SEC. ___. ENHANCED FLEXIBILITY TO PRIORITIZE MILITARY ACTIVITIES ACROSS BOUNDARIES ESTABLISHED IN UNIFIED COMMAND PLAN.

(a) AUTHORIZATION TO DELEGATE TO THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AUTHORITY FOR LIMITED DEPLOYMENT OF FORCES.—Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) The Secretary of Defense may delegate to the Chairman of the Joint Chiefs of Staff without further delegation the authority to direct the deployment on behalf of the Secretary of limited forces on a temporary basis from the area of responsibility of the commander of a geographic combatant command to the area of responsibility of the commander of a different geographic combatant command. Any such delegation shall, at a minimum, specify –

"(i) the threats, areas, and missions for which the Chairman of the Joint Chiefs of Staff is authorized to direct the deployment of forces;

"(ii) the categories and quantities of forces that are covered by the authorization; and

"(iii) the number of days for which the deployment of such forces may be directed.

"(B) Any delegation under this paragraph shall require the Chairman of the Joint Chiefs of Staff to notify the Secretary of any decision to direct the deployment of forces pursuant to the delegation as soon as possible after the decision is made and, unless exigent circumstances preclude advance notification, not less than 24 hours in advance of the implementation of the decision.

"(C) A delegation under this paragraph shall be for a period of not more than one year.".

(b) RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—Section 153(a) of such title, as amended by section ___01, is further amended by inserting after paragraph (6), as added by section ___01, the following new paragraphs:

"(7) GLOBAL SYNCHRONIZER FOR OPERATIONS.—(A) Advising the Secretary on the need for transfer of forces from the area of responsibility of the commander of a geographic combatant command to the area of responsibility of the commander of a different geographic combatant command as needed to address transregional, multi-domain, and multi-functional threats, or multiple threats with overlapping timeframes.

"(B) To the extent authorized by the Secretary of Defense pursuant to a delegation of authority under section 113(g)(4) of this title, directing the deployment on behalf of the Secretary of limited forces on a temporary basis from the area of responsibility of the commander of a geographic combatant command to the area of responsibility of the commander of a different geographic combatant command.

"(8) CONSULTATION.—Convening meetings of the Joint Chiefs of Staff, or of the commanders of the combatant commands, or both, as needed to assist the Chairman in carrying out responsibilities under this section.".

[Note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would amend sections 113 and 153 of title 10, United States Code, to provide the Secretary of Defense with increased flexibility in the management of Department resources by enabling his delegation of designated force management responsibilities to the Chairman of the Joint Chiefs of Staff, and by modifying the responsibilities of the Chairman to improve the quality of decision support to the Secretary.

The Department believes that the Secretary's ability to delegate specified categories and types of decisions will improve the Department's ability to respond rapidly to changing

circumstances while appropriately managing the demands on the Secretary's time. In accordance with this proposal, the Secretary will preserve civilian control by providing specific parameters for the delegation, and by receiving notification from the Chairman of any force movements directed under the delegation of authority.

This proposal improves the Chairman's ability to provide advice to the President and the Secretary regarding ongoing operations and the management of military resources across multiple regions of the globe, and against concurrent threats. The addition of these roles to the Chairman's responsibilities ensures that the Secretary will receive a global perspective on threats and is better able to direct resources against threats that cross multiple combatant command areas of responsibility. As part of this new responsibility, the Chairman will have the explicit authority to convene the combatant commanders to assist the Chairman in this function. This convening authority provides a counterpoint to the Chairman's roles as head of the Joint Chiefs of Staff, enabling the Chairman to provide advice that balances current demands on the force with future requirements. This proposal enables the Chairman to synchronize the Department's operations on behalf of the Secretary, while preserving the existing chain of command from the Secretary to the combatant commanders.

Budget Implications: There are no budget implications to this proposal. This legislation would only increase the flexibility and modify the responsibilities of the Chairman of the Joint Chiefs of Staff to better support to the Secretary of Defense.

Changes to Existing Law: The proposal would make the following changes to existing law:

TITLE 10, UNITED STATES CODE

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CHAPTER 2—DEPARTMENT OF DEFENSE

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§113. Secretary of Defense

(a) ***

(g)(1) The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide annually to the heads of Department of Defense components written policy guidance for the preparation and review of the program recommendations and budget proposals of their respective components. Such guidance shall include guidance on—

(A) national security objectives and policies;

(B) the priorities of military missions; and

(C) the resource levels projected to be available for the period of time for which such recommendations and proposals are to be effective.

