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CONTINUED PITFALLS WITH IMPLEMENTATION OF TITLE IV, GOLDWATER-NICHOLS ACT

BY

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ABSTRACT

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In 1986, Congress enacted the Department of Defense Reorganization Act. Title IV of the Act directed the services how to manage joint officers in an effort to improve the quality of joint officers and operations. The mandates affected the promotion, assignment, and education of the joint officer. This research project examines the intended goals of Title IV and specific aspects of joint officer personnel management. It highlights continued pitfalls with the implementation of Title IV with regard to Joint Specialty Officers, particularly with the application of career management and promotion comparison objectives. Although the Department of Defense can celebrate some notable successes in the area of joint officer personnel policy, there is certainly need for improvement. This project concludes with recommendations for consideration to help improve the services' ability to manage joint officers and comply with the law.

TABLE OF CONTENTS

ABSTRACT ..... **III**

CONTINUED PITFALLS WITH IMPLEMENTATION OF TITLE IV, GOLDWATER-NICHOLS ACT **1**

BACKGROUND **1**

THE GOLDWATER-NICHOLS ACT **2**

PERSONNEL PROVISIONS OF THE ACT (TITLE IV) 2

GOLDWATER-NICHOLS ACT UPDATES 4

INTENT OF TITLE IV 4

JOINT OFFICER PERSONNEL MANAGEMENT **5**

JOINT DUTY ASSIGNMENT LIST (JDAL) 5

JOINT SPECIALTY OFFICERS (JSO) 6

CRITICAL BILLETS 7

ASSIGNMENTS AND JOINT TOUR LENGTHS 8

PROMOTIONS 8

JOINT PROFESSIONAL MILITARY EDUCATION (JPME) 9

CONTINUED PITFALLS **10**

CRITICAL BILLETS 10

JOINT SPECIALTY OFFICERS 11

CAREER MANAGEMENT 12

PROMOTIONS 13

RECOMMENDATIONS **14**

CRITICAL BILLETS 14

JOINT SPECIALTY OFFICERS AND CAREER MANAGEMENT 15

PROMOTIONS 15

CONCLUSION **16**

ENDNOTES **17**

BIBLIOGRAPHY **21**

CONTINUED PITFALLS WITH IMPLEMENTATION OF TITLE IV, GOLDWATER-NICHOLS ACT

Title IV, Joint Officer Personnel Policy, of the Department of Defense Reorganization Act of 1986 specified a system of joint officer management, including management policies, promotion objectives, and educational and experience requirements. The intent of the personnel provision was to enhance the quality, stability, and experience of officers in joint assignments, which, in turn, would improve the performance and effectiveness of joint organizations.[1] At that particular point in time, the services needed a force from outside to get them to look more seriously at "jointness." It is essential to continually assess Title IV to ensure that the requirements of the law are reasonable, attainable, and meet the intent of Congress as enacted. The challenge of all services is how to implement the provisions of Title IV and integrate joint officer personnel management policies into their systems. Although very detailed and tedious, it is important to examine the intended goals and specific aspects of joint officer personnel management in order to realize the reversal of the negative image of "jointness" that the services had prior to 1986 and to understand possible future changes needed to improve. Nearly a decade and a half beyond the law's passage, there are continued pitfalls with the implementation of Title IV. This suggests that the Department of Defense has yet to effectively implement all of the required provisions intended to improve joint officer management policies.

The Goldwater-Nichols Department of Defense Reorganization Act of 1986 was subsequently codified in Title X. However, rather than referring to the extensive provisions of Title X, Title IV will be used throughout this research project.

BACKGROUND

In a 1985 study, the Senate Armed Services Committee staff found that the quality of military personnel assigned to joint duty was inadequate. The study's recommendations were grouped into three categories: (1) change promotion policies to increase interest in joint assignments, (2) improve the preparation and experience levels of officers serving in joint duty assignments, and (3) provide for improved personnel management of all military officers serving in joint duty assignments.[2] A 1986 House Armed Services Committee report contained similar findings. That report described a weak joint organizational structure and an unsatisfactory personnel management system that failed to fill joint positions with officers who had the required talent, education, training, and experience.[3]

THE GOLDWATER-NICHOLS ACT

The Department of Defense (DoD) Reorganization Act of 1986 (commonly referred to as "The Goldwater-Nichols Act" and subsequently referred to as the GNA) was passed as a result of the significant concerns expressed about organizational and personnel problems affecting joint U.S. military operations.[4] Its provisions contained the most sweeping and drastic changes to Department of Defense officer personnel management since Congress created the Department of Defense in 1947. Of particular importance in this reorganization act was its Title IV, Joint Officer Personnel Policy. Title IV established procedures for selection, education, assignment, and promotion of joint duty officers. The act directed a broad range of organizational and functional changes to improve the ability of the military services to carry out successful joint military operations.

