THE BATTLE OVER CHANGE: THE GOLDWATER-NICHOLS ACT OF 1986

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THE INTERAGENCY PROCESS
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**ABSTRACT**
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Arguably, the single greatest piece of defense legislation since the National Security Act of 1947 is the Goldwater-Nichols Defense Reorganization Act (GNA) of 1986. This piece of legislation reformed four major aspects of the Department of Defense (DoD), the Joint Chiefs of Staff (JCS), Office of the Secretary of Defense (OSD), the budget process, and Service organization. This paper will examine the interagency process that propelled this legislation to law. Because of the scope of this legislation, this paper will focus on the specific efforts to increase the powers of the Chairman of the Joint Chiefs of Staff (CJCS). It will show that Congress increased the powers of the CJCS for two reasons; first, in order to strengthen the advice provided by the military in the chain of command and second, to add greater scrutiny to the defense department budget. This action was the result of many factors coming together at the right time, spurred on by expert staff work, the influence of retired officers who highlighted service infighting and the involvement of powerful members of Congress.

BACKGROUND

Proper understanding of the overall political and DoD atmosphere during the GNA debate requires an examination of the origins and intent of the National Security Act of 1947 and its subsequent evolution. This Act established the Air Force as a separate Service and formed the organizational structure of the DoD. In the late 1950’s, further legislation improved centralization on the civilian side of DoD, but made few changes on the military side. Then, over the concern of service infighting, President Eisenhower initiated the DoD Reorganization
Act of 1958, designed to “increase the power of a joint Pentagon institution in an effort to curb independence of the Services, reduce inter-service rivalry and wasteful duplication among weapons projects.”\textsuperscript{2} This effort was unsuccessful as Congress weakened the proposal to increase the CJCS role. From this point to the early 1980’s there was little change in the organizational structure or relationships in DoD.

In the 1970’s public opinion against the Vietnam War, and to some extent against the military, led to “shrinking DoD budgets, declining recruiting and dismal retention rates.”\textsuperscript{3} As a result, in the 1980’s Congress and the President came to see the U.S. military as a “hollow force” which had difficulty conducting operations. The growing number of military failures and blunders since Vietnam, such as the seizures “of the \textit{USS Pueblo} (1968) and of the \textit{Mayaguez} (1975), Operation Desert One (the aborted attempt to rescue hostages in Iran), and the bombing of the Marines’ barracks in Beirut (1983)” began to solidify this claim.\textsuperscript{4} The crossroads for many reformers was the invasion of Grenada in 1983. Though successful, glaring problems in planning and command structure heightened Congressional concerns. Drawing the most attention was the famous example of joint interoperability issues when Army ground forces could not communicate with Navy ships offshore to request support due to incompatible radios. Reform advocate Senator Sam Nunn best sums up the attitude of defense reform advocates in Congress regarding these failures:

> A close look at the Grenada operation can only lead to the conclusion that, despite our victory and success, despite the performance of the individual troops who fought bravely, the U.S. armed forces have serious problems conducting joint operations. We were lucky in Grenada; we may not be so fortunate next time.\textsuperscript{5}

\textbf{INTERAGENCY PROCESS – IDENTIFIES AND DEFINES THE PROBLEMS}

“The perception of these deficiencies focused on the parochialism of the Services and the lack of strong centralized control of the joint elements of the DoD, specifically, the difficulty the
JCS had in performing as an effective planning body, the weakness of the CJCS, problems in resources allocation and weapons acquisition.” By the early 1980’s, any one of these should have been enough to call for legislative reform; however, the political atmosphere was not yet primed. Congress needed to define the issue, because for many members in Congress it was not whether DoD should be reorganized but to what extent.

To define the problem Congress drew upon several influential reports and studies. The Center for Strategic and International Studies (CSIS) completed a report entitled, *Towards a More Effective Defense: The Final Report of the CSIS Defense Organization Project* in February 1985. Providing credence to this report were many influential and respected individuals such as General Goodpaster (former Supreme Allied Commander Europe), Melvin Laird (former Secretary of Defense (SECDEF)), General David Jones (former CJCS), General Edward Meyer (former Army Chief of Staff), and key Congressmen, including Representative Aspin and Senators Nunn and Cohen. Recommendations in this report called for:

- The CJCS to be the principle military advisor to the President, SECDEF, and National Security Council (NSC);
- The CJCS be allowed to use the services of the Joint Staff;
- That the CJCS have a full time four-star deputy or Vice-CJCS (VCJCS); and
- The CJCS make a joint assessment on weapons acquisition and the budget process.

