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CINC CONTROL OF FORCES: AN ANALYSIS

By

Karla J. Horn

GS-14 Department of Navy

A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College of the Department of the Navy.

Signature: Karla J. Horn

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C. P. Neimeyer
Faculty Advisor
Professor Charles P. Neimeyer
National Security Decision Making Department

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ABSTRACT

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While the Unified Commanders in Chief (CINCs) were given increased responsibility through Goldwater-Nichols, the authority of the CINC has not been increased respectively. Though the CINC has operational command of the forces in his theater and is held responsible for their readiness and performance, he has minimal input to the training and resources of his forces. The Component Commands retain the funding for their respective forces and provide the required level of training as identified by the Component Command. This dichotomy of responsibility and authority creates limitations for the CINC and potentially affects his ability to achieve his operational objectives.

INTRODUCTION

The threat to the United States since the end of the Cold War has shifted from a single Communist threat to numerous threats of regional conflicts. The subject of "this shift" in U.S. military operations is not a new one. Three primary elements associated with the shift in strategy identified in the Department of Defense (DoD) Bottom Up Review (BUR) beginning in 1992 include (1) the fact that former Soviet conventional threat to Europe has disappeared, (2) new dangers have emerged in the post-Cold War world, and (3) there remains a formidable residual nuclear capability with four of the states of the former Soviet Union.¹ The focus of this paper is on the first two elements and the contingency operations that the U.S. has been involved in since the end of the Cold War. Though the former Soviet conventional threat has disappeared, numerous new threats have been identified that require U.S. intervention. The new threats require the expenditure of funds that were budgeted for other DoD requirements.

This two-pronged analysis will not only examine the shift in U.S. operations but also the shift in how DoD responds to the new threats. Since the strengthening of the role of the Chairman of the Joint Chiefs of Staff in the Goldwater-Nichols DoD Reorganization Act in 1986, a focus on jointness has been created.

While the Unified Commanders in Chief (CINCs) were given increased responsibility through Goldwater-Nichols, the authority of the CINC has not been increased respectively. Though the CINC has operational command of the forces in his theater and is held responsible for their readiness and performance, he has minimal input to the training and resources of his forces. The Component Commands retain the funding for their respective forces and provide the required level of training as identified by the Component Command.

This dichotomy of responsibility and authority creates limitations for the CINC and potentially affects his ability to achieve his operational objectives.

SHIFT TOWARD CONTINGENCY OPERATIONS

In 1994, the U.S. participated in operations in Haiti, Saudi Arabia, Rwanda, and Guantanamo Bay, Cuba that were not planned or budgeted. These types of Military Operations Other than War (MOOTW) have continued through 1999 including activity in Bosnia and Southwest Asia that has been ongoing up to nine years. These are unbudgeted operations. When forces are diverted to operations other than those planned, numerous challenges are created for the CINC. "The pace and importance of peacetime activities have placed added burdens on unified command staffs and forces." ⁱⁱ Training and exercises are abandoned in order to meet mission requirements. Abandonment of exercises is required due to diversion of resources for fuel and other operating expenses, forces, and equipment. Operating Tempo (OPTEMPO) goals are established in order to meet training and readiness goals in each Component Command but may not be affordable if the U.S. continues to commit to unbudgeted operations. Component Commands are often forced to fund unplanned operations from within their Operation and Maintenance (O&M) appropriated funding. The decrease in DoD force structure has compounded the problem associated with meeting the increased demands of the MOOTW while continuing to maintain the same OPTEMPO. The decrease in forces combined with increased participation in humanitarian or regional security efforts have forced the CINC to prioritize force participation.

"Recent contingency operations supported by the U.S. Military Services have increased in number and complexity, and have impacted resources. At the same time, our

military forces have undergone a massive transformation resulting in a significant decrease in personnel, units, and operating funds. These events have presented significant challenges the financial and resource managers in executing contingency plans.ⁱⁱⁱ It is not expected that the shift to increased involvement in unplanned contingency operations will change in the near future. Participation in MOOTW is required to meet U.S. strategic objectives "to promote the growth of freedom, democratic institutions, and fair and open international trade."^{iv} As long as these U.S. commitments continue, forces will be overspread and unavailable for training.