PERSONNEL PROVISIONS OF THE ACT (TITLE IV)

A summary of the specific provisions of Title IV, Joint Officer Personnel Policy, follows:

- Established an occupational category, referred to as the "joint specialty," for the management of officers who are trained in and oriented toward joint matters.
- Provided that joint specialty officers (JSOs) shall be selected by the Secretary of Defense from nominees submitted by the Service Secretaries.
- Required that an officer may not be selected for the joint specialty until he/she completes a joint education program and a full joint tour.
- Required that 50 percent of joint duty positions in grades above captain/Navy lieutenant be filled by officers who have been nominated or selected for the joint specialty.
- Directed the Secretary of Defense to designate at least 1,000 critical joint duty assignments (JDAs) that must always be filled with joint specialty officers.
- Required the Secretary of Defense to establish career guidelines for JSOs.
- Required, subject to a waiver by the Secretary of Defense, that all officers promoted to general or flag rank must attend an education course ("CAPSTONE") on working with the other services.
- Required all JSOs and a high proportion of other officers (50 percent plus one) who graduated from a joint school to be assigned immediately to a joint duty position.

- Prescribed, subject to a waiver by the Secretary of Defense, that joint duty tours shall be at least 3 years in length for general and flag officers and at least 3 ½ years in length for other officers.
- Required the Secretary of Defense to exclude joint training assignments and assignments within the military departments from the definition of "joint duty assignments."
- Specified that each promotion board, subject to waiver for the Marine Corps, that will consider officers who have served in JDAs include at least one joint duty officer designated (as a board member) by the Chairman of the Joint Chiefs of Staff (CJCS).
- Established the following promotion review process for officers who are serving, or who have served, in joint duty assignments:
    - Requires the Secretary of Defense to furnish to the Service Secretaries guidelines to ensure that promotion boards give appropriate consideration to joint duty performance;
    - Directs the Chairman of the Joint Chiefs of Staff to review promotion board reports before they are submitted to the Secretary of Defense;
    - Authorizes the Service Secretaries, if the Chairman of the Joint Chiefs of Staff determines that a promotion board acted contrary to the Secretary of Defense's guidelines, to return the report to the promotion board (or a subsequent promotion board) for further proceedings, convene a special board, or take other appropriate actions;
    - Directs the Secretary of Defense to take appropriate action to resolve any remaining disagreement between a Service Secretary and the Chairman of the Joint Chiefs of Staff.
- Required the Secretary of Defense to ensure that the qualifications of officers assigned to JDAs (to include JSOs not serving in JDAs) are such that the average promotion rates of their service will be achieved or exceeded.
- Required, subject to a waiver by the Secretary of Defense, that no officer may be promoted to general or flag rank unless he/she has served in a JDA.
- Required the Chairman of the Joint Chiefs of Staff to evaluate the joint duty performance of officers recommended for three- and four-star rank.
- Required the Secretary of Defense to advise the President of the United States on the qualifications needed by officers to serve in three- and four-star positions.[5]

GOLDWATER-NICHOLS ACT UPDATES

Following initial implementation, the Department of Defense submitted proposals for modification in early 1987. These suggested modifications resulted from complications with implementation of Title IV of the GNA. As a result, in both FY 1988 and FY 1989 National Defense Authorization Acts, Congress altered the original GNA to allow the Department of Defense to set joint officer personnel policies, which addressed their proposals. Yet, the Congress did not alter the GNA in a manner to compromise the intention/goals of the reorganization law. Rather, it altered the law to reduce the tour length of JDAs for field grade officers from at least 3 ½ years to 3 and for general/flag officers from at least 3 years to 2 years. Additional changes allowed waivers in education and experience requirements, delegated authority for designating joint specialists to the Deputy Secretary of Defense, and allowed cumulative credit toward joint tour length requirements. Although not suggested by the Department of Defense, Congress made changes to specialties which could be designated Critical Occupational Specialties."[6]

In 1993, recognizing the changing environment of employing troops, Congress made another change to allow joint credit for Operations DESERT SHIELD and DESERT STORM.[7] With the assignment of Joint Professional Military Education (JPME) graduates, a minimum of at least 50 percent to joint duty mandated, Congress also afforded the services the opportunity to assign graduates to a joint position in either their primary <u>or</u> secondary assignment following JPME graduation.[8]

INTENT OF TITLE IV

Title IV established a system for joint officer management with the intent to enhance the quality, stability, and experience of officers in joint assignments (those assignments to organizations outside of an officer's individual military service that address issues involving multiple services or other nations), which, in turn, would improve the performance and effectiveness of joint organizations. To upgrade the quality of officers in joint duty positions the GNA established detailed instructions and management procedures for their selection, education, assignment, and promotion.[9] Keys to supporting the spirit and intent of Title IV are sharing quality officers with the joint community and not disadvantaging officers with joint experience. The message was clear--joint duty is very important. Associating the ultimate selection to general or flag officer rank with joint experience clearly demonstrates the quality of officer that our Congressional leaders envisioned.[10]

Achievement of Congress' intent would become the primary job of the services, led by the Joint Staff--the very same organization and personnel that Congress criticized as being "inadequate quality." The Joint Staff's inferior reputation was due to a combination of an unfavorable historical pattern of promotions and assignments for officers assigned to joint tours of duty; limited joint education; and negative attitudes towards joint duty by the services.[11] To improve the quality of joint officers and, in turn, achieve the intent of the new legislation, Congress incorporated Title IV, Joint Officer Policy into the law. Its provisions and requirements now become the focus of this project.

