

## CHAPTER 6

### CONCLUSIONS

6-1. GENERAL. Based on a study of the missions, functions, and command and control of the OCONUS subordinate elements of CONUS based organizations, using the criteria developed for this study, two organizations, the Central Ammunition Management Office - Pacific and the OCONUS detachments of the US Army Special Security Group which support the Army component commands within the geographic area of a unified combatant commander, were identified which should be considered for assignment to or command by the unified combatant commander of a geographic area. Except for these two organizations, the present command and control of the OCONUS subordinate elements of CONUS based organizations is in accordance with statutory requirements, Army doctrine, and economy-of-scale management considerations. Figure 6-1 is a matrix illustration of the applicability of the study criteria to each CONUS based organization considered in the study.

#### 6-2. ASSIGNMENT CONCLUSIONS.

a. HQ DA Field Operating Agencies: All Headquarters Department of the Army Field Operating Agencies (HQ DA FOA) perform functions of the Secretary of the Army listed in Section 3013(b), Title 10 US Code. Most of these organizations perform no function in support of the wartime mission of a unified combatant commander or an Army component commander. They support peacetime functions of the Army and most of the OCONUS elements are dissolved or depart the theater in wartime. The US Army Trial Judiciary of the Legal Services Agency and the US Army Audit Agency, by other federal statutes and directives, must be independent of the supported commands. The OCONUS offices of the US Army Civilian Appellate Review Agency are located OCONUS for economy and efficiency in supporting the DA civilians in the area. These offices legally cannot function independently because they would no longer be part of the agency. The OCONUS elements of the US Army Medical Research and Development Command and the Army Research Institute cannot function independently of the CONUS research and development base which they support. The US Army Troop Support Agency is centrally managed to provide economy-of-scale in management and procurement for the Army worldwide commissary system. The central management of the Army Recreational Machine program by the US Army Community and Family Support Center was directed by the Congress to correct abuses of the decentralized system. Nothing would be gained by placing the HQ DA FOA's under the command and control of the unified commander of a geographic area; however, much would be lost in terms of mission accomplishment of the HQ DA FOA's, and in some cases it would be contrary to other statutes and Congressional guidance to do so. The study concludes that the present command and control of the HQ DA FOA's is the correct approach and is in

EXEMPTION CRITERIA ORGANIZATION	S A F U N C T I O N	O T H E R S T A T U T E S	N O W A R T I M E M S N	O T H E R S U P P O R T	E C O N O M Y
Strategic Def Cmd	X		X	X	
AAA	X	X	X		
Legal Services Agency	X	X			
Medical R&D Cmd	X		X <sup>1</sup>	X	
Recruiting Cmd	X		X		
Community Family Spt Center	X	X	X		
MILPERCEN	X			X	
Civ Appellate Review Agency	X		X		
Army Research Institute	X		X		
Troop Spt Agency	X		X		X
TRADOC	X		X	X	X
AMC	X		X <sup>1</sup>	X	X
USACE	X	X		X	X
ISC				X	X
CIDC	X	X			
HSC	X	X <sup>1</sup>		X	X
INSCOM	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
1. Does not apply to all organization elements.					

ORGANIZATION/EXEMPTION CRITERIA MATRIX  
Figure 6-1

accordance with statutory requirements and economy-of-scale management considerations.

b. US Army Training and Doctrine Command: The OCONUS elements of the US Army Training and Doctrine Command (TRADOC) perform a mission within the Training function of the Secretary of the Army which is listed in Section 3013(b)(5), Title 10, US Code. The OCONUS elements of TRADOC are Senior and Junior Reserve Officer Training Corps (ROTC) units which have the mission of commissioning officers from colleges and motivating young people in high schools. The ROTC units do not perform a mission in direct support the wartime mission of a unified combatant commander. Assigning the ROTC units to the unified combatant commander of a geographic area would separate the units from the central management of the TRADOC Cadet Command, causing an adverse impact on the standardization of the training of Army commissioned officers, burden the unified combatant commander with a peacetime mission which is not part of the wartime mission of the command, and require a duplication of resources and expertise which is now centrally located in TRADOC. The study concludes that the present command and control of the OCONUS TRADOC ROTC units is in accordance with the DOD Reorganization Act of 1986 and economy-of-scale management considerations.

c. US Army Materiel Command.

