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THE GOLDWATER-NICHOLS DEPARTMENT OF DEFENSE REORGANIZATION ACT OF 1986: AN INTERIM ASSESSMENT

BY

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THE GOLDWATER-NICHOLS DEPARTMENT OF DEFENSE
REORGANIZATION ACT OF 1986: AN INTERIM ASSESSMENT

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ABSTRACT

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The Goldwater-Nichols Department of Defense Reorganization Act of 1986 is the most important legislation to affect the military establishment of the United States since 1947. In passing the Goldwater-Nichols Act, the Congress intended to strengthen the powers of the Chairman of the Joint Chiefs of Staff and the Commanders of the Unified and Specified Commands at the expense of the Service Chiefs and the Military Departments, and to improve the quality and timeliness of military advice. This paper makes an interim assessment regarding how well Congressional intent has been achieved. While the vast majority of defense experts, senior military officers, and staff planners believe passage of the Act has increased the quality and timeliness of military advice, there remain some lingering concerns which this paper explores.

I. INTRODUCTION

Enacted into law after four years of serious research and debate, the Goldwater-Nichols Department of Defense Reorganization Act of 1986 caused a significant realignment of bureaucratic power within the Armed Forces. The Act brought about a significant shift of power from the Service Staffs and Military Departments to the Chairman, Joint Chiefs of Staff, the Joint Staff, and the Commanders of the Unified and Specified Commands. While the vast majority of defense experts, senior military officers, and staff planners believe passage of the Act has increased the efficiency and effectiveness of defense planning and decisionmaking, there remain some lingering concerns.

This research effort focuses on the manner in which the Act has affected the Joint Chiefs of Staff's ability to render military advice to the President, Secretary of Defense, and National Security Council. Since providing military advice must by necessity deal with not only the substance of issues but also bureaucratic process, this paper reviews two sets of key documents.¹

Military advice is defined as that advice provided by the Joint Chiefs of Staff through the Joint Strategic Planning System. The Joint Strategic Planning System's terms of reference are defined in the Chairman of the Joint Chiefs of Staff Memorandum of Policy 7, (CJCS MOP 7) issued 30 January 1990. CJCS MOP 7 fundamentally altered the process by which military

CJCS MOP 7 fundamentally altered the process by which military advice is provided. Accordingly, this paper also reviews that document and its predecessor, the Joint Strategic Planning System as defined by MOP 84, last issued on 24 January 1989. Finally, this paper evaluates the Goldwater-Nichols Act from the prospective of CJCS MOP 9, Policy on Action Processing, and its predecessor MOP 132, Coordination and Approval Procedures for Joint Actions.²

II. HISTORICAL FOUNDATION

During most of 18th and 19th centuries the War Department and the Navy Department existed as fairly autonomous institutions within the national government. In the face of severe 20th century security challenges, however, military necessity required institutional reform to achieve the unity of effort needed to insure victory in war. The unsatisfactory performance of the Army and Navy in the Spanish-American War brought about early and deliberate efforts to reform the military. The establishment of the Joint Army-Navy Board, and later the War-Navy-State Board brought some unification to national defense efforts, but the autonomy that had so persisted in the American military remained largely intact until after Pearl Harbor.

By 1942, however, the urgencies of the Second World War demanded urgent reform to prosecute the war successfully. Designed originally to coordinate the war effort with the British Chiefs of Staff, the American Joint Chiefs were informally

instrument to carry-out combat operations during the war.³

With the ending of World War II, the United States found itself thrust into global military responsibilities for the first time in history. Although the informal structure of the Joint Chiefs had permitted the Nation to muddle through the war, the national security structure was not equipped to pursue permanent global responsibilities. If the Joint Chiefs, as an institution, were to retain their legitimacy after the war, they required formal establishment, the trappings of power, and legal standing.

After two years of debate, the National Security Act of 1947 was enacted into legislation. Containing numerous features, this seminal piece of legislation fundamentally altered the national security structure of the United States. One of its most important contributions was its attempt to resolve the longstanding dichotomy between the services' desire to remain as autonomous as possible and the need to achieve unity of purpose in setting defense goals and the unity of effort needed to achieve those goals.

The 1947 Act created a weak, centralized National Military Establishment, headed by a civilian secretary of cabinet rank. The Joint Chiefs of Staff were established as a formal, corporate body, consisting of the three service chiefs and the chief of staff to the president. Among other features the Act designated the corporate body of the Joint Chiefs of Staff as the principal military advisor to the Secretary of Defense and the President.

Although the National Security Act of 1947 caused

significant reform in the military establishment, the Act ultimately required amendment. While it brought some degree of unification, it failed, because it did not go far enough in clarifying lines of command, authority, and responsibility between the uniformed military, the military departments, the Secretary of Defense and the President.⁴

To achieve such clarification, there have been three major attempts at reform within the Department of Defense since 1947. In 1953, President Eisenhower endorsed minor adjustments, but by 1958, he sought major reforms to rectify a number of shortcomings left unresolved by previous efforts. The majority of his reforms sought to more fully centralize the Department of Defense by strengthening the authority of the Secretary of Defense, according the Chairman greater powers to manage the Joint Chiefs, and clarifying the operational chain of command.⁵

With the arrival of the Kennedy Administration, Secretary of Defense Robert S. McNamara began a second wave of reform. Secretary McNamara's reforms centered on rationalizing the formulation of strategy and the allocation of resources to support the agreed-upon strategy. Institutionalizing a planning, programming, and budgeting system, the McNamara administrative reforms were so successful that no subsequent administration has challenged the role these systems play in the development of US defense policy.

While the McNamara reforms brought greater administrative centralization to the Department of Defense, his reforms did not

improve the quality of military advice provided by the Joint Chiefs concerning warfighting and operational matters.⁶

While the Joint Chiefs continued to provide military advice, the Planning, Programming, and Budgeting System and heightened Congressional interest permitted civilian analysts and defense intellectuals to compete with the Joint Chiefs in providing military advice. The methodologies of operations research and systems analysis took precedence over warfighting skills and operational concerns which should have been the sole purview of the uniformed military. Moreover, America's failure in Vietnam left the legitimacy of the military shaken in fundamental ways. American military performance in the field, coupled with the senior military leadership's lack of credibility contributed to an environment in which civilian interference would continue throughout the remainder of the 1970's and into the early 1980's.