JOINT OFFICER PERSONNEL MANAGEMENT

At the time of the GNA's enactment, the services and its officers did ***not*** popularly view "jointness" as a positive component of an officer's career, considering joint assignments "negative" tours of duty for quality officers. It is important to examine the intended goals and specific aspects of joint officer personnel management in order to realize the reversal of this negative image of "jointness" and to understand possible future change.[12] The provisions of GNA we will focus on primarily include the establishment of the Joint Duty Assignment List (JDAL), Joint Specialty Officer (JSO), Critical Billet designation, and the restrictions set forth for assignments, joint tour lengths, promotions, and JPME.

JOINT DUTY ASSIGNMENT LIST (JDAL)

The GNA required the Secretary of Defense to establish a JDAL. The JDAL is a listing of military positions involving joint duty that satisfies the requirements of the GNA. This list includes military positions in multiservice/multinational commands or activities involved with the integrated employment or support of the land, sea, and air forces of at least two of the three military departments. Designated military positions are those which include involvement in matters related to national military strategy, joint doctrine and policy, strategic planning, strategic and contingency planning, and command/ control of combat operations.[13] Not all military positions in a multiservice environment are designated as JDAs and included on the JDAL. In addition, this list explicitly details the requirements of each position. For example, the JDAL contains the rank and primary specialty of the officer to serve in a particular position. Although a position may be "filled" by an officer who has been designated to carry out the particular duties of the position, the officer may not be of the required rank. Thus, the position is occupied, but the specific requirements of the designation are not viewed as being in compliance with the GNA. Initially, in 1987, the

Secretary of Defense designated 8,000+ positions for inclusion in the JDAL. Today, the JDAL consists of 8,700+ joint positions.[14] Table 1 details the positions on the JDAL.

Joint Staff (JCS)	786
Other Joint Duty	7,951
Total Joint Duty	8,737

Note: Total commissioned officers: O-3 through O-10 minus professional categories
*SecDef's Annual Report to the President and Congress, 2001.

TABLE 1. JOINT DUTY POSITION DISTRIBUTION
(as of 30 Sep 00)

JOINT SPECIALTY OFFICERS (JSO)

The Department of Defense was mandated (by law) to create the occupational category for joint officers, the joint specialty officer (JSO), and to establish career guidelines for officers of that specialty. JSOs were to be "particularly trained in and oriented toward joint matters."[15] The underlying rationale for joint specialists is to provide experienced officers in joint assignments. Prerequisites to becoming a JSO include successfully completing a program at a JPME school and, after completing such a program, serving a full tour in a JDA. After completing JPME, the officer can serve in a JDA as a "JSO Nominee." After completion of the joint tour, these JSO Nominees can be recommended by their services for selection as JSOs. Final approval of the selections rests with the Secretary of Defense with the advice of the Chairman of the Joint Chiefs of Staff. The law stipulates that at least 50 percent of the positions on the JDAL above the grade of captain/Navy lieutenant be filled by JSOs or officers nominated as JSO (JSO Nominees).[16]

During the period 1987-1989, the established requirements of the GNA were so new that it was reasonable to acknowledge that few officers could satisfy the criteria. Accordingly, in order to fulfill the requirements of the law, Congress provided the Department of Defense with the authority to designate officers as JSOs through "transition boards." Officers so designated by the transition boards were not subject to all the educational and assignment requisites of the law. In other words, this original period provided the services with the flexibility to "jump start" their personnel requirements in order to have a sufficient number of officers designated as JSOs. In 1990, the GNA had been in place for a sufficient period for officers to have the opportunity to meet the established criteria of the JPME, JDA and

Secretary of Defense designation. Therefore, in 1990, the GNA required that all the requirements of the law regarding JSO designation be met.[17]

Nowadays, there are four paths or career tracks that lead to a JSO designation. The typical path that leads to a JSO designation is: an officer attends JPME first, serves a joint duty tour as a JSO Nominee, and then is favorably considered by a service centralized selection board or process. Once submitted to the Chairman of the Joint Chiefs of Staff and approved by the Deputy Secretary of Defense, the officer is designated as a JSO. The vast majority of officers on this path go directly from JPME to a JDA. A small number of JPME graduates serve a Service tour after completing JPME, and may or may not subsequently serve a joint tour.