FUNDING HISTORY

The issue of funding for unplanned military operations has its roots back to the beginning of this country. From George Washington to Bill Clinton, the President has been involved in decisions associated with funding contingency operations. "In 1793, the Whiskey Rebellion broke out in western Pennsylvania against the excise tax. Acting pursuant to statutory authorization, President Washington called out the militia to suppress the rebellion. Because Congress had not appropriated funds to this end, the call-up was provisionally funded out of the general appropriation for the War Department."^v Even 200 years ago, the battle for control of military forces was associated with funding control. President Washington made a decision without the approval of Congress to fund military operations. After President Washington's decision to transfer appropriated funding to support the militia, some members of Congress inferred the "action directly threatened congressional control of military adventures."^{vi} Congress, through the appropriation process,

ultimately maintains control of military operations funding, but the CINCs are held responsible for performance during the military operations.

During the Vietnam War, troops were deployed and operations directed by the President for four years before Congress approved supplemental funding for the DoD. Congress did not declare war, but passed a Resolution in 1964 that authorized the President to take necessary action to defend U.S. forces and prevent further aggression.^{vii} In 1965, after force levels had reached 184,000, Congress approved a supplemental appropriation. The passing of the supplemental funding was a disguised congressional approval of the President's actions in order to continue the military buildup in Southeast Asia. The funding requests allowed Congress to review and approve the level of operations being planned or ongoing in Southeast Asia with a vote to pass the Supplemental. The continuation of the military operations was dependent on the funding approval. In fact, it was the lack of approval of Supplemental funding that Congress employed to halt the operations in Southeast Asia. The example of the Vietnam War exemplifies the control Congress has while holding the purse strings. By not funding operations for four years in the beginning of the Vietnam operations, Congress was denying support to DoD and the military forces in Vietnam and forcing the Component Commands to pay for the war out of hide.

Congress has enacted numerous supplemental funding bills that provide funding for unbudgeted operations during the year of execution, but untimely approval of the supplemental results in an inability to perform normal operations. Component Commands are legally limited to the funding appropriated. If Congress does not approve the supplemental funding until the end of the fiscal year, it is often too late to allow for continuance of planned operations. Often reprioritization occurs early on in the fiscal year

by the Component Commands in anticipation of the need to realign funding to support contingency operations. In addition to training exercises, maintenance including depot, intermediate, and organic may be unfunded in order to allow continued participation in unplanned contingency operations. Supplemental funding is not guaranteed. "Things can go wrong. For example, during fiscal year 1995 we did not submit and Congress did not grant a budget supplement to cover the service operation and maintenance account that we had depleted by the contingency operations that occurred so late in the fiscal year. . . . The inevitable result was that funds were taken from later-deploying units, and their readiness suffered."^{viii}

In FY 1996, Congress created the Overseas Contingency Operations Transfer Fund (OCOTF) in an attempt to earmark funds for unbudgeted contingency operations. Component Commands are asked to estimate incremental costs one or two years in advance of actual execution of the operation and in some instances when the operation is on-going, e.g. Bosnia and Southwest Asia operations. The estimates are provided to the Office of the Secretary of Defense (Comptroller) (OSD (C)) who holds the purse strings. OSD (C) is responsible for evaluating Component Command requirements throughout the year of execution. Based on the level of activity experienced in the contingency operation, costs are reported to the OSD (C) who distributes the funding accordingly. The OCOTF is established at the beginning of the fiscal year, so the demands on the OCOTF are dependent on the number and extent of unbudgeted operations throughout the year. If costs rise above the total funding available in the OCOTF, all operations may not be funded. When that situation occurs, the Component Commands are forced to identify other sources of funding, primarily within the O&M account where OPTEMPO is legally funded. The result is often the

inability to perform other planned exercises. An inability to perform required training exercises negatively impacts Component Command and CINC force readiness.

UNPLANNED INCREASE TO OPTEMPO AND IMPACT ON READINESS

The DoD has established readiness goals. These readiness goals reflect the level of training required to support participation in a major theater of war. "Readiness is an imprecise term which connotes different things to different people . . . a balancing of manpower, investment, and operations and maintenance expenditures that produces a force structure capable of a rapid, sustained, and ultimately successful response to the threat."^{ix} Each Component Command is responsible for budgeting to meet its own readiness goals. Unbudgeted contingency operations can disrupt the achievement of readiness goals.