(1) The OCONUS organizations of the US Army Materiel Command (AMC) perform a mission within the Supplying, Equipping, Maintaining, and Construction and Repair of Military Equipment functions of the Secretary of the Army which are listed in Section 3013(b)(3), (4), (10) and (11), Title 10 US Code. AMC provides both peacetime and wartime support in a theater. Some AMC CONUS depots have established OCONUS branches as an economy measure and to provide efficient support in the theater. For instance, New Cumberland Depot, rather than ship items from Europe to New Cumberland and then return them to Europe, established a facility in Europe where many items could be serviced in theater. The OCONUS elements of CONUS depots can only function as a part of the CONUS based depot. The Logistics Assistance Offices represent the Commander, AMC, in theater to solve day-to-day logistics problems to improve the readiness posture of the supported command. If these office were no longer part of AMC, they would no longer be able to function and serve no purpose. Some AMC organizations, such as the Project Manager offices perform primarily a peacetime function and would depart the theater in time of hostilities. AMC OCONUS organizations support foreign countries as part of US security assistance programs. The organizations which remain in theater in wartime, such as an OCONUS depot, would be under the operational control of the Army component commander. Army doctrine recognizes this deviation from the basic doctrine of having the Theater Army commander command all Army forces in the theater in recognition of the economy-of-scale considerations in managing the Army worldwide wholesale logistics system. The Combat Service Support

units, which are organic to the tactical forces, provide the in-theater logistical support under the command and control of the Army component commander. Assigning the AMC OCONUS depots to the unified combatant commander of a geographic area would not provide the commander within any more operational control than under the present command and control arrangement but would burden the unified combatant commander with the management responsibilities of a portion of the Army wholesale logistics base which is a responsibility of the Secretary of the Army. It would defeat the effectiveness and efficiency of the single worldwide management of the Army's wholesale logistics system.

(2) There are no criteria used in this study which support the present command and control of the Central Ammunition Management Office - Pacific (CAMO-PAC). CAMO-PAC is a retail level logistics activity which supports one theater in both peacetime and wartime. By doctrine it should be assigned to the Army component of a unified combatant command. Although the function of CAMO-PAC is within the category of "supplying", the criteria used in this study has included only wholesale logistics organizations under the Secretary of the Army functions for exception unless other criteria apply. There are no economy-of-scale considerations. The fact that CAMO-PAC must support two Army MACOM's, rather than one, within the geographic area of the same unified combatant commander, does not appear to be sufficient justification for not assigning CAMO-PAC to the Army component command of PACOM. The study concludes that CAMO-PAC should be considered for assignment to the US Army Western Command (or to the US Army Pacific when it is activated), the designated Army component of PACOM.

(3) The study concludes that the present command and control of the AMC OCONUS organizations, except for CAMO-PAC, best serves the interests of DOD and the unified combatant commander and is in accordance with the DOD Reorganization Act of 1986 and economy-of-scale management considerations.

d. US Army Corps of Engineers: The OCONUS organizations of the US Army Corps of Engineers (USACE) perform a mission within the Construction and Maintenance of Real Estate function of the Secretary of the Army which is listed in Section 3013(b)(12), Title 10 US Code. USACE provides both peacetime and wartime support to the Army component command of a unified command as well as other government agencies. By public laws since 1824, USACE has responsibility for civil works in the United States and its possessions and territories. The present command and control structure of USACE organizations is based on studies by the Government Accounting Office and the Army Audit Agency and provides for economy-of-scale in worldwide construction and procurement. The study concludes that the present command and control of the USACE OCONUS organizations best serves the interests of DOD and the unified combatant commander and is in accordance with the DOD Reorganization Act of 1986, other legislation, and economy-of-scale management considerations.