The second path that can lead to an officer becoming a JSO is for a Critical Occupational Specialty (COS) officer to serve a joint tour first and then attend JPME. This is known as a "COS Exception," since the COS officer is allowed to serve a joint tour without the prerequisite JPME course. Although three of the four services appear to use the maximum number of COS Exceptions (12.5 percent of the JDAL), few COS Exceptions (approximately 10 each year from all the services) actually attend JPME after their joint tour.[18] Thus, most COS officers who serve in JDAs as JSO nominees do not become eligible for selection as JSO.

The third path, called "out-of-sequence waiver," is for an officer to serve in a joint tour and then attend JPME. With a Secretary of Defense waiver, the officer can be designated as a JSO. This path is essentially similar to the COS Exception path and is appropriate for non-COS officers who served in a joint assignment and later attended JPME. There is a limit on the number of these waivers as you will see in the paragraph below.

The fourth path, called "two-tour waiver," is for an officer to serve two joint tours, without attending JPME. With a Secretary of Defense waiver, officers following this path can also be designated as JSOs. This path is particularly suited to officers who have a specialty in high demand on the JDAL (but not in their Service). The number of "out-of-sequence" and "two-tour waivers" cannot exceed 10 percent of the number of same-grade JSOs selected for that particular fiscal year.[19]

CRITICAL BILLETS

The GNA mandated that all designated "Critical" JDA positions (often referred to as "billets" in the joint arena) be filled by JSOs. These positions were originally envisioned to be of such importance and complexity that only officers with previous joint education and

experience could be assigned to these positions. Title IV specified that the Secretary of Defense designate at least 1,000 of the positions on the JDAL as Critical Joint Duty Assignment (CJDA) positions that must be filled by JSOs. Initially, 80 percent of the positions were to be filled by JSOs, but by 1 January 1994, JSOs were to be assigned to 100 percent of the critical billets. These positions were to be identified by examining each joint duty position and designating those for which, considering the duties and responsibilities of the position, it was highly important that the occupant be particularly trained in, and oriented toward, joint matters. As mentioned earlier, Congress allowed the services to select a number of "transitional" JSOs based on their prior duties and experience. These transition JSOs initially filled the critical billets.[20]

ASSIGNMENTS AND JOINT TOUR LENGTHS

Specific assignments and tour lengths were established to provide stability within the joint community and to ensure officers obtained a credible level of joint experience. The GNA requires that of all military positions on the JDAL, at least 50 percent must be filled by officers who have been nominated or selected as JSOs. All "critical" billets must be filled by designated JSOs. At least 50 percent plus one officer, of all officers attending a JPME school, must be assigned to joint duty within the first or second assignment following JPME.[21]

The law set minimum tour lengths for joint military positions at 36 months for field grade officers and 24 months for general/flag officers. The law does allow for a restricted number of waivers of these time minimums in relation to all joint positions. Joint policy further states that the tour length shall not exceed 48 months without Secretary of Defense waiver. The law specifies that to become a general/flag officer, one must have served in a joint duty assignment in the grades of O-4 to O-6. A specific JPME course, "CAPSTONE," is also required for all newly selected general/flag officers.[22]

PROMOTIONS

The GNA contained numerous requirements and restrictions concerning the promotion of officers in relation to joint duty so as to ensure that JSOs and Joint Staff officers being assigned to the joint community were equal in quality to, and were promoted at least at the same rates as, the officers being assigned to Service headquarters staffs. Congress mandated that specific promotion statistics be maintained for officers assigned to joint positions above the grade of O-3.

The GNA legislation mandated that certain promotion policy objectives be met to measure compliance with the intent that services assign quality officers to joint duty and that they not disadvantage officers with joint experience. The law requires that the Secretary of Defense provide a report to Congress, at least semiannually, on the promotion rates of officers in the following categories:

- Officers holding the JSO designation should average at least as high as the average of officers in the same Service and competitive group who were serving or had served on the Service Headquarters staff. (JSO $\geq$ Service Headquarters Staff)
- Officers serving on, or who had served on, the Joint Staff should meet the same standard. (Joint Staff $\geq$ Service Headquarters Staff)
- Officers serving in, or had served in, other JDAs should average at least as high as the Service-wide average for officers in the same Service and competitive group. (Other Joint $\geq$ Board Average)

If the promotion rates fail to meet the promotion objectives above, the Service Secretary must provide information on specific failures and describe actions or plans to prevent future failures.[23]

JOINT PROFESSIONAL MILITARY EDUCATION (JPME)

Joint education has its origins in the GNA and the House Armed Services Committee Panel on Military Education of 1989 (known as the "Skelton Panel" for its chairman, Representative Ike Skelton).[24] The Skelton Panel was the impetus behind establishment of a two-phased PME process for JSO eligibility and qualification. Skelton believed that in order for the services to develop high quality JSOs, a strong joint educational system had to be created together with effective personnel management practices. It was intended that a joint perspective be ensured by immersion of officers into a multiservice environment of academics, sports, and living accommodations in which the student body and faculty are proportionally representative of all military departments. Becoming a joint team player, communicating with members of other services, and understanding the services' capabilities and limitations for mission accomplishment are goals of the JPME programs.[25] JPME Phase I is part of intermediate- or senior-level courses at the Service Colleges. JPME Phase II is provided by the Joint Forces Staff College in a 3 month, resident only course. The National War College and the Industrial College of the Armed Forces provide both JPME Phase I and Phase II in their 10 month resident courses.