While the substitution of a contingency operation for a planned exercise may seem to be indistinct, it is not. Participation in Kosovo or other unplanned operations cannot replace missed training and exercises. Joint training exercises are created uniquely for each command. "Tailored for a designated command based on an assessment of its joint mission essential task list, training normally includes headquarters-wide topics such as crisis action planning and Joint Task Force (JTF) organization as well as specialized coverage of joint intelligence, logistics, and personnel management."^x Joint training is designed to allow forces from different Component Commands to work together as a team prior to participation in a major theater war but also to develop confidence among the troops and leadership. Joint training "produces the trust needed for full and rapid assimilation."^{xi} If a joint training exercise is cancelled or superseded by an unplanned contingency operation, force readiness and the ability to respond successfully are impacted. While contingency operations have

become more predominant in terms of U.S. military operations, the U.S. must continue to be prepared for a major theater of war. Preparedness is being sacrificed for participation. During recent testimony before Congress, Commanders in Chief from the U.S. European Command, U.S. Central Command, and the United Nations Command/Combined Forces Command addressed their concerns associated with the impact of the contingency operations on the readiness of their forces.

“USEUCOM’s optempo continues at a record pace and it presents many challenges to maintaining individual, unit, and joint readiness in support of national security interests. Long duration and back-to-back peacekeeping or humanitarian operations of the kind we have experienced since 1994 hinder the ability of combat units to maintain their readiness for high-intensity operations. Combat units experience the most degradation since peacekeeping and humanitarian missions are radically different from conventional warfighting missions. Individual units also experience readiness degradation when some of their personnel are forward-deployed to back-fill other units supporting contingency operations.”^{xii}

The constraints created by participation in contingency operations are manageable.

Examining the question of who is doing the managing vice who should be doing the managing helps to identify the problem. Currently, the Component Commands are managing the financial constraints; financial constraints translate into training and readiness constraints. The CINC should participate in the managing of financial constraints. The CINC cannot successfully fulfill his responsibilities associated with force readiness if he is not an integral part of the financial management process. In 1980, before the recent increase in participation in peacekeeping and humanitarian operations, Congress noted the importance of flexibility in dealing with the limited O&M funding levels, the importance of management decision-making, and the impact on readiness. For the Component Commands, the juggling priorities is “an inevitable and continuous damage limiting exercise that does not promote good management, but merely staves off disaster.”^{xiii} One disaster is reduced readiness. The

Component Commands are forced to demonstrate flexibility in funding the contingency operations while the CINC does not have flexibility in performance.

General Anthony Zinni, Commander in Chief of the U.S. Central Command, noted in his Congressional testimony in 1998 his concern with the impact on readiness associated with participation in contingency operations and the cancellation of joint training exercises. "Any further cuts run the risk of adversely affecting readiness, our ability to effectively conduct joint operations and campaigns, and exercise key elements of our strategic bridge."^{xiv} In addition to voicing concern about the impact on deployed forces and their ability to perform in a major theater war, he looks beyond the readiness of his forces today to the non-deployed forces that subsequently arrive as replacement forces. "There are concerns about the units and personnel of the follow on echelons. In order to maintain our two major theater of war capability, we need to ensure that the total force has adequate operations and maintenance funding to support training, infrastructure, exercises and deployments."^{xv} General Zinni identified the importance of force readiness from his perspective as a CINC. Even though the CINC is not given the funding authority to maintain force readiness, he is held responsible for the force readiness according to Goldwater-Nichols. "The Command of a Combatant Command is directly responsible to the Secretary for the preparedness of the command to carry out missions assigned to the command."^{xvi}

The future readiness of the forces is an element of the CINC's planning process. Whether deliberate or crisis action planning, force factor measures influence the selected course of action. While the CINC incorporates force readiness into his planning process, he cannot predict or control changes in force readiness because the Component Commands control the funding.