Finally, the failure of the United States military to successfully rescue the hostages held in the American Embassy in Teheran became yet another symbol of US military incompetence.

III. THE THIRD WAVE OF REFORM

The accumulative effect of the described events, coupled with his own frustration with the procedures of the Joint Chiefs of Staff, lead General David C. Jones, USAF, then-Chairman of the Joint Chiefs of Staff to severely criticize the structure and organization of the Joint Chiefs beginning in March 1982. Publishing extensively and testifying before the Congress,

General Jones argued that urgent reform was required.⁷ In his critique, he argued that, "we [the JCS] need more time on war fighting capabilities and less on an intramural scramble for resources..and [that] there is inadequate cross-Service and joint experience in our military from the top down."⁸

Expanding his criticism, General Jones argued that organizational traditions, joint staff procedures, and the need for the service chief to be the primary advocate for his service caused the service chiefs to put the needs of their individual services before joint interests. Accordingly, General Jones called for a variety of initiatives to correct these perceived shortcomings. He called for the strengthening of the role played by the Chairman and argued for increased responsibilities for the CINCs to command the forces assigned to their unified and specified commands. Moreover, he wanted to limit service staff involvement in the joint process, and he called for improved training, experience, and rewards for joint duty.⁹

With more than six years as a member of the Joint Chiefs and coming from an acknowledged insider, General Jones' criticisms were startling. The impact of his criticism was reinforced when Army Chief of Staff, General Edward C. Meyer echoed many of General Jones concerns, and went even further than General Jones had in suggesting fundamental reform. Calling for the creation of a National Military Advisory Council to provide military advice to the President and Secretary of Defense, General Meyer's proposals would have divorced the service chiefs from their

"dual-hatted" role as both Service Chiefs and members of the Joint Chiefs of Staff. He stated,

"Given budgets which provide less than minimum defense needs, the Chiefs often found themselves unable to act responsibly in their joint role except to the detriment of legitimate Service requirements. This "dual-hatting," dictated by law, confers real power with the Service Chief hat and little ability to influence policy, programming, and budget issues with the joint hat. This is the root cause of the ills which so many distinguished officers have addressed these past 35 years."¹⁰

What followed from 1982 to 1986 was four years of debate and study, coupled with an intense Congressional inquiry into the deficiencies of US military planning and defense management. In those four years, a large number of studies were undertaken by the Department of Defense, the Congress, the Chairman's Special Studies Group, and the Washington "think tanks." Each study found overwhelming evidence to suggest fundamental reform was urgently required.¹¹

Past history, however, would have suggested that fundamental reform of the Joint Chiefs of Staff would not be forthcoming. Since 1958, no significant legislative action had been enacted altering the fundamental nature of the Joint Chiefs of Staff system. Two events in 1983, however, energized Congress to seriously take action to reform the defense establishment. In October 1983, the lives of 241 United States marines were lost in the bombing of their barracks in Beirut, Lebanon. That same weekend, the United States military invaded the island of Grenada to restore order in the wake of the government's overthrow and the need to rescue US medical students studying on the island.

The after action reports on both operations pointed to systematic failures throughout the chain of command, professional military incompetence, and an inability to operationally and tactically communicate between individual services. Although successful in Grenada, the disaster of Beirut brought back vivid images of Desert One to the eyes of Congress and the American people. Finally, the Beirut bombing represented a failure on the part of the Reagan Administration to articulate basic US security goals and objectives. Congress was aroused to action.

By 1985, the Senate Armed Services Committee issued Defense Organization: The Need for Change, a 645 page document "critical of the current organization and decisionmaking procedures of the Department of Defense and of the Congress."¹² The report's critique cited sixteen problem areas and recommended 91 specific corrective actions.

Continuing legislative interest which had been in progress since early 1983, carried through the remainder of 1985, and into 1986. On 1 October, the Goldwater-Nichols Department of Defense Reorganization Act of 1986 became law bringing fundamental organizational change to the management and leadership of the US military.

In passing the Goldwater-Nichols Act, the intent of the Congress was:

- "(1) to reorganize the Department of Defense and strength civilian authority in the Department;
- "(2) to improve the military advice provided to the President, the National Security Council, and the Secretary of Defense;

"(3) to place clear responsibility on the commanders of the unified and specified combatant commands for the accomplishment of missions assigned to those commands;
"(4) to ensure that the authority of the commanders of the unified and specified combatant commands is fully commensurate with the responsibility of those commanders for the accomplishment of missions assigned to their commands;
"(5) to increase attention to the formulation of strategy and contingency planning;
"(6) to provide for more efficient use of defense resources;
"(7) to improve the joint officer management policies; and
"(8) otherwise enhance the effectiveness of military operations and improve the management and administration of the Department of Defense."¹³

We now turn to an assessment of how well the Goldwater-Nichols Act has affected the quality of military advice provided to the President and Secretary of Defense.

IV. THE GOLDWATER-NICHOLS ACT

To implement the intent of Congress and to correct organizational deficiencies and policy shortcomings within the national security community, the provisions of the Goldwater-Nichols Act were powerful and sweeping. For the purposes of this paper, Title II of the legislation is the most important. First, Title II directs that many of the functions previously executed by the corporate body of the JCS be shifted to the Chairman. While other members of the JCS are permitted to provide military advice to the President, Secretary of Defense, and the National Security Council, the Chairman is designated the "principal military advisor." It permits him, for the first time, to be "his own man," and represent his personal views as well as those of the other members of the JCS.¹⁴ Prior to the Goldwater-

Nichols Act, he was required to echo the views of the corporate body of the Joint Chiefs of Staff. Accordingly, the expertise he could bring to policy discussions and management of the defense establishment was severely restricted, and the military advice that was provided was usually unsatisfactory.