CONTINUED PITFALLS

The Chairman of the Joint Chiefs of Staff at the time of the Act's passage, Admiral William Crowe, otherwise a big supporter of defense reorganization, had an unfavorable view of the joint officer provisions. He believed that, "the detailed legislation that mandated every aspect of the "Joint Corps" from the selection process and the number of billets to promotional requirements was a serious mistake that threatened a horrendous case of Congressional micro-management."[26] From that perspective, the Service Chiefs were unanimous in their opposition. Not surprisingly, with this attitude at the top, Joint Staff implementation sympathized with negative Service attitudes for the initial years. Although the services have taken a more purposeful approach in recent years, there are continued pitfalls with the implementation of the GNA. Specifically, the "critical" billet has become a misnomer and JSOs have not necessarily evolved as envisioned by the original framers.

CRITICAL BILLETS

"Critical" billet has become misleading. These positions were originally envisioned to be of such importance and complexity that only officers with previous joint education and experience (who had been designated as JSOs) could be assigned to these positions. In some shortage specialties with a high density of joint requirements, this requires some officers to be assigned to repetitive joint assignments. With a smaller population of officers, this has occurred more frequently in recent years. While this provides a joint staff with a highly qualified officer, it prevents that officer from being assigned to a professional developing Service position, thus reducing his/her Service-specific competence. As mentioned previously, Title IV directed the Department of Defense to designate at least 1,000 critical billets. By 1988, the Secretary of Defense had published a JDAL of 8,452 JDA positions, 1,000 of which were designated as critical. By 1995, the total number of JDAs had grown to 9,075. Although the number of critical positions grew above 1,000 between 1988 and 1993, the Secretary of Defense took action to reduce the number to the Congressionally mandated 1,000 by 1994.[27]

Within today's JDAL, it is often the least critical positions which carry the critical designation.[28] When the joint officer personnel management program cannot deliver the intended JSO, the unified commands/joint activities: 1) Accept officers who meet the legal requirements, but not necessarily the mission needs; 2) Live with a vacancy because a JSO to fill the critical position is not available; 3) Process a waiver for a non-JSO to be assigned to the critical position; or 4) Move the critical position designation to another position so they

can acquire an officer to meet the mission needs. In all cases, but especially in the case of moving the critical position designation, the original intent of the law is manipulated to meet mission needs. The result is that the least critical of the positions, the ones that can be left vacant or can be filled with non-JSOs, are the ones designated as the "critical" positions. This evolution has developed a system in which it is impracticable to determine the future JSO needs of the joint world and to properly plan/prepare in advance for the future requirements.[29] The National Defense Authorization Act for Fiscal Year 1996 granted legislative relief to reduce the number of required critical billets from 1,000 to 800. Joint Staff officials believe that it is highly unlikely that the services will have sufficient numbers of JSOs with the right skills to fill even 800 fixed critical positions.[30] The current JDAL contains 802 critical billets, of which only 46 percent are filled by JSOs.[31]

JOINT SPECIALTY OFFICERS

The JSO career path did not necessarily evolve as envisioned. The very nature of the skills and expertise, which contribute to the joint culture, is possibly a two-edged sword in the management of personnel and in an individual's career goals. Services often show bias toward keeping "the best," or the quality officer, for their needs first. With joint duty outside the officer's career specialty (i.e., in specialty immaterial positions or when the officer is mal-assigned—filling a billet coded for another specialty), he/she must maintain expertise in that specialization area. Officers need Service expertise to be promoted, and serving in joint duty assignments competes with time available in an average career to acquire Service-specific expertise. It is precisely this expertise that is most value-added in the joint arena. Thus, if the services do not view jointness as "valuable," there can be a negative effect upon the officer's career progress, as well as negative effects for utilization within the services and within the joint arena.[32] Lieutenant General Anthony Lukeman, United States Marine Corps (Retired), former Deputy Assistant Secretary of Defense for Military Manpower and Personnel Policy, explained the dilemma this way.