CINC COMMAND AND CONTROL

The role of the Joint Chiefs of Staff was strengthened by the Goldwater-Nichols DoD Reorganization Act of 1986. "Reforms mandated under Goldwater-Nichols fundamentally altered relationships between the services and joint system and between civilian and military sides of the defense establishment."^{xvii} Goldwater-Nichols was written in response to what was viewed as numerous military failures or performances that were not well coordinated or successfully executed. "After troubling operational experiences in Korea, Vietnam, and the Iranian hostage rescue mission, a hue and cry arose over reforming . . . JCS as an institution."^{xviii} The Goldwater-Nichols Act increased the responsibilities of the Chairman of the Joint Chiefs of Staff (CJCS) in anticipation of increased coordination between the Component Commands toward a joint effort. In particular, Title 1 "revised and clarified the DoD operational chain of command and JCS functions and responsibilities to provide for more efficient use of defense resources."^{xix} The CJCS is the "principle military advisor to the President . . . and assigned specific joint operation planning responsibilities."^{xx} The CJCS communicates directly with the CINCs. The direct communication between the CJCS and the CINCs eliminates the Component Commands from the operational chain of command.

Through the improvements in the organizational structure directed by Goldwater-Nichols, the Combatant Commanders or Unified CINCs also have increased responsibilities. "The Combatant Commanders are responsible for the development and production of joint operation plans."^{xxi} The planning process is implemented both during peacetime through the deliberate planning process and in emergencies through crisis action planning. In both

processes, the CINCs must develop courses of action based on mission, objectives, enemy and own strengths and weaknesses and take into consideration forces and force readiness. The CINC also has the responsibility to be prepared and to execute the approved plan. "Commanders of combatant commands are responsible to the NCA for preparedness of their commands and for the accomplishment of the military missions assigned to them."^{xxii} However, the CINC is limited in his ability to implement the plan because he does not have direct control of the funding for his forces. The Component Commands maintain the funding control and hence the training and readiness levels of the forces. The CINC is limited to the forces he has available and must evaluate how he wants those forces to be spread. When developing, evaluating, or recommending a course of action, the CINC should and does take into consideration his ability to participate in a major theater of war. Committing only a minimum number of troops to a humanitarian operation may be necessary in order to maintain readiness and force levels available for other operations. This type of prioritization is a consideration of the CINC, but is not part of the formal planning process. There is a dichotomy that has developed because the CINC is given responsibility but not authority for troop readiness. The Command and Control of the CINC becomes encumbered, "control serves its purpose if it allows commanders freedom to operate, delegate authority, place themselves in the best position to lead, and synchronize actions."^{xxiii} The CINC does not have complete freedom.

ROLE OF COMPONENT COMMANDS

The role of the Component Commands or Military Service Components continues to cause confusion in the joint arena. "All joint forces include Service components.

Administrative and logistic support for joint forces are provided through Service components."^{xxiv} Though the Component Commands maintain overall training responsibility for their respective troops, they do not have control of the troops operationally. The CINC has combatant command of assigned troops. "Combatant command provides full authority to organize and employ commands and forces as the combatant commander considers necessary to accomplish assigned missions."^{xxv}

Each Component Command maintains an operating budget to provide force training and readiness. During deployment, though forces are under the Combatant Command (COCOM) and the Operational Control (OPCON) of the CINC, the Component Commands continue to hold the purse strings. The Component Commands spend years developing program funding levels and readiness goals. After defending those goals throughout the resourcing process, including defending requirements to Congress, the Component Commands cannot predict what events will alter the year of execution. The operating budget must be flexible enough to absorb major disasters and crises that have associated costs to the DoD and continue to train forces that can respond to the CINCs' needs. "The Military Departments . . . organize, train, equip, and provide forces."^{xxvi}

When an unbudgeted operation is ordered, the CINC provides a plan to the NCA for approval. The CINC will direct forces to perform a specific mission. The Component Commands provide and evaluate the training of forces, but the CINC employs the trained forces. "A mismatch between responsibility and authority on either the CINC or service chief level clearly degrades the outcome of their respective efforts."^{xxvii}

The Component Commands provide funding for both training and operational exercises from one appropriation, Operations and Maintenance. The appropriation is

available for only one year and has restrictions in terms of how and when it can be obligated. Congress has established limitations that prevent realignment of funding without congressional approval or congressional notification. Congressional limitations place an additional constraint on the Component Commands that are managing unbudgeted emergencies that must be absorbed during the year. These emergencies include humanitarian and peacekeeping efforts but also can include hurricane damage repair costs and litigation costs. Each Component Command is forced to prioritize the CINC's requests along with the other emergencies that arise during the year. The CINC does not control the outcome of the Component Command's prioritization.