Secondly, Title II establishes the chain of command for operational forces. Running from the President to the Secretary of Defense to the unified and specified commanders, the Goldwater-Nichols Act clarified command and informational relationships between the JCS, the combatant commanders (CINCs), their service component commanders, and the military departments. More importantly, however, the Act permits the CJCS (at the direction of the Secretary of Defense) to "oversee the activities" of the CINCs.¹⁵

Finally, this legislation grants the CINCs full operational control of the forces assigned to them. By implication, the Act removes the service component commander's ability to undermine the CINCs by seeking direction and guidance from individual service chiefs.

Given this, what impact did the Goldwater-Nichols Act have on improving the quality of military advice provided by the uniformed military to the President, Secretary of Defense, and the National Security Council?

V. BEFORE THE GOLDWATER-NICHOLS ACT

Three important factors must be considered in evaluating the

effects of the Goldwater-Nichols Act on the quality of military advice--(1) the series of documents designed to provide that advice; (2) the staff procedures used to develop and approve that advice; and (3) the meeting schedule used to resolve associated issues.

Since the passage of The National Security Act of 1947, the Joint Chiefs of Staff have been required to provide "strategic direction to the armed forces," and provide military advice and recommendations to the National Command Authorities. Beginning in 1952, the Joint Chiefs routinely provided this advice through The Joint Strategic Planning System. Governed by Memorandum of Policy Number 84 (MOP 84), this system had been in use through January 1990. MOP 84, coupled with Memorandum of Policy Number 132, entitled Coordination and Approval Procedures for Joint Actions, came to symbolize everything that was wrong with the Joint Chiefs of Staff as a committee system.

The ten documents of the Joint Strategic Planning System were long, cumbersome, and rarely read by decisionmakers. Moreover, because their approval required coordination through MOP 132 procedures, they would invariably be late, be overcome by events, and represent a series of compromises reached at every level in the staffing process. As many as four detailed reviews for each document could be expected under the MOP 132 process. Beginning with action officers and eventually being considered by the Joint Chiefs, these documents often represented the lowest common denominator of consensus that the military bureaucracies

could agree upon. At every level in the staffing process, the views of individual services were considered and given considerable weight.¹⁶

When agreement could not be found, one of two courses of action were taken. Either the language of the document would be qualified so agreement could be reached or review of the document would be moved to the next level in the bureaucracy for further consideration. This process continued until all parties agreed or the Joint Chiefs addressed the issue directly. Since the Joint Chiefs themselves usually did not wish to reveal internal disagreement to their civilian masters, they would often agree to less than crisp, clear-cut, and definitive military advice. Thus, even at the most senior levels of the uniformed military, there has been a willingness to provide less than optimum counsel to preserve the facade of consensus.¹⁷

Finally, as the Joint Chiefs developed military advice, the schedule of meetings to discuss such advice was equally complex. In order to resolve issues that were "kicked upstairs," each Tuesday the Deputy Operations Deputies (DEPOPSDEPS--Major Generals/Rear Admirals) of the services would meet at 0900 hours with the Vice Director of the Joint Staff to discuss issues. At 1000 hours, Tuesday mornings the Operations Deputies and the Director of the Joint Staff (OPSDEPS--Lieutenant Generals/Vice Admirals) would also meet to resolve issues either unresolved by the DEPOPSDEPS or to deal with more serious matters. Occasionally, Tuesday afternoons were reserved for the Secretary

Occasionally, Tuesday afternoons were reserved for the Secretary of Defense, the Deputy Secretary or the Under Secretary of Policy to meet with the Joints Chiefs and the OPSDEPS to discuss issues, share information, and provide status reports about ongoing projects.¹⁸

The remainder of the week saw the OPSDEPS meeting Wednesday and Friday mornings to conduct business, while the Joint Chiefs with their Operations Deputies would meet on Wednesday and Friday afternoons to discuss issues, approve joint papers, and make decisions. While no accurate statistics regarding the frequency of these meetings have been kept, cancellation of such meetings was exceptionally rare. During the period 1983 to 1985, the Army OPSDEP frequently briefed that he spent some 60-70 percent of his time attending to joint matters.¹⁹

VI. AFTER GOLDWATER-NICHOLS

With the enactment of the Goldwater-Nichols Act, the opportunity for significant changes in the leadership and management of the US military existed. These changes, while eventually forthcoming, did not immediately take effect. On 1 October 1986, Admiral William J. Crowe, Jr had already served as Chairman of the Joint Chiefs for a year. Accustomed to the pre-Goldwater-Nichols environment, he was reluctant to make sweeping changes.²⁰ Recognizing that both the Secretary of Defense and the other members of the Joint Chiefs were generally opposed to the reforms mandated by the legislation, Admiral Crowe permitted

staffing procedures. Admiral Crowe did, however, spend considerable effort in implementing those provisions of the legislation that reorganized the personnel staffing processes contained in Title IV of the Act.²¹

The arrival of General Colin L. Powell, as the new Chairman, on 1 October 1989, signaled a new era. Without being burdened by past procedures, and enjoying tremendous credibility with the President and most of the Washington policymaking community, General Powell brought to fruition a series of major procedural reforms which had been drafted under Admiral Crowe, but were allowed to linger without implementation. The structure of these reforms has been evident in three specific areas. First, the Joint Strategic Planning System has been fundamentally revised. Second, the staffing process by which military advice is developed has been equally revamped. Finally, the manner in which the Joint Chiefs and their deputies meet to resolve issues associated with military advice has undergone similar alteration.²²

THE JOINT STRATEGIC PLANNING SYSTEM

One of the first departures from the pre-Goldwater-Nichols way of doing business was a complete revamping of MOP 84, The Joint Strategic Planning System. Reissued as CJCS MOP 7, the Chairman used his authority as the principal military advisor to streamline the products used to provide military advice. This new system is characterized by top-down guidance and direction.