> "Senior leaders have been virtually unanimous in expressing the view that an officer can bring no more important tool to a joint assignment than a current perspective on Service issues and operational methods. Any significant deterioration of Service currency can detract from officers' effectiveness both in joint assignments and upon returning to operational duties in their services...Filling critical billets with only joint specialists—intended to help joint leaders by assuring placement of experienced officers in key jobs—sometimes inadvertently constrains the abilities of leaders to select the best qualified officer for a particular assignment

when that officer happens not to possess one of the prerequisites for designation as a joint specialist."[33]

The services, often showing their bias, have a pool of JSOs who are mismatched to requirements, and who are often unavailable for subsequent joint service following JSO designation. Some of the highest quality officers can and do successfully avoid joint duty until they are general/flag officer selectees.[34] This is substantiated by the fact that over the past 5 years, the Secretary of Defense has approved 401 waivers for newly promoted brigadier generals/rear admirals-lower half, 93 of which were "Good of the Service Waivers" for those with no previous joint duty during their careers. In the Army alone, 25 percent of brigadier general selectees over the last 3 years required Good of the Service Waivers.[35]

CAREER MANAGEMENT

It was never intended in the original concept of the JSO, that assigning an officer to a joint tour for a specified time would create difficulties in career management.[36] It was intended that joint assignments would become so integral (and valued) in an officer's career path that over time, Service cultures would embrace joint duty.[37] One of the very most important intentions of the GNA was to force the services, because they voluntarily refused, to incorporate joint duty into the career paths of their officers, not all of their officers, but an adequate number of officers, so that the services could faithfully and consistently perform joint operations when necessary. The backdrop to this legislation was the notion that never again would a Service fight or operate alone.[38]

Currently, only 29 percent of officers designated as JSOs return to joint duty once; less than 10 percent return to joint duty twice.[39] As the services express concern over assigning officers to complete JPME and serve in joint military positions in order to be designated as a JSO, they are implicitly relating that it is extremely difficult to fit both the joint experiences and the Service experiences, which they consider equally important, into a typical career path.[40] Services have generally been reluctant, most notably the Army and the Navy, to change officer career paths to accommodate joint duty.[41] Unfortunately, they have often argued that the complexity of what goes on within each Service is so great and the skills demanded so high that one can't afford the luxury of learning about other services. This argument has led to a rather parochial view that taking time away from the responsibility of mastering the mores, operational doctrine, and systems of one's own Service is counterproductive. Personnel undergo extensive and intense training throughout their careers, but they are not taught about the advantages of truly joint operations.[42]

The services have very few officers who are truly versed in joint officer management and understand the latitude and the role services have played in getting to the point where we are.[43] During an inspection of the joint personnel requirements and management program, the Department of Defense Inspector General found that "support from the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Service Secretaries in monitoring the careers of officers who serve or have served in joint assignments is inadequate."[44]

PROMOTIONS

As with the case of the JSOs, when the promotability standards are applied, continued pitfalls appear. The services view the promotion comparisons developed by Congress to be too difficult and cumbersome. This leads to misperceptions. Among the misperceptions are that ***all*** officers in joint tours have to be promoted, and that an officer ***must*** serve a joint tour to be promoted (below the rank of general/flag officer). In reality, some officers serving in joint duty are not being promoted, and serving joint is not a prerequisite for promotion. The framers of the GNA were meticulous in developing an inextricably linked system to ensure services share quality officers, and that those officers are not disadvantaged for serving in the joint arena. However, recent promotion comparisons suggest that services are not complying with Title IV.

A review of the Secretary of Defense Annual Report to the President and Congress for the past 5 years (FY 1996 – 2000) revealed that the services' record in meeting the promotion objectives of the GNA has been poor. As mentioned earlier, for each promotion selection board report, three comparisons are made: (1) JSO≥Service Headquarters Staff; (2) Joint Staff≥Service Headquarters Staff; and (3) Other Joint≥Board Average. The Air Force failed to meet joint officer promotion requirements for the ranks of colonel through major general on 13 occasions. For comparable ranks, the Navy failed to meet joint officer promotion requirements on 15 occasions. The Army failed to meet joint officer promotion requirements on 12 occasions, and the Marine Corps failed on 11 occasions. This record suggests that the services either did not provide the right officers for joint duty, JSO designations, or failed to provide adequate career opportunities to those officers who were not selected for promotion to the next higher grade. It further suggests that implementation of the joint officer promotion provisions of the GNA requires continued Department of Defense emphasis, but also points to systemic problems yet to be overcome by the services with compliance of Title IV. A few significant observations regarding the review mentioned above are worth highlighting:

- Noncompliance trends have increased consistently each year for the past 5 years.
- All services have consistently complied with promotion objectives at the grade of lieutenant colonel.
- The Air Force is the solitary service to have achieved total compliance in all grades for only one year (FY 1997).

Annex E, Goldwater-Nichols Act Implementation Report, of the Secretary of Defense Annual Report to the President and Congress summarizes the services' compliance with the personnel provisions of Title IV. The report provides extremely limited narrative and detailed data, some of which is a snapshot in time and most of which is a compilation of only fiscal year totals. The report does not cover trend analysis or year-to-year comparisons, which would further demonstrate progress or noncompliance.