e. US Army Information Systems Command: The OCONUS organizations of the US Army Information Systems Command (USAISC) do not appear to perform a function of the Secretary of the Army listed in Section 3013(b), Title 10 US Code, which would exempt them from assignment to and command by the unified combatant commander of a geographic area. USAISC provides both peacetime and wartime support to the unified combatant commander and other DOD and government agencies in a theater. The OCONUS USAISC organizations are commanded by USAISC and under the operational control of the Army component or supported command. Army doctrine recognizes this deviation from the basic doctrine of having the Theater Army commander command all Army forces in the theater in recognition of the economy-of-scale, interoperability, and efficiency of operations in Army communications worldwide. The tactical signal units, which are organic to the tactical forces, provide the in-theater signal support under the command and control of the Army component commander. Assigning the OCONUS elements of USAISC to the unified combatant commander of a geographic area would not provide the commander within any more operational control than under the present command and control arrangement; however, it would burden the unified combatant commander with significantly increased management and procurement responsibilities and would defeat the effectiveness and efficiency of the single worldwide management of the Army's portion of the Defense Communications System. The study concludes that the present command and control of the USAISC OCONUS organizations best serves the interests of DOD and the unified combatant commander and is in accordance with economy-of-scale management considerations which would merit exception by the Secretary of Defense based on the discretionary authority granted in the DOD Reorganization Act of 1986.

f. US Army Criminal Investigation Command: The OCONUS organizations of the US Army Criminal Investigation Command (CIDC) performs a mission within the Administering function of the Secretary of the Army which is listed in Section 3013(b)(9), Title 10 US Code. CIDC provides both peacetime and wartime support to the Army component command of a unified command. CIDC organizations, by Congressional and Presidential Commission recommendation as well as DOD directive, must be independent of the supported commands. The study concludes that the present command and control of OCONUS CIDC organizations is in accordance with the DOD Reorganization Act of 1986 and other applicable recommendations and directives.

g. US Army Health Services Command: The OCONUS organizations of the US Army Health Services Command (USAHSC) performs a mission within the Servicing function of the Secretary of the Army which is listed in Section 3013(b)(6), Title 10 US Code. USAHSC provides both peacetime and wartime support to authorized beneficiaries in the geographic area of a unified command as well as support the wartime mission of the unified combatant commander. The medical facilities in Hawaii and Puerto Rico provide medical support as other fixed site nondeployable

medical facilities in the CONUS sustaining base under the command and control of USAHSC. It is not economically feasible to establish a separate command and control structure for the OCONUS fixed site nondeployable medical facilities. The nondeployable fixed site medical activity in Panama is an anomaly from the time when the Canal Zone was part of the United States. Its present status is governed by the conditions and resource constraints of the Panama Canal Treaty. The study concludes that the present command and control of the USAHSC OCONUS organizations is in accordance with the DOD Reorganization Act of 1986, other statutory requirements, and economic use of resources.

h. US Army Intelligence and Security Command.

(1) The OCONUS organizations of the US Army Intelligence and Security Command (USAINSCOM) perform a variety of functions. The criteria used in this study do not apply uniformly to all USAINSCOM elements. The conclusions of the study are different for several subordinate USAINSCOM OCONUS organizations.

(2) The US Army Russian Institute (USARI) and the USAINSCOM Foreign Language Training Center - Europe (FLTCE) perform a mission within the Training function of the Secretary of the Army which is listed in Section 3013(b)(5), Title 10 US Code. USARI supports the attache system and Foreign Area Officer program in peacetime and changes mission and is reorganized in wartime to become part of the 66th MI Brigade, assigned to the All Source Analysis Center (ASAC) of the Echelon Above Corps Intelligence Center (EACIC). FLTCE supports the peacetime readiness of SIGINT units in Europe, primarily INSCOM units and would be integrated into the 66th MI Brigade the same as USARI in wartime. FLTCE is vital for the proficiency of INSCOM linguists; however, it could be under the command and control of any appropriate organization which would provide this service to INSCOM. Assigning USARI and FLTCE to a unified combatant commander would not provide the unified combatant commander with control of resources which support the wartime mission of the command but would burden the unified combatant commander with additional peacetime management responsibilities. Since USARI and FLTCE primarily perform a peacetime training mission and primarily serve INSCOM units and/or other DOD agencies, the study concludes that, between command of these organizations by the unified combatant commander or USAINSCOM, the present command and control of USARI and FLTCE better serves the interests of DOD and the unified combatant commander and is in accordance with the DOD Reorganization Act of 1986.