The system requires a process in which high-level review of issues takes place early-on. Entitled the Joint Strategy Review, the results of this process were to be a series of briefing papers to frame issues, the issuance of administrative guidance to manage the strategy formulation process, and the publication of the Chairman's Guidance, a framework to guide the development of the National Military Strategy Document (NMSD).²³ The National Military Strategy Document is designed to provide military advice to the President and Secretary of Defense. In this regard, it fulfills several purposes concurrently. First, it serves as input for the Defense Planning Guidance, the Secretary of Defense's guidance to the Military Departments for mid-term force development, programmatic, and budgetary decisionmaking. Second, the NMSD serves as input to the Secretary of Defense for development of his near-term policy guidance for contingency planning. Finally, the NMSD, in conjunction with the Contingency Planning Guidance, serves as the basis for the development of the Joint Strategic Capabilities Plan which allocates forces to operational commanders, and articulates a near-term national military strategy for the development of operational plans.

The final step in the planning and programming cycle is an assessment of how well the Military Departments and the Unified and Specified Commands have carried out the guidance they have been issued. The Chairman presents the findings of his assessment in a document entitled the Chairman's Program

Assessment. This document comments on the adequacy and capabilities of forces presented in the Service's Program Objective Memorandum. The Secretary of Defense uses this assessment to make last minute refinements to service programs before forwarding the Department of Defense's budget requests to the White House for inclusion in the President's budget submission.²⁴

PROCESSING JOINT ACTIONS

Almost simultaneously with the revisions to the Joint Strategic Planning System, the process by which joint actions were moved through and approved by the joint system was also radically changed. As the follow-on procedure to MOP 132, CJCS MOP 9, Policy of Action Processing, was published on 27 February 1990.

This memorandum of policy made several important points. Arguing that joint actions presented to the President, the National Security Council, and the Secretary of Defense must, "be developed in a timely fashion and reflect the best possible military judgments," the MOP instructs the Joint Staff and the Services how to affect coordination. While MOP 132 had been rigid in its instructions, CJCS MOP 9 provides much greater flexibility in the processing of joint actions. Stating that, "joint actions must be coordinated with all appropriate organizations," CJCS MOP 9 indicates that,

"the extent of coordination will depend on the nature of the

action, but coordination with the Services, unified and specified commands, and Defense agencies will be sought on actions in which they have an interest, in which their views would be useful, or with which they have requested the opportunity to coordinate."²⁵

Finally, CJCS MOP 9 outlines procedures for the conduct of meetings by the various joint councils. While, in theory, the new meeting formats are not significantly different than in the pre-Goldwater-Nichols era, practice appears to be significantly different. We will assess the impacts of these points in the next section of this paper in greater detail.

VII. AN ANALYSIS OF MILITARY ADVICE

In analyzing the quality of military advice provided by the Joint Chiefs in the post-Goldwater-Nichols era, we should focus our attention on the combined effects that CJCS MOPs 7 and 9 have had on the substance of military advice and the process by which that advice is formulated.

CJCS MOP 7 -- THE JOINT STRATEGIC PLANNING SYSTEM

In the pre-Goldwater-Nichols era, as has been stated, the documents of the Joint Strategic Planning System were long, cumbersome, and rarely read by decisionmakers.²⁶ Coupled with their general untimeliness and vaguely-worded statements of compromise reached at every level, the quality advice these documents were supposed to provide was frequently suspect. In response to the Goldwater-Nichols Act, revisions to the Joint Strategic Planning System hold out the potential for

significantly improved military advice.

Service action officer/planners and joint staff officers report that there appear to be four areas of improvement--(1) greater consistency between JSPS documents; (2) greater clarity and more definitive advice in documents sent to the National Command Authorities; (3) greater timeliness, hence greater relevance; and (4) greater harmony in relating strategic means to ends.²⁷

Greater Consistency. The Joint Strategic Planning System outlined by CJCS MOP 7 reduced from ten to four the number of strategic planning documents required to be produced by the Joint Chiefs. All interviewees reported that this reduction in published documents permitted greater opportunity to concentrate on the substance of issues rather than service bickering and jockeying for bureaucratic position. Moreover, because the Chairman now issues top-down guidance to guide the preparation of these documents, there was general agreement that inconsistencies within JSPS documents and between such documents were largely being eliminated, but had not yet been completely overcome. Joint staff officers felt, because these documents were being written for the Chairman, that his final review has tended to find inconsistencies in the advice and eliminate them.

Finally, service staffs and members of the joint staff also felt that because the Chairman spoke as the principal military advisor and the senior US military leader on active duty that some real decisions were being made, and issues were not

constantly being revisited, once decided. All agreed that once the Chairman had spoken, however, there appears to be a "chilling effect" on others to speak in opposition. This has not been true in all cases, but most felt that more senior officers were reluctant to speak out in opposition to the Chairman, because they did not want to be seen as "taking the Chairman on." Service staff officers felt greater freedom of expression existed before passage of the Goldwater-Nichols Act, and almost universally felt now that their voices were not being appropriately heard. All agreed that the Services should not have the ability to "derail" actions as they had in the pre-Goldwater-Nichols period, but they also felt that a proper balance between taking Service inputs or rejecting them had not been achieved by the Joint Staff.²⁸

Greater Clarity, More Definitive. All interviewees agreed that greater clarity and more definitive advice was being rendered, whether you necessarily agree with the advice or not. This finding reflects the belief that since consensus is no longer expected or required the language used in document narratives is growing increasingly more direct, concise, and more easily understood, and would continue to do so. Excessively qualified and modified text and compromise language is being eliminated increasingly. Interviewees also reported that all types of correspondence are becoming more definitive, and that service and joint staff positions are being more clearly framed. Moreover, document language that would argue first "on the one

hand" and then "on the other hand" without firmly staking out a firm position is no longer acceptable as a writing style.²⁹

For example, the recently published National Military Strategy 1992 is written in clear, direct, and straight forward language. While there are some parts of the document that are not completely definitive, this reflects uncertainty in the international environment rather than intentional vagueness to achieve compromise and consensus.³⁰

Finally, the joint staff felt that all participants were having a more difficult time pursuing "hidden agendas" that were prevalent during pre-Goldwater-Nichols times.