RECOMMENDATIONS

CRITICAL BILLETS

Recommend deleting the "critical" billet designation. The Unified Command/Joint Agency ("owners" of the joint positions) would establish all requirements through the officer requisition system currently used by the services. Deletion of the critical designation offers the owners of the joint personnel requirements the flexibility to determine requirements and requisition qualified officers to meet them.

As we see that Congress' original intent was for the Services to view joint duty as a vital part of Service culture, developing senior staff officers and commanders from a selective (yet an adequate number of officers so that the services could faithfully and consistently perform joint operations when necessary) group of officers with joint education and experience, would meet that objective. With the deletion of the critical designation and the associated restrictions for filling critical positions, the ability to build a larger inventory and quickly locate officers with the desired expertise to fill time-critical/mission-critical requirements would be enhanced. The complicated and cumbersome JSO fill-rate tracking requirements would also go away.[45] The pool of eligible JSOs has been on the decline since the high of 12,000+ in 1990 (largely from transition JSOs), projected to be below 4,000 by 2005.[46] For the last 5 Fiscal Years, there has been a significant downward trend in filling critical billets with JSOs. In FY 1995, the fill rate was 88 percent. Currently, only 46 percent of critical billets are filled with JSOs—a clear indicator that the services require additional JSOs[47]to manage the critical billet requirement as it exists today.

JOINT SPECIALTY OFFICERS AND CAREER MANAGEMENT

If the critical billet requirement is eliminated, the services would still need to designate JSOs but for a different reason and with a key change. JSO status should be granted to every officer who completes the required joint education and joint duty assignment so services can differentiate between fully qualified officers from those who have the joint tour but not the education. This would place emphasis on building a larger pool of officers with joint expertise and education. The JSO designation board that some services use to select JSO nominees based upon meeting criteria and promotion potential would no longer be necessary. This new process would allow for current/real-time identification of all fully joint qualified personnel, thus allow immediate identification of eligible officers required to meet constantly changing, immediate joint requirements. For the "100 percent" organizations (Joint Staff and Unified Commands), any billet coded for an officer major/Navy lieutenant commander and above or higher would receive joint credit, regardless of changes in the organization's billet structure or in individual billet responsibilities. For the "50 percent" organizations (Joint Agencies), the individual organizations decide which half of their billets will be on the JDAL. Morale problems may exist, but they are limited to a subset of all joint organizations.[48] Granting JSO status to all eligible and qualified officers would be simple to implement. It supports the proposal to delete the critical billet requirement discussed above while maintaining the requirement for services to develop joint specialists.

Also recommend changing the current career path milestones for officers to make joint duties "branch qualifying" for promotion to the next higher grade. This proposal clearly sends the message to the services to embrace "jointness." It also helps convince officers to seek joint assignments, rather than avoid them. Through the continued use of COS Exception Waivers, services will find it much easier to fit joint into their quality officers' careers.

PROMOTIONS

Recommend enforcing the services' responsibility to take sufficiently aggressive steps to address issues and comply with the statutory promotion comparison objectives. Key to developing and maintaining an effective program requires the services to (1) provide quality officers for joint duty who are competitive for promotion at a rate at least equal to that of officers in their peer group and (2) provide these officers when not on joint duty status with career opportunities and roles that will allow them to be competitive for promotion with their non-JSO peers. The increasing record of noncompliance across the services suggests that

there may also be a systemic problem with achieving the desired end state or that no higher authority is conducting a proper review of Department of Defense performance from year-to-year.

Recommend amending the current joint officer promotion comparisons charts in Appendix E, Goldwater-Nichols Act Implementation Report, Secretary of Defense Annual Report to the President and Congress, to reflect trend analysis of year-to-year performance of each Service. This measurement technique is well suited for such comparative data. Allowing the comparative promotion statistics to be calculated and detailed on a 3 to 5 year basis provides the President and Congress tool for determining progress or noncompliance.

CONCLUSION

All policies, personnel policies in particular, must be periodically evaluated in accordance with three criteria. First, did the policy achieve its desired end? Second, does the policy enforce or reinforce the values of the organization (in this case, the Department of Defense and the services)? Third, does the policy work in conjunction with other policies to further the organization? If our senior leaders cannot step back from the culture of their organization and analyze it objectively, the values and culture will manage the leader instead of the leader driving the values.[49] Although the Department of Defense can celebrate some notable successes in the area of joint officer personnel policy, we must also admit the need for some improvements. There is terrific progress, particularly in the quality of officers assigned to joint staffs worldwide. However, the difficulties services are continuing to experience in meeting promotion statistics and the number of waivers still required for many aspects of joint officer management, cause one to realize that more work toward implementation, with select changes to the law, is warranted. The framers of GNA surely envisioned that by the turn of the 21st Century that joint duty would be as integral a part of a quality officer's career as any assignment. The continued pitfalls of implementation strongly suggest the time for substantive review, revision, and compliance is here.

