task. If the Chairman of the Joint Chiefs had authority, the entire component system of USSTRATCOM would become an unnecessary redundancy, and any Title 10 roles sought for military personnel in the CSAs could be provided directly by the Joint Staff, who are nearly collocated with the players.

This brings us to the possibility of staff efficiencies created by the simple extension of executive authority to the Joint Staff. In

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the interest of jointness and unity of purpose, U.S. Joint Forces Command (USJFCOM) has recently been given the role of coordinating force contributions to missions and mission planning, a function that formerly occurred at the Joint Staff. Currently, rather than having the Services that are collocated with the Joint Staff work out their issues in Washington, each Service has to stand up a component headquarters in Norfolk, in part to do the

same thing (though these components do have other functions).

Moreover, force and equipment allocation have also entered into this duplicative process. This is neither to belittle the valuable work done by USJFCOM nor to deny that this change is basically an evolution of the role of the command; it is merely to point out that the system imposed has added a further layer of bureaucracy to force allocation. Rather than either eliminating Joint Staff input or the USJFCOM step, the Nation now has both. Services cannot resolve their differences in one location; they must work with two. It is never good to add a step in the bureaucracy; it will simply slow the process and, in this example, lead to the expansion of staffs comprised of officers and troops who could be better employed in operational units (the tooth) rather than shuffling papers (the tail). Training joint forces, generating joint forces, creating joint doctrine, and experimenting with that doctrine are all extremely valuable “joint force enabler”¹⁰ tasks, but whether they require an entirely separate command is questionable.

Other Initiatives

The need to streamline and centralize these processes, however, grows more and more obvious. Senior personnel continue to recognize the need for functions and authorities of a global command staff. Particularly in the Intelligence Community, whose business is to focus on current and future threats, several initiatives to achieve the advantages of a global staff have been attempted, with varying degrees of success.

The Defense Joint Intelligence Operations Center, which was later renamed the Defense Intelligence Operations Coordination Center (DIOCC), was established in 2006 in response to a perceived need for global coordination of the DOD intelligence enterprise. The DIOCC is a well-intended response to a global problem set, in which shared high-value but low-density intelligence assets are employed to address the disparate and usually competing intelligence requirements of 10 combatant commands. The shortcoming of this relatively ad hoc solution is the lack of backing in Federal law for the authority to “direct” supporting CSAs or military forces.¹¹ Unfortunately, the orders of the Secretary compete with the definitions provided in U.S. law, not least because the DIOCC was constructed in one of the CSAs rather than in the Joint Staff. The CSA has no titular authority to direct or coordinate either other CSAs or military forces (the latter is the specific province for which the USSTRATCOM component command chains exist). The Joint Staff would have been able to coordinate competing intelligence requirements between commands, at the very least, though it too would have been unable to enforce its decisions.



Chairman of the Joint Chiefs of Staff ADM Michael Mullen

The DIOCC experiment can best be summarized in a notional example wherein two geographic combatant commanders simultaneously have different requirements for an intelligence, surveillance, and reconnaissance mission by a single platform. While the DIOCC has the backing of a DOD directive (DODD), combatant commanders have no requirement under existing Federal law to abide by or to recognize the authority of the DIOCC regarding prioritization of their competing intelligence requirements, and they have no uniformed senior to mitigate the occasional disagreement. The highest immediate authority available to the DIOCC without resorting to the Secretary of Defense is the director of DIA, a three-star noncombat command position. Combatant commanders are well within their rights to point to Title 10 and the defined direct relationship between a combatant commander and the Secretary of Defense for all matters, and to object to any direction from the DIOCC.

Alternatively, the problem of authority exists even in the case of a single combatant command with an expressed need for intelligence, operating within the guidelines of DODD 5105.21. The combatant commander is directed to turn to the DIOCC for coordination and (logically) tasking of the intelligence requirement to the remainder of the DOD CSAs, as suggested by DODD 5105.21, but again, there is no backing in Federal law for the DIOCC to perform prioritization or tasking to other CSAs and little in the way of formal structure with which to do so, such as the Joint Staff tasking system. CSAs tasked by DIOCC are well within their rights to point to Title 50 and the direct relationship mandated by Federal law between a CSA and the Secretary of Defense for guidance and tasking, with a refusal to prioritize any but their own requirements. The DIOCC, then, while a valuable experiment energetically undertaken by capable personnel, highlights the weaknesses of proceeding without addressing issues of law in the organization of executive authorities.