Greater Timeliness. Although interviewees reported that the Chairman did not issue a formal written Chairman's Guidance to initiate this year's strategy formulation process, Joint Staff members believe that both JSPS and non-JSPS documents are moving through the staffing process significantly faster than has been the case previously. Service staffs, however, complained that many documents move too quickly, and, their inputs and service-oriented perspectives were not being accorded sufficient consideration. A more thorough discussion of service participation will be presented when we consider the effects of CJCS MOP 9.³¹

Greater Harmony In Relating Ends, Ways, and Means. The essence of strategy is the reconciliation of ends, ways, and means.³² The philosophy of the JSPS under MOP 84 required the development of several force structure levels. These force

structures were created with two criteria in mind--(1) size; and (2) risk. Larger force structures reduced the risk of failing to achieve US national security objectives, while less capable forces caused decisionmakers to accept greater risks and uncertainties.³³

Regrettably, pre-Goldwater-Nichols force planning systems invested significant effort into designing fiscally unconstrained force levels that were developed against highly imaginative and equally unlikely warfighting scenarios. The production of such force structures and their presentation to civilian authorities as military advice did not serve a useful purpose. Such efforts were used to generate support for ever increasing force structure sizes, and it is arguable whether such efforts ever really caused decisionmakers to support larger force structures anyway.

Accordingly, for the uniformed military to focus inordinately large efforts on recommending fiscally unconstrained force structures at the expense of providing clear, direct, and relevant military advice based on realistically constrained resources seems to undermine directly the credibility of the Joint Chiefs and the quality of their advice.

Although the Goldwater-Nichols Act is not the only factor in explaining the redesign of force structure sizing, this legislation created an environment in which the CJCS, as the principal military advisor could redesign the force structuring system in order to provide more effective and credible military advice without serious opposition from other members of the Joint

Chiefs or their staffs.

Overall, how did interviewees feel about the quality of military advice which relates end, ways, and means? Although by no means a scientific survey, when asked to rate the quality of military advice of pre-Goldwater-Nichols vice post-Goldwater-Nichols advice in absolute terms, interviewees generally characterized the quality of advice as slightly to somewhat better.³⁴ When asked to answer the question in relative terms (given the potential for quality military advice in light of the Goldwater-Nichols Act and CJCS MOPs 7 and 9), service planners felt military advice was somewhat less than its potential under Goldwater-Nichols. Joint Staff officers, however, rated the quality of advice as neutral to somewhat better. Moreover, service planners held their views with much more intensity than did joint staff officers.³⁵

Why the apparent discrepancy? An assessment of the joint coordination process provides valuable insights.

CJCS MOP 9 -- POLICY ON ACTION PROCESSING

In assessing the quality of military advice, attention must also be paid to the process by which Pentagon staffs and the Joint Chiefs interact to resolve issues associated with military advice. Like the Joint Strategic Planning System, this process has undergone significant alteration.

At the service staff level, the Goldwater-Nichols Act does not get favorable reviews, because of what service action

not get favorable reviews, because of what service action officers/planners perceive the Act has done to the procedures by which joint actions are processed. Accordingly, there are four key areas of concern--(1) lack of timely coordination; (2) reduced service inputs and action officer participation in issue development; (3) reduced discussion and resolution of joint matters in a formal process.³⁶

STAFF CONCERNS

Lack of Timely Coordination. With the implementation of CJCS MOP 9, joint staff officers are required to coordinate joint actions with services and defense agencies when, "they [services/defense agencies] have an interest, [when] their views would be useful, or [when] they have requested the opportunity to coordinate."³⁷ While this statement represents the theory of the process, service staffs complain that the practice is much different. Current procedures require that the Joint Secretariat notify service staffs and defense agencies of impending joint actions by the use of a "green paper," to quote the local jargon. Service interviewees were consistent in complaining that "green papers" did not arrive in a timely fashion. Joint staff officers supported the view that, in too many cases, notifications did not arrive with the sufficient lead times for services to become fully involved in the early development of positions.³⁸

Service staffs believe that joint staff officers have much

joint actions with their service counterparts than they ever did prior to Goldwater-Nichols. This greater degree of freedom, in their view, undermines the ability of the Chairman and the Joint Chiefs to render the best possible military advice. Service planners and action officers believe that, because Joint Staff officers coordinate less, relevant concerns of their Services are not being considered. Thus, with all sides of an issue not being considered service planners believe decisionmakers are being deprived of valuable, service-unique perspectives. Moreover, they believe that as the Joint Staff goes about its business it is not building the consensus necessary to insure their programs are successful.

In some instances, service planners felt that an unspoken policy of "selective coordination" existed among some joint action officers, especially when they anticipated vigorous service staff opposition. Some felt that joint action officers coordinated only when they required service-specific information they were not capable of gathering without such coordination. Joint action officers, while tending to downplay this finding agreed that this does occasionally occur.

Finally, service action officers attribute this lack of discipline in the system directly to the provisions of CJCS MOP 9, and to the inability or unwillingness of the Director of the Joint Staff to adequately police the system. Since the publication of CJCS MOP 9, however, there have been three Directors of the Joint Staff, resulting in inconsistent

Directors of the Joint Staff, resulting in inconsistent enforcement of established policies.³⁹

Reduced Service Inputs and Action Officer Participation In Issue Development. All interviewees agreed that there has been a marked shift in bureaucratic power in the Pentagon. With the Chairman speaking in his own behalf and the Joint Staff working to formulate recommendations and positions for him, both service staffs and Joint Staff officers agreed that the frequency and extent to which service action officers are able to influence Joint Staff views had been reduced. There was disagreement, however, between the service staffs and the Joint Staff regarding how much this has affected the quality of military advice with each side staking out expected bureaucratic positions.⁴⁰

Moreover, service planners felt that this was partially attributed to the vastly improved quality of the officer assigned to the Joint Staff and the lessened dependence of the joint action officer on the service staff action officers for assistance.