(3) The remaining USAINSCOM OCONUS organizations do not appear to perform a function of the Secretary of the Army listed in Section 3013(b), Title 10 US Code, which would exempt them from assignment to and command by the unified combatant commander of a geographic area. However, Section 3013(c)(7), Title 10, US Code, states that the Secretary of the Army is responsible to the Secretary of Defense for the effective supervision and control of

the intelligence activities of the Department of the Army. The Secretary of the Army exercises this supervision and control through the Commander, USAINSCOM, at Echelons Above Corps (EAC). Centralized control is necessary to provide effective statutory accountability (operational, legal and financial) for sensitive intelligence operations conducted worldwide at EAC. Command and control of the fixed site SIGINT facilities is based on Executive Order 12333 and National Security Council Directive No. 6. Army doctrine recognizes this deviation from the basic doctrine of having the Theater Army commander command all Army forces in the theater in recognition of the statutory and economy-of-scale considerations in managing the Army worldwide intelligence operations. The study concludes that the present command and control of the OCONUS elements of the USAINSCOM organizations listed below best serves the interests of DOD and the unified combatant commanders. It is in accordance with other statutory and oversight requirements and economy-of-scale management considerations which would merit exception by the Secretary of Defense based on the discretionary authority granted in the DOD Reorganization Act of 1986. Based on these criteria, the following USAINSCOM organizations should be excepted by the Secretary of Defense from assignment to and command by a unified combatant commander:

- Fixed site SIGINT facilities and related organizations.
- Echelon Above Corps (EAC) Military Intelligence brigades/groups.
- US Army Operational Group.
- US Army Foreign Counterintelligence Activity.
- US Army Field Support Center.
- Military Intelligence Battalion (Low Intensity).

(4) There are no criteria used in this study which support the present command and control of the US Army Special Security Group (USASSG) detachments which support Army component commands within the geographic area of a unified combatant commander. Army Echelon Above Corps (EAC) is the only level within the Army, among the other Services, and among the unified and specified commands at which the SCI security support element is not assigned to and commanded by the supported command. There is nothing uniquely different about SCI support at Army EAC that would differentiate it from SCI support at other levels, among the other Services, and unified and specified commands, which are also governed by the same SCI directives and regulations. The study concludes that the detachments of USASSG which support Army component commands of unified commands and are located within the geographic area of a unified combatant commander should be considered for assignment to and under the command of the supported command.

(5) The remaining OCONUS USASSG detachments, which are located in the geographic area of a unified combatant commander, do not primarily support a subordinate component of a unified combatant commander. The missions of these detachments are to

support the USAINSCOM field stations and other INSCOM subordinate organizations and other US Government and international agencies. They do not directly support the wartime mission of a unified combatant commander and may be dissolved or depart the theater in wartime. Some of the detachments have unique classified missions. The study concludes that the present command and control of the remaining OCONUS USASSG detachments, which primarily support USAINSCOM subordinate organizations and other US Government and international agencies, best serves the interests of the US Government, DOD and the unified combatant commanders.

### 6-3. OTHER CONCLUSIONS.

a. Although the purpose of the study was to determine which elements of CONUS based Army organizations operating OCONUS should be assigned to and under the command of the unified commander of a geographic area or excepted from such assignment by the Secretary of Defense, related conclusions, which warrant consideration by the Army, were developed as a result of doing the study. These other conclusions are discussed in the following paragraphs.