During an unbudgeted contingency operation, it is the CINC who is responsible for reporting to Congress the estimated costs of the operation. This is somewhat inappropriate because the CINC does not have the capability or requirement to fund the operation. Component Commands also provide a cost estimate. The Component Commands provide cost estimates to the JCS and to OSD, creating an avenue for the CINC to receive and review the information. This is not a logical or reasonable approach. The CINC has no influence over and a limited understanding of the data that the Component Commands have provided, yet he is responsible to Congress to defend the data. This problem has to be resolved if the CINC is going to be able to honestly and knowledgeably answer to Congress and fulfill his mission as directed by the NCA.

RECOMMENDATIONS

Goldwater-Nichols attempted to mend the separation that existed between the JCS and the Services. By increasing the role of the CJCS, Congress could improve the

performance of joint operations, "it was necessary to eliminate interservice rivalry and force interservice cooperation."^{xxviii} However, the issue of financial management was not properly addressed. The CINC continues to be limited in his ability to control his forces totally, though he is clearly given authority over his forces. "Today the resource allocation process blends the intent of Goldwater-Nichols by providing for more efficient use of defense resources and assigning clear responsibility and commensurate authority to CINCs."^{xxix} The CINC through the JCS does provide input to the Component Commands, but the impact is minimal in terms of the CINCs ability to influence training and procurement priorities to meet his needs. The CJCS has increased participation in the budget process through the establishment of the Joint Requirements Oversight Council (JROC). The JROC is a tool for the JCS to provide input to the Component Commands concerning CINC priorities including training and readiness. The JROC is headed by the Vice CJCS. The input that JROC provides to the budget process will have a long-term effect on the incorporation of CINC priorities. Program planning often occurs five years in advance of actual spending. The establishment of the JROC does not correct the readiness losses experienced today. In the short term, unbudgeted contingency operations must be absorbed at the beginning, middle, or end of a fiscal year, resulting in some loss to readiness. Readiness losses today cannot be quickly recaptured. "Current readiness indicators are a reflection of budget decisions 2-5 years ago."^{xxx} The effect of reduced readiness may bow wave for years into the future.

One option is for the CINC to have direct input into the funding process associated with unbudgeted contingency operations. Incremental funding provided directly to the CINC would allow for a separation of funding. Component Commands would continue to fund operations and exercises as budgeted to maintain readiness. Incremental funding is the

additional funding required to perform the contingency operation. The CINC is responsible for the forces and should be responsible for their incremental funding. When the order is given from the NCA, funding could be provided to the CINC to perform the additional mission. It is not the responsibility of the Component Commands to sacrifice their funded programs in order to support NCA decisions. This would eliminate the limited authority of the CINC and allow him to incorporate financial management planning into his decision making process.

Another option is to increase the CINC's input to the distribution of the OCOTF by assigning the VCJCS responsibility for oversight of the fund. By increasing the role of the JCS in the distribution of the OCOTF funding, the CINCs are ensured a more timely distribution of funding to the Component Commands. This would result in less disruption to planned exercises.

A third option is to increase the CINC's participation in the programming process. Though the CINC currently provides input through the JROC, the CINC's interests are competing with those of the Service Components. The VCJCS must be able to exchange information with the Component Command that are responsible for providing the forces to the CINC. In the current process, the CINC capabilities to measure force readiness and provide valid input is limited. By expanding the CINC staff structure to allow financial planning into both the deliberate and crisis planning processes, the CINC will be able to articulate his needs to the Component Commands and legitimately defend those requirements to Congress. "CINCs must engage appropriately in the resource allocation process to procure tomorrow's forces while maintaining their respective fundamental command warfighting

focus on employing today's forces. This involves balancing current and future readiness which both fall within their purview."^{xxx}

Retired General Paul F. Gorman, former CINC of U.S. Southern Command reflected on his experiences in the mid 1980's concerning plans to train Salvadoran forces and to deploy troops to Honduras, "This deployment was an 'unprogrammed requirement' for the services, disrupting plans and diverting funds from other activities. . . . Each component commander reported to a four-star service commander in the U.S. for funds, personnel matters, and guidance on priorities . . . their wishes took precedence over mine. Hence, I became a staunch advocate of reforms to assign genuine authority to each regional CINC commensurate with his responsibilities."^{xxx} General Gorman very clearly identified the problem that currently exists today. While the Unified CINCs have been given increased responsibility through Goldwater-Nichols, the authority of the CINC has not been increased respectively.