Reduced Discussion and Resolution of Joint Matters in a More Formal Process. At a more senior level, service staffs report that their DEPOPSDEPS and OPSDEPS feel a similar frustration in gaining access to the joint decisionmaking system. This frustration became evident in June, 1991. In an unusual bureaucratic maneuver, the four-service OPSDEPS forwarded a memorandum to the Director of the Joint Staff requesting greater participation in joint discussions in the "Tank." Arguing that,

"We would like to accept your predecessors offer to conduct more frequent Tank discussions on a range of issues. Many new ideas, some contentious, are on the table. In our role as OPSDEPS, we believe we can better help you if we debate these issues early and have our staffs examine the details."⁴¹

This OPSDEPS memorandum cites sixteen issues of major importance, ranging the spectrum of joint matters. Critical issues included -- (1) the New National Military Strategy; (2) the 1993-1995 Joint Strategic Capabilities Plan; (3) the Unified Command Plan; (4) Title IV of the Goldwater-Nichols Act; (5) the Base Force; (6) Development of Joint Doctrine, and (7) Post Desert Storm Regional Security Arrangements.

The issues OPSDEPS believe have not been fully debated are at the heart of the strategic formulation process and central to providing quality military advice. A review of topics discussed in the Tank for the period 6 September 1991 to 19 December 1991, is illustrative. During this sixteen week period, the OPSDEPS and JCS met in formal session twenty-seven times or an average of 1.6 times per week, and during these sessions, on only two occasions did they discuss three issues, with the average being two. More importantly, none of the issues alluded to in the previous paragraph were discussed, except one discussion of Title IV of the Goldwater-Nichols Act. Finally, joint staff officers report these issues were not discussed in the immediate aftermath of the OPSDEPS memorandum or in either July or August, 1991.⁴²

Although no official statistics have been kept, all agreed that the number of issues discussed and the frequency of formal

meeting has been reduced significantly. Additionally, staff-to-staff contacts at all levels are down considerably as well.⁴³

THE JOINT CHIEFS OF STAFF THEMSELVES

In assessing the process of providing military advice, we must also consider the Joint Chiefs themselves and the role personality plays in strategic formulation. Among the Joint Chiefs themselves, there appear to be two areas of concern--(1) a seeming unwillingness of the Joint Chiefs to use a formal decisionmaking process, and (2) the close-hold processing of an increasing number of important projects.

Lack of a Formal Process. Although there is some degree of frustration with the Tank meeting schedule, there appears to be another process at work that is unseen by the staffs of the Pentagon and the public. Joint Staff officers report that the Chairman works in a much more informal manner than CJCS MOP 9 and the traditional joint system would suggest. Joint Staff officers and service planners report that their Service Chiefs meet with the Chairman often, that no formal agendas for such meeting are prepared, and that the Chairman and the Service Chiefs speak on the telephone frequently. The results of these Executive Sessions and telephone conversations may or may not be back-briefed to the OPSDEPS or service and joint staff action officers.⁴⁴ Accordingly, the effect this leadership and management style has on the quality of advice is unclear. But, if such sessions build trust and organizational confidence

between the Chairman and Service Chiefs, improve communications, and permits senior military leaders to better understand each others frame of reference and individual biases, then the quality of military advice can only profit from its use.

On the other hand, some service planners argue that this leadership and management style has caused the Joint Chiefs of Staff as a corporate entity to be eclipsed by a new, all-powerful Chairman. In a particularly critical article, however, Colonel Gordon D. Batcheller, USMC, argued that,

"the mechanism and procedures by which strategic military advice is developed and then rendered to the National Command Authorities, (i.e. the President, Secretary of Defense, as well as the Congress), have been fundamentally altered and weakened."⁴⁵

Using the decisionmaking process that lead up to the Gulf War, Colonel Batcheller believes that the Chairman has become such a dominant power that the importance of the corporate JCS has been supplanted by the role of the Chairman. Although not specifically mentioning the procedures of CJCS MOP 9 and the Chairman's informal style, this article referred to these considerations. His conclusion, of course, is that the changes brought about by the Goldwater-Nichols Act, coupled with CJCS MOP 9 and the interplay of personality, has adversely affected the quality of military advice.

In a sharply worded rebuttal, General Powell replied that,

"At every step along the way, the Joint Chiefs of Staff were full partners in providing military advice to the Secretary of Defense and the President. Just because Colonel Batcheller didn't read about it in the newspapers doesn't

mean it didn't happen."⁴⁶

Close Hold Processing. Finally, interviewees confirmed that an increasing number of projects within the Pentagon were being conducted on a "close hold" basis. Projects which were routinely discussed, and, generally, open for wide debate and consideration have in the past eighteen months become increasingly worked by a small group of "trusted agents." Interviewees attributed a good deal of this to the sensitivity of the Bush Administration to leaks, and saw this concern reflected in the behavior of both the Secretary of Defense and the Chairman of the Joint Chiefs. Interviewees were uncertain as to the positive or negative effects this has had on the quality of military advice, but all were to some extent concerned about potential for this style of management to undermine the quality of military advice.⁴⁷

VIII. CONCLUSIONS

The Goldwater-Nichols Department of Defense Reorganization Act of 1986 has made a significant and positive contribution in improving the quality of military advice provided to the civilian leaders of our Nation. A new Joint Strategic Planning System is in place and a revised strategic formulation process is evolving. This revised planning system and new staff procedures reflect the impact of the Goldwater-Nichols Act. And while the Joint Chiefs of Staff do not have great experience with the Goldwater-Nichols Act, its implementation is well-timed given the ending of the

Cold War and the unprecedented changes in the international security environment.

While service staffs complain that their voices are not being fully heard and the Joint Staff counters by arguing that they are, it seems that such arguments confirm that the Congressional intent to strengthen the power of the Chairman of the Joint Chiefs of Staff and CINCs at the expense of the Service Chiefs and the Military Departments has largely been accomplished. But there are areas of concern.

The Chairman of the Joint Chiefs of Staff must not allow his newly-found powers to undermine the intent of Congress in passing the Goldwater-Nichols Act. Congress intended two outcomes. First, Congress wished to strengthen the powers of the Chairman and CINCs at the expense of the Services Chiefs and the Military Departments. Second, Congress intended, more importantly, that the quality and timeliness of military advice would significantly improve. Preliminary evidence suggests that the Congress has achieved both of these objectives.