b. The study concludes that there is a need for the Army and the Office of the Secretary of Defense to establish, by regulation, a permanent procedure to evaluate and request exception from the Secretary of Defense for Army organizations which may, in the future, be stationed in the geographic area of a unified combatant commander but not assigned to or commanded by the Army component commander or the unified combatant commander. The US Army component commands of the unified commands should be provided information concerning the OCONUS elements of CONUS based organizations operating within the geographic area of the US Army component as part of this procedure. **Assignment of and changes to OCONUS elements of CONUS based organizations should be coordinated with the Army component command in advance. Because** the Army component provides much of the support for the OCONUS elements of the CONUS based organizations and serves as the single Army focal point in theater for the unified combatant commander, the Army component command should have a current status of the personnel strength, logistics and construction requirements and mission/activities of the OCONUS elements of the CONUS based organizations operating within the geographic area of the component command. Since obtaining this information seems to be one of the major problems that the Army component commands have with the OCONUS elements of CONUS based organizations, the study also concludes that there is a need for the Army to establish, by regulation, a reporting procedure which would require a periodic report to the US Army component command within the geographic area of a unified combatant commander by a CONUS based organization which would provide a status update of the OCONUS elements operating within the geographic area of the Army component command.

c. The study concludes that there is a need to clarify the provisions of the DOD Reorganization Act of 1986 concerning the assignment of forces which carry out functions of the Secretaries of the military departments. Title 10, US Code, Section 162 (a)(1) and (2) require that all forces be assigned to a unified or specified command, except those forces assigned to carry out certain statutory functions of the Secretaries of the military departments. Title 10, US Code, Section 162(a)(4) provides that, except as otherwise directed by the Secretary of Defense, forces not assigned to a specified combatant command shall be assigned to the unified combatant command for the area in which the forces are operating. It is not clear whether the exception in Section 162(a)(2) for forces performing Secretarial functions applies to the requirement in Section 162(a)(4) to assign forces operating in the geographic area of a unified combatant commander to the commander of that command. Currently, the problem does not present itself in CONUS and mainland Alaska (including some islands) because there is no unified combatant commander for these areas. Thus, forces assigned to functional MACOMs and field operating agencies in those areas performing Secretarial functions can remain under their current command without exception by the Secretary of Defense. **The problem concerning the interpretation of these sections presents itself in those overseas areas where there are unified combatant commanders, particularly in Hawaii, Puerto Rico, and US Territories where many assigned forces carry out Secretary of the Army functions similar to those performed by CONUS forces. The Reserve Officer Training Corps (ROTC) organizations at schools and the Army recruiting stations are two prime examples. The Army should be able to assign these forces in Hawaii, as in Virginia for example, without seeking exception from the Secretary of Defense or involving a unified combatant commander in the process.**

d. The study concludes that there is a need to clarify the provisions of the DOD Reorganization Act of 1986 concerning the assignment of forces in CONUS and mainland Alaska (including the islands which are not part of a unified command) that do not perform Secretary of the Army functions. Title 10, Section 162(a)(1) and (2) requires that all forces must be assigned to a unified or specified combatant command, except those forces performing Secretary of the Army functions. **Currently, for CONUS and mainland Alaska (including some islands) there is no unified combatant command. There are, however, forces in CONUS and mainland Alaska that are neither assigned to a specified combatant command nor appear to perform Secretary of the Army functions, such as intelligence and communication organizations. Whether these forces must be assigned to a specified combatant command or whether the Secretary of Defense may except these forces from the requirement is unclear. This is further complicated, with regard to intelligence organizations, by Title 10, US Code, Section 3013(c)(7), which states that the Secretary of the Army is responsible to the Secretary of Defense for the effective supervision and control of the intelligence activities of the Department of the Army, yet the Act makes no specific**

provision to except the forces which perform intelligence from assignment to a unified or specified combatant commander. Legislation may be required to resolve this matter. Clarification is particularly important to the assignment of the CONUS headquarters as well as the CONUS and OCONUS subordinate elements of the US Army Information Systems Command and the US Army Intelligence and Security Command.

e. The study concludes that Army doctrinal literature will require revision based on the DOD Reorganization Act of 1986. The command relationships and deviations from basic doctrine contained in FM 100-16, Support Operations: Echelons Above Corps, require reexamination. The command and control relationships of Army components within a theater is at variance with the requirements of the DOD Reorganization Act of 1986. Depending on the outcome of the clarification of the Act with regard to intelligence and communication organizations and assignment of forces decisions by the Secretary of Defense, significant revisions may be required. However, revision of Army doctrine should not be undertaken until the Act is clarified, there is uniform DOD policy with regard to intelligence and communications organizations, and the Secretary of Defense has made the assignment of forces of decisions.