WORD COUNT = 6401

ENDNOTES

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[2] Congress, Senate, Staff of Senate Committee on Armed Services, Report on Defense Organization: The Need for Change, 99th Congress, S. Rep. No. 99-86, 1985,179 and 196.

[3] Congress, H.R. Rep No. 99-700, 1986, 38.

[4] Congress, Public Law 99-433 (1986).

[5] Congress, Department of Defense Reorganization Act of 1986: Title IV, Chapter 38, Section 661, 1 October 1986.

[6] Katherine L. Brown, Goldwater-Nichols Department of Defense Reorganization Act of 1986: Time for an Update to Joint Officer Personnel Management?, Report (Maxwell Air Force Base: U.S. Air Command and Staff College, 22 December 2000), 9.

[7] Kathleen Medlock, A Critical Analysis of the Impact of the Department of Defense Reorganization Act on American Officership (Public Law 100-180, Section 1301), Doctoral Dissertation (Geroge Mason University, 1993), 67.

[8] Congress, Public Law 103-357, Sections 932-933, (1993).

[9] Harrell, 2.

[10] Terry J. Young, Title IV-Joint Officer Personnel Policy: A Peace Dividend is Required, Strategy Research Project (Carlisle Barracks: U.S. Army War College, 6 March 1992), 10.

[11] Gregory Sheppard, "Defense Organization: The Need for Change," Armed Forces Journal 123 (October 1986), 17.

[12] Brown, 12.

[13] Title 10,U.S. Code, Chapter 38, sec. 628 (a) (1-3).

[14] Secretary Of Defense, Annual Report to the President and Congress, (Washington, D.C.: U.S. Department of Defense, September 2000), E-2.

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[17] Brown, 13.

[18] Harrell, 40.

[19] Ibid.

[20] Ibid., 45.

[21] Ibid., 17.

[22] Medlock, 25.

[23] Chairman of the Joint Chiefs of Staff Instruction, CJCS 1330.02A, Review of Promotion Selection Board Results by the Chairman of the Joint Chiefs of Staff, (Washington, D.C.: U.S. Government Printing Office, 15 December 1997), A-3.

[24] General Accounting Office, Report to the Chairman on Military Education, committee on Armed Services, House of Representatives, 13 June 1991; Department of Defense Professional Military Education at the Four Intermediate Service Schools (Washington, D.C.: U.S. General Accounting Office, 1992), 2.

[25] Brown, 18.

[26] Dennis J. Quinn, The Goldwater-Nichols DOD Reorganization Act: A Ten-Year Retrospective, Washington, D.C.: National Defense University Press, 1999), 21.

[27] Secretary Of Defense, Annual Report to the President and Congress, (Washington, D.C.: U.S. Department of Defense, September 1995), E-5, E-6.

[28] Brown, 36.

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[30] General Accounting Office, Report to Congressional Committees, Joint Manpower Process: Limited Progress Made in Implementing DOD Inspector General Recommendations (Washington, D.C.: U.S. General Accounting Office, September 19, 1997), 28.

[31] Secretary Of Defense, Annual Report to the President and Congress, (Washington, D.C.: U.S. Department of Defense, September 2000), E-2.

[32] Ibid., 20.

[33] Anthony Lukeman, "Joint Officer Management: Where We Stand," Defense, (July-August 1988), 24.

[34] Harrell, 37.

[35] Secretary Of Defense, Annual Report to the President and Congress, (Washington, D.C.: U.S. Department of Defense, September 1996/1997/1998/1999/2000), E-2.

[36] Ibid.

[37] Ruth B. Collins, Faculty Advisor, U.S. Army War College, consult by author, 22 February 2001.

[38] Ibid.

[39] Brown, 21.

[40] Ibid.

[41] Ruth B. Collins, Faculty Advisor, U.S. Army War College, consult by author, 22 February 2001.

[42] William A. Owens, "Making the Joint Journey," Joint Forces Quarterly, (Spring 1999), 95.

[43] Collins.

[44] General Accounting Office, Report to Congressional Committees, Joint Manpower Process: Limited Progress Made in Implementing DOD Inspector General Recommendations (Washington, D.C.: U.S. General Accounting Office, September 19, 1997), 2.

[45] Ibid.

[46] Marilyn Howe, "The Future of Joint Officer Management," JCS/J-1 Briefing, 7 January 2000.

[47] Secretary Of Defense, Annual Report to the President and Congress, (Washington, D.C.: U.S. Department of Defense, September 2000), E-2.

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[49] Edgar H. Schein, "Kurt Lewin's Change Theory in the Field and in the Classroom: Notes Toward a Model of Managed Learning," (1997), 15. available from http://learning.mit.edu/res/wp/.html; accessed 19 March 2001.

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