Congress also intended, however, that the Service Chiefs, as other members of the Joint Chiefs of Staff, would retain their role as military advisors to the President, Secretary of Defense, and the National Security Council, albeit in a reduced stature. Accordingly, to the extent that either the Joint Strategic Planning System or bureaucratic processes preclude their views from being given serious consideration the intent of Congress is undermined. As experience is gained with the provisions of the

Goldwater-Nichols Act, the Secretary of Defense and the President must not allow the Chairman to become the sole source of military advice, thereby eclipsing the institution of the Joint Chiefs of Staff. While the Chairman should have a strong hand, multiple sources of military advice must be considered. The complexity of the world situation demand that Service views be considered.

The Service Chiefs are the senior military representatives of their military services on active duty, and are charged with the responsibility to train, organize, and equip their forces for employment by the CINCs. They bring unique perspectives to debates regarding defense issues, and to insure that the best possible military judgments are rendered the views of Service Chiefs must be heard. Future military success will be dependent not only on appropriate levels of "jointness" but also on achieving outstanding service competencies.

Moreover, planning processes which guide the development of strategy (military advice), force structure, and defense budgets should be sufficiently participatory that all views receive a hearing. In the final analysis, service views may not prevail, but planning systems should be designed to allow some degree of consensus to emerge regarding important defense matters. As defense resources decline in the 1990's the maximum return on investment must be obtained. To the extent that planning systems and bureaucratic processes allow for participation and consensus-building, while also permitting the Chairman of the Joint Chiefs of Staff a strong hand as the principal military advisor, the

promise of the Goldwater-Nichols Act to achieve real reform will
have been fulfilled.

ENDNOTES

1. In researching this paper it was necessary to visit members of each military service and key members of the Joint Staff. These interviews were used in conjunction with the significant volume of written material regarding the reform of the Joint Chiefs of Staff system. These interviews provided invaluable insights into the feelings of those assisting the CJCS and the other members of the Joint Chiefs of Staff in rendering their military advice. Each interviewee was given a promise of confidentiality, and this pledge materially contributed to their forthright candor. To these serving officers of the United States Armed Forces, I am deeply indebted.

2. Memorandum of Policy 84, The Joint Strategic Planning System, dated 24 January 1989, Office of the Secretary of the Joint Staff, and Memorandum of Policy 132, Coordination and Approval for Joint Actions.

3. Paul Y. Hammond, Organizing for Defense: The American Military Establishment in the Twentieth Century (Princeton: Princeton University Press, 1961), 161 and Allan R. Millet, and et. al., The Reorganization of the Joint Chiefs of Staff: A Critical Analysis (Washington: Pergamon-Brassey's, 1986), 8-9. Also see Demetrios Caraley, The Politics of Unification: A Study of Conflict and The Policy Process (New York: Columbia University Press, 1966), 4-7.

4. The National Security Act of 1947 was amended in 1949 to correct minor shortcomings in the 1947 legislation. For details see, Edgar F. Raines, Jr and David R. Campbell, The Army and The Joint Chiefs of Staff: Evolution of Army Ideas on Command, Control, and Coordination of the Armed Forces, 1942-1985 (Washington: Analysis Branch, U.S. Army Center of Military History, 1986), 31-43. Also see Hammond, 186-226.

5. James A. Blackwell and Barry M. Blechman, eds., Making Defense Reform Work (Washington, Brassey's (US), 1990, 1-3.

6. Raines, 109-112.

7. David C. Jones, "Why The Joint Chiefs of Staff Must Change," Armed Forces Journal International 119, (March 1982), 62-72. See also an article with the same author/title in Presidential Studies Quarterly 12, (Spring 1982), 138-149.

8. Ibid, 44

9. Ibid, 144.

10. Edward C. Meyer, "The JCS - How Much Reform Is Needed." Armed Forces Journal International 119, (April 1982), 82-90.
11. James K. Gruetner and William Caldwell, "DOD Reorganization," Proceedings/Naval Review 113 (May 1987), 141.
12. Congress. Senate, Committee on Armed Services. Defense Organization: The Need for Change 99th Cong., 1st sess., S. Prt 99-86: 3-11. This document is the most comprehensive critique and history of the JCS Reform efforts. It represented a major Congressional effort to research, study, and understand the organizational needs of the Department of Defense, and to understand those reform efforts that were required in the Congress and throughout the federal government to improve defense management.
13. Public Law 99-443, 1 October 1986. Commonly referred to as the Goldwater-Nichols Department of Defense Reorganization Act of 1986.
14. PL 99-433, Sect. 151 (b) and/or USC 151 (b).
15. PL 99-433, Sect. 163 (b) (1) and/or USC 163 (b) (1).
16. Memorandum of Policy 132, Coordination and Approval Procedures for Joint Actions, dated 3 May 1985; David C. Jones, "Why the Joint Chiefs of Staff Must Change," Presidential Studies Quarterly 12, (Spring 1982), 141, and Interview with Captain Paul Cassiman, Assistant for JCS Matters, OP-60D, Office of the Deputy Chief of Naval Operations (Plans, Policy and Operations, 9 December 1991.
17. James Schlesinger, "The Office of the Secretary of Defense," in Robert J. Art, Vincent Davis, and Samuel P. Huntington, Reorganizing America's Defenses: Leadership in War and Peace. (Washington: Pergamon-Brassay's, 1985), 257, 267.
18. David C. Jones, "Why the Joint Chiefs of Staff Must Change," Presidential Studies Quarterly (Spring 1982), 143. Also Maxwell Taylor, The Uncertain Trumpet (New York: Harper & Brothers, 1959), 88-90. General Taylor describes the JCS meeting process which seems to have remained unchanged since the 1950s.
19. From the authors own experience. Also Colonel Walter Ivanjack, USA, Assistant Deputy Chief of Staff for Joint Matter, Office of the Deputy Chief of Staff for Operations and Plans. He reports the current DCSOPS spends approximately 45-50% of his time in joint matters. Interviews 9 December 1991 and 23 January 1992.