NOTES

- ⁱ John Deutch, "Dealing with the Budget Requirement for Defense," Defense Issues, January, 1995, 1-2.
- ⁱⁱ Joseph W. Prueher, "Warfighting CINCs in a New Era," Joint Forces Quarterly, Autumn, 1996, 48.
- ⁱⁱⁱ Kufeldt, Ed, Will Stormer, Jim Koppenhafer, and Al Easter, "Lessons Learned from Recent Contingency Operations," Armed Forces Comptroller, Summer, 1995, 23.
- ^{iv} Joint Chiefs of Staff, Joint Tactics, Techniques, and Procedures for Foreign Internal Defense (FID) (Joint Pub 3-07.1) (Washington, D.C.: June 26, 1996), I-1.
- ^v William C. Banks and Peter Raven-Hansen, National Security Law and the Power of the Purse (New York: Oxford University Press, 1994), 34.
- ^{vi} *Ibid.*, 35.
- ^{vii} *Ibid.*, 119.
- ^{viii} Deutch, 3.
- ^{ix} Congress, House, Committee on Armed Services, Review of Readiness Considerations in the Development of the Defense Budget, Staff Report of the Readiness Panel of the Procurement and Military Nuclear Systems Subcommittee, 96th Cong, 2d sess., 31 December 1980, 1.
- ^x Prueher, 50.
- ^{xi} Prueher, 50.
- ^{xii} Wesley K. Clark, "Statement," U.S. Congress, Senate, Committee on Armed Services, Department of Defense Authorization for Appropriations for Fiscal Year 1999 and the Future Years Defense Program, Hearings before the Committee on Armed Services, 105th Cong, 2d sess., 3, 5, 10, 12 February and 3, 5, 26 March 1998, pt. 1, 447.
- ^{xiii} House Committee on Armed Services, 8.
- ^{xiv} Anthony C. Zinni, "Statement," U.S. Congress, Senate, Committee on Armed Services, Department of Defense Authorization for Appropriations for Fiscal Year 1999 and the Future Years Defense Program, Hearings before the Committee on Armed Services, 105th Cong, 2d sess., 3, 5, 10, 12 February and 3, 5, 26 March 1998, pt. 1, 462.
- ^{xv} *Ibid.*
- ^{xvi} "United States Statutes at Large," Public Law 99-433 Goldwater-Nichols Department of Defense Reorganization Act, CH-6, sec 164 (b) 2B (1986).
- ^{xvii} Christopher M. Bourne, "Unintended Consequences of the Goldwater-Nichols Act," Joint Forces Quarterly, Spring 1998, 99.
- ^{xviii} Peter W. Chiarelli, "Beyond Goldwater Nichols," Joint Forces Quarterly, Autumn 1993, 71.
- ^{xix} *Ibid.*, 73.
- ^{xx} Joint Chiefs of Staff, Doctrine for Planning Joint Operations (Joint Pub 5-0) (Washington, D.C.: April 13, 1995), I-5.
- ^{xxi} *Ibid.*, I-6.
- ^{xxii} Joint Chiefs of Staff, Doctrine for Joint Operation (Joint Pub 3-0) (Washington, D.C.: February 1, 1995), I-7.
- ^{xxiii} *Ibid.*, II-16.
- ^{xxiv} *Ibid.*, II-13.

xxv Joint Chiefs of Staff, Doctrine for Planning Joint Operations, GL-4.

xxvi Joint Chiefs of Staff, Doctrine for Joint Operation, II-6.

xxvii Bourne, 106.

xxviii Bourne, 104.

xxix Prueher, 52.

xxx House, Committee on Armed Services, Review of Readiness Considerations in the Development of the Defense Budget, 1.

xxxi Prueher, 52.

xxxii Prueher, 49.

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