(2) The Secretary of Defense, with the approval of the President and after consultation with the Chairman of the Joint Chiefs of Staff, shall provide to the Chairman written policy guidance for the preparation and review of contingency plans, including plans for providing

support to civil authorities in an incident of national significance or a catastrophic incident, for homeland defense, and for military support to civil authorities. Such guidance shall be provided every two years or more frequently as needed and shall include guidance on the specific force levels and specific supporting resource levels projected to be available for the period of time for which such plans are to be effective.

(3) At the time of the budget submission by the President for a fiscal year, the Secretary of Defense shall include in the budget materials submitted to Congress for that year summaries of the guidance developed under paragraphs (1) and (2), as well as summaries of any plans developed in accordance with the guidance developed under paragraph (2). Such summaries shall be sufficient to allow the congressional defense committees to evaluate fully the requirements for military forces, acquisition programs, and operation and maintenance funding in the President's annual budget request for the Department of Defense.

(4)(A) The Secretary of Defense may delegate to the Chairman of the Joint Chiefs of Staff without further delegation the authority to direct the deployment on behalf of the Secretary of limited forces on a temporary basis from the area of responsibility of the commander of a geographic combatant command to the area of responsibility of the commander of a different geographic combatant command. Any such delegation shall, at a minimum, specify –

(i) the threats, areas, and missions for which the Chairman of the Joint Chiefs of Staff is authorized to direct the deployment of forces;

(ii) the categories and quantities of forces that are covered by the authorization; and

(iii) the number of days for which the deployment of such forces may be directed.

(B) Any delegation under this paragraph shall require the Chairman of the Joint Chiefs of Staff to notify the Secretary of any decision to direct the deployment of forces pursuant to the delegation as soon as possible after the decision is made and, unless exigent circumstances preclude advance notification, not less than 24 hours in advance of the implementation of the decision.

(C) A delegation under this paragraph shall be for a period of not more than one year .

(h) The Secretary of Defense shall keep the Secretaries of the military departments informed with respect to military operations and activities of the Department of Defense that directly affect their respective responsibilities.

(i) ***

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CHAPTER 5—JOINT CHIEFS OF STAFF

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§153. Chairman: functions

(a) PLANNING; ADVICE; POLICY FORMULATION.—Subject to the authority, direction, and control of the President and the Secretary of Defense, the Chairman of the Joint Chiefs of Staff shall be responsible for the following:

(1) ***

(5) JOINT FORCE DEVELOPMENT ACTIVITIES.—(A) Developing doctrine for the joint employment of the armed forces.

(B) Formulating policies and technical standards, and executing actions, for the joint training of the armed forces.

(C) Formulating policies for coordinating the military education of members of the armed forces.

(D) Formulating policies for concept development and experimentation for the joint employment of the armed forces.

(E) Formulating policies for gathering, developing, and disseminating joint lessons learned for the armed forces.

(F) Advising the Secretary on development of joint command, control, communications, and cyber capability, including integration and interoperability of such capability, through requirements, integrated architectures, data standards, and assessments.

(6) CURRENT OPERATIONS.—Providing advice to the President and the Secretary on daily and ongoing military operations.

(7) GLOBAL SYNCHRONIZER FOR OPERATIONS.—(A) Advising the Secretary on the need for transfer of forces from the area of responsibility of the commander of a geographic combatant command to the area of responsibility of the commander of a different geographic combatant command as needed to address transregional, multi-domain, and multi-functional threats, or multiple threats with overlapping timeframes.

(B) To the extent authorized by the Secretary of Defense pursuant to a delegation of authority under section 113(g)(4) of this title, directing the deployment on behalf of the Secretary of limited forces on a temporary basis from the area of responsibility of the commander of a geographic combatant command to the area of responsibility of the commander of a different geographic combatant command.

(8) CONSULTATION.—Convening meetings of the Joint Chiefs of Staff, or of the commanders of the combatant commands, or both as needed to assist the Chairman in carrying out responsibilities under this section.

(~~6~~9) OTHER MATTERS.—(A) Providing for representation of the United States on the Military Staff Committee of the United Nations in accordance with the Charter of the United Nations.

(B) Performing such other duties as may be prescribed by law or by the President or the Secretary of Defense.