20. Arthur T. Hadley, "In Command," New York Times Magazine, 7 August 1987, 19, and Richard Halloran, "Steering An Unchartered Course," New York Times, 2 March 1987, national edition, A16.

21. Public Law 99-433, Title IV, Joint Officer Personnel Policy. James A. Blackwell and Barry M. Blechman, eds., Making Defense Reform Work (Washington: Brassay's, 1990), 15-17, 26, and 171.

22. Chairman of the Joint Chiefs of Staff, Memorandum of Policy 7, Joint Strategic Planning System, dated 30 January 1990. Referred to as CJCS MOP 7. Interview with Colonel James L. Stefan, Executive Assistant to the J5, The Joint Staff, 23 January 1992. Also see Vincent Davis, "Defense Reorganization and National Security", Annals, American Academy of Political and Social Sciences (September 1991), 164.

23.. Interview with Colonel Harry Rothman, Chief, Strategy Application Branch, J5, The Joint Staff, 23 January 1992.

24. Chairman of the Joint Chiefs of Staff, Memorandum of Policy 7, Joint Strategic Planning System, dated 30 January 1990, 7-9. Interview with Colonel Daniel E. Sowonda, USAF, Assistant Director for Joint and NSC Matter, Headquarters, Department of the Air Force, 9 December 1991. Also Colonel Rothman, 23 January 1992.

25. CJCS MOP 9, Policy On Action Processing, dated 27 February 1990.

26. James Schlesinger, "The Office of the Secretary of Defense," in Robert J. Art, Vincent Davis, and Samuel P. Huntington, Reorganizing America's Defenses: Leadership in War and Peace (Washington: Pergamon-Brassay's, 1985), 257.

27. Interviews with Service Planners and members of the Joint Staff. A list of members of the Services and the Joint Staff interviewed for this paper appear in the Bibliography of this paper, pages 44-45. No single interviewee commented on all four areas of important, but individually, interviewees believe these were key areas of improvements. When Service Planners and members of the Joint Staff are listed, the entry represents a trend developed by multiple interviews. The value of these interviews is particularly pertinent, because a large majority of those interviews worked in the Pentagon in both the pre- and post-Goldwater-Nichols eras. Of the three Army planners interviewed two had experience in both the pre-Goldwater-Nichols period and the post-Goldwater Nichols period. All Navy planner had experience in both eras, as did all Air Force planners. Among Joint Staff members three-fourths had expereince in both periods.

28. Ibid, interviews conducted during the period 9-10 December 1991 and 13-15 January 1992.

29. Interviews with Colonel Walter Ivanjack, USA, and Captain Paul Cassiman, USN, 9 and 11 December 1991.

30. Colin L. Powell, National Military Strategy, 1992, and interviews with Colonel Harry Rothman and Lieutenant Colonel Michael Vernon, J5, the Joint Staff, 23 January 1992.

31. Interviews with Service Planners. The Navy was particularly concerned that their inputs were not be considered sufficiently.

32. Arthur F. Lykke, Jr., "Toward An Understanding of Military Strategy," in Military Strategy: Theory and Application. (Carlisle Barracks, US Army War College, 1989): 3-5.

33. Memorandum of Policy 84, The Joint Strategic Planning System, dated 24 January 1989, 17-19, and Department of the Army, Army Command and Management: Theory and Practice (Carlisle Barracks: U.S. Army War College, 1991), 10-10 to 10-12.

34. Interviews with service Planner and Joint Staff officers. One Navy planner and one Army planner, however, felt that the quality of military advice was significantly worse. Their conclusions were based on the Services' inability to influence joint matters, and thus, they concluded the quality of military suffered from the lack of a clear input from the Service Staff and its acceptance by the Joint Staff. Also see Note 27.

35. The intensity of feeling also reflected whether an action officer or planner had worked in the Pentagon prior to passage of the Goldwater-Nichols Act.

36. Interviews with Service Planners and members of the Joint Staff. A list of members of the Services and the Joint Staff interviewed for this paper appear in the Bibliography of this paper, pages 44-45. No single interviewee commented on all four areas of important, but individually, interviewees believe these were key areas of improvements. When Service Planners and members of the Joint Staff are listed, the entry represents a trend developed by multiple interviews. The value of these interviews is particularly pertinent, because a large majority of those interviews worked in the Pentagon in both the pre- and post-Goldwater-Nichols eras. Of the three Army planners interviewed two had experience in both the pre-Goldwater-Nichols period and the post-Goldwater Nichols period. All Navy planner had experience in both eras, as did all Air Force planners. Among Joint Staff members three-fourths had expereince in both periods.

37. CJCS MOP 9, Policy on Action Processing, 2.

38. Interviews with Colonels Charles F. Moler, USA and Walter Ivanjack, USA. Also Lieutenant Colonel Michael Vernon, USA, Strategy Applications Branch, J5, The Joint Staff, week of 20-23 January 1992.

39. Navy and Air Force planners were deeply concerned about the revolving door aspects of the Director of the Joint Staff's position. They believe the indiscipline of the system was a direct result of the Director not policing it.

40. Interviews with Colonel George Seldon, Executive Assistant to the Assistant to the Chairman of the Joint Chiefs of Staff, 10 December in telephone interview, and, in person, 23 January 1992.

41. Memorandum for Director, Joint Staff, subject: Proposed Issues for Tank Agenda, dated 19 June 1991, 1.

42. Office of the Special Assistant for Joint Matter, Status Reports of Tank Items, 6 September 1991 to 19 December 1991.

43. Interview with LTC Charles Zelko, Joint Action Control Office, Office of the Deputy Chief of Staff for Operations and Plans, Headquarters, Department of the Army. Interviews 9 and 11 December 1991.

44. Interviews with all Service Planners.

45. Gordon D. Batcheller, "The Eclipse of the Joint Chiefs," Marine Corps Gazette (July 1991), 32-34.

46. Colin L. Powell, "Chairman Responds," Marine Corps Gazette (October 1991), 15.

47. Interviews with six Service Action Officers and Planners, plus three members of the Joint Staff. See Note 27.

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