Another ongoing experiment with executive authorities for national security matters may be seen in the structure of USAFRICOM. Based on recent experiences with military intervention worldwide, USAFRICOM stresses a “whole-of-government” approach at the geographic command level. The USAFRICOM experiment may contribute greatly to capacity to function in an interagency manner at least in Title



U.S. Africa Command (Amanda McCarty)

10 and Title 50 exclusive environments.¹² But giving the Ambassador authority in the military system neither gives him/her authority to direct other departments’ assets nor solves the issue of transfrontier seams in the military command system. Besides giving the appearance of failing confidence in the existing military commands, especially after its poorly executed initial announcement, the USAFRICOM model does not resolve much when confronted with the aforementioned

enlisted personnel and untold millions of dollars to return to the operating forces and put boots on the ground.

The remaining reluctance to invest such authority in the Joint Staff stems from the concept of the so-called Man on Horseback,¹³ or the fear of military officers exceeding their authority. It is out of this fear that the United States, unique among all the world’s nations with standing militaries, retains a nondirective military Joint Staff system.

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global threats. When the military issue is assisting a response between two combatant commands, the fact that one has more interagency representation will not resolve the residual issue for executing strategy in the face of a trans-regional threat contingency. Moreover, USAFRICOM cannot actually direct the activities of any other agency outside Title 10 military forces and by its existence may generate problems for those other agencies, as some observers have pointed out.

The Joint Command Staff

The challenges of the current system bring us back to the Joint Staff as the best global executive military authority. With executive authority in the Joint Staff, it may be possible to curtail the proliferation of unified command staffs and to eliminate certain of these staffs as economy of force measures, freeing literally thousands of officers and

The founders of the United States were well aware of the potential for a military man to use his command authority to supersede the Republic, and not just from antiquity. Oliver Cromwell, sharing Puritan beliefs with New Englanders, was only a century earlier, and Napoleon seized power during the lifetimes of the Constitution’s authors. Foreign examples continued during the history of the American Republic and reinforced the impression that strong generals might pose a threat, including the Chiefs of the German General Staffs during the World Wars, and General Francisco Franco in Spain between those wars. The specter of military coup rightfully unsettles civilian government.

There are four counterarguments to this concern today. First, the Secretary of Defense should be at the top-center of this command concept, above the Chairman for chain of command purposes, providing continued

civilian control. This coupling of authority would further increase the efficiency of the concept by giving the totality of the command staff much more control over CSAs due to their direct line from the Secretary. Second, the senior military officers in this concept are all subject to congressional oversight first by their rank—four stars for the Chairman, his deputy, and the Service chiefs—and secondly by their positions. Third, the Services would retain their equities, and the combatant commanders would generally retain control of fielded forces, whereas the Joint Command Staff would give direction through them for global operations. The conceivable exceptions where a joint task force might work directly for the Joint Command Staff already exist in the joint functional component commands for specific global issues organized currently at USSTRATCOM, which are issue-based rather than force-based.

Finally, neither the separation of power between the joint operational chains of command and Services nor the information and oversight environment in the transparent governmental world of today lend themselves to military power-mongering. Similarly, the American environment is so open and congressional cognizance so acute that subversion of the U.S. Government from within would be difficult. Also, the leonine personalities at issue in 1947—including, for example, commanders who wielded authority over the 10 percent of the national population that was under arms—are not present today. The military is much smaller in personnel as a portion of the total population.¹⁴

In examining the possibility of one person exceeding his mandate, it should be noted that the individual need not be a general or even in the military. The numerous problems with the Cobra II plan for the invasion and security of Iraq from phase four

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(stabilization) onward have been attributed in part to a Secretary of Defense who chose to ignore his Joint Staff and deal directly with a geographic combatant command because

the Joint Staff had disagreements with him. In today's structure, the Secretary was well within his legal authority to do so. USCENTCOM devised what may have been the most successful joint and coalition operation in history through phase three, but due to its regional limitations, lack of connection to the rest of government, necessary tactical focus, total lack of follow-on troops, and failure to include a standing headquarters for the ensuing occupation, it did not foresee the next steps with any degree of clarity. These are strategic tasks that the Joint Staff is particularly suited for.

Arguably, General Colin Powell's time as Chairman most closely approached a directive Joint Staff. Overseeing 28 diverse crises ranging from the initial, successful phase of humanitarian intervention in Somalia to Operation *Desert Storm*, the Powell era demonstrated in part what firm national joint leadership might accomplish, including the discussion of what happened next in the very same country, Iraq.

As Secretary of Defense Robert Gates has noted, DOD "must set priorities and consider inescapable tradeoffs and opportunity costs."¹⁵ Structural change in the Unified Command Plan is not a simple matter of executive orders or Secretary of Defense memoranda. While experiments are both fruitful and instructive, they can also expose the flaws of the ideas proposed. Among the most glaring flaws highlighted by the experiments to date is the lack of statutory foundation for the changes proposed. Converting the Joint Staff into a Joint Command Staff, while a simple action, would require statutory change through Congress, not just an order from a Cabinet officer.

For years, the Nation has built its strategic frameworks on the supposition of global and transregional threats. Jointness has passed into the military lexicon as an assumption of that which is desired, so much so that discussions now have turned to making military commands more "inter-agency." Before that step, however, the final pillar of the joint concept must be erected, and that pillar is a unified global Joint Command Staff with executive authority tying all joint military operational chains of command together nationally. A Joint Command Staff is the ultimate step in the long process of transition toward unified action. The time for change is now. **JFQ**

NOTES

¹ *The National Security Strategy of the United States of America* (Washington, DC: The White House, March 2006), available at <www.whitehouse.gov/nsc/nss/2006/>.

² *The National Defense Strategy of the United States of America* (Washington, DC: Office of the Secretary of Defense, June 2008), available at <www.defenselink.mil/news/2008%20national%20defense%20strategy.pdf>.

³ Frank G. Hoffman, "Hybrid Warfare and Challenges," *Joint Force Quarterly* 52 (1st Quarter 2009), 34.

⁴ "Declassified Key Judgments of the National Intelligence Estimate 'Trends in Global Terrorism: Implications for the United States' dated April 2006," available at <www.dni.gov/press_releases/Declassified_NIE_Key_Judgments.pdf>.

⁵ Jeffrey Buchanan, Maxie Y. Davis, and Lee T. Wight, "Death of the Combatant Command? Toward a Joint Interagency Approach," *Joint Force Quarterly* 52 (1st Quarter 2009), 92.

⁶ U.S. Code (USC) Title 10, available at <<http://uscode.house.gov/pdf/2006/2006usc10.pdf>>. Function of Chief of Naval Operations, USC § 5032, Function of Commandant of the Marine Corps, USC § 5041, Function of Chief of Staff of the Air Force, USC § 8032, Function of Chief of Staff of the Army, USC § 3032.

⁷ "The History of the Unified Command Plan 1946 to 1993," available at <www.dtic.mil/doctrine/jel/history/ucp.pdf>.

⁸ See Gordon Nathaniel Lederman, *Reorganizing the Joint Chiefs of Staff* (Westport, CT: Greenwood Press, 1999).

⁹ USC, Title 10, Subtitle A, Part I, Chapter 5, § 153; U.S. Department of Defense (DOD) Directive 5100.1, *Functions of the Department of Defense and Its Major Components* (Washington, DC: DOD, August 1, 2002).

¹⁰ See Posture Statement of General Lance L. Smith, USAF, Commander of U.S. Joint Forces Command, before the 110th Congress House Armed Services Committee, March 15, 2007.

¹¹ USC, Title 50, Chapter 15, § 401, 1.12.

¹² See Mary C. Yates, "U.S. Africa Command: Value Added," *Joint Force Quarterly* 52 (1st Quarter 2009), 152.

¹³ Lederman, 57.

¹⁴ *Ibid.*, 57–61.

¹⁵ Robert M. Gates, "A Balanced Strategy: Reprogramming the Pentagon for a New Age," *Foreign Affairs* 88, no. 1 (January-February 2009), available at <www.foreignaffairs.org/20090101faessay88103/robert-m-gates/how-to-reprogram-the-pentagon.html>.