Another part of the key legislative groundwork for GNA was the Senate Armed Services Committee (SASC) staff report, *Defense Organization: The Need for Change* published in October 1985; know as the ‘Locher Report’ after its principle author James Locher III, a SASC staffer. This report identified sixteen problem areas and ninety-one recommendations many of which mirror the CSIS report. The report highlighted the extent that “civilian leaders are denied the professional military advice they would need to choose among competing budget priorities” thus the study warned of “critical gaps in war-fighting capabilities, wasted resources through unwarranted duplication, interoperability problems, unrealistic plans, inconsistent doctrine,
inadequate joint training and ineffective fighting forces.”\textsuperscript{10} Report conclusions pointed to strengthening the CJCS as part of the solution to command, planning, and budgeting problems.

In July 1985, President Reagan initiated another effort to examine defense reform. The President’s Blue Ribbon Commission on Defense Management, known as the ‘Packard Commission’ after its Chairman David Packard, came to many of the same conclusions as the other reports. Though meant to focus on acquisition reform it went further in its recommendations to include changes on acquisition organization and procedures, military organization and command, national security planning and budgeting. Regarding the CJCS, the commission recommendations mirrored that of the other two afore mentioned studies. Additionally, it focused the CJCS on the budget by creating a VCJCS with duties focused, but not exclusively, on weapons acquisition.\textsuperscript{11} The reason cited for linking the VCJCS to acquisition is clearly stated by former SECDEF Harold Brown when he said, “the JCS would list as equally essential virtually all the programs each individual service wanted for itself … When everything has ‘top’ priority, nothing does.”\textsuperscript{12}

In summary, the charges against the JCS were straightforward:

- The JCS provided military advice of questionable quality;
- Members of the JCS are unable to set aside their parochial biases in order to provide objective military advise; since unanimity is required, log-rolling is inevitable;
- The JCS will not address contentious issues for fear of bringing inter-service rivalry into the open;
- The JCS decision-making process is cumbersome and unwieldy;
- The JCS staff work is poor, because of service parochialism and the fact that the services do not assign their best officers to the Joint Staff; and
- The JCS cannot agree on the material requirements to support it in the budget.\textsuperscript{13}

The military failures, wasteful spending and studies on reform, coupled with the perception by “civilian leaders and members of Congress [who] began to characterize the institutional products of the JCS as ponderous in presentation, chronically late, and diluted by excessive negotiation and compromise”\textsuperscript{14} all became overwhelming pressure for reform.
INTERAGENCY PROCESS

Given all this information, the time was right for the interagency process to act on reform. The first spark in this process came surprisingly from the JCS and Services when senior military officers began to openly voice their criticism of the current organization. In March 1982, General David Jones, then departing CJCS, got reorganization of the DoD rolling by publishing an article in Armed Forces Journal International titled “Why the Joint Chiefs of Staff Must Change,” which criticized the JCS setup when he said:

The corporate advice provided by the JCS is not crisp, timely, very useful, or very influential. And that the advice is often watered down and issues are papered over in the interest of achieving unanimity … Individual service interests too often dominate JCS recommendations and actions at the expense of broader defense interests.¹⁵

He went on to offer several suggestions for change, which were nearly identical to those, found in the three studies. In the months following General Jones’s article General Edward Meyer, the outgoing Army Chief of Staff, echoed these same needs for DoD reorganization.

THE EXECUTIVE

Caught off guard by General Jones’ comments President Reagan asked the current SECDEF Casper Weinberger to examine the problems with the JCS and determine a solution. Though the President was comfortable with the current organizational structure, the comments by Generals Jones and Meyer gave him reason to question the system. President Reagan had been successful in using the military in Grenada but had also experienced failure in Beirut, leading him to take stock in General Jones’s criticism on military advice offered to the President. On the other hand, his administration was successful in gaining budget support for a military build up to address the “hollow force.” Unfortunately, this build up was not without scandal. Claims about a $1200 toilet seat and a $800 hammer required the President to investigate defense reforms to quell these claims.¹⁶ The President’s Blue Ribbon Commission was his response to
the Senate amendment to the fiscal year 1986 DoD budget calling for a bipartisan group look at the troubled defense procurement practices. Overall, President Reagan was not going to be embroiled in a controversial fight over defense reform and remained on the sidelines until the initial reports from the Packard Commission were available.

In April of 1986, the President lent his support to reform legislation with a letter to Congress after his administration had studied the extensive testimony before Congress and numerous studies. Basing his support on the bi-partisan Blue Ribbon Commission, the President called for action to designate the CJCS as the principal advisor to the President, SECDEF and NSC, to give the CJCS exclusive control over the Joint Staff, and create a Vice-CJCS with duties to oversee acquisition and the Services budgets. By showing his support for reform, the President addressed critics who said he was engaging the military on bad advice from the JCS and wasting money in the defense buildup because acquisition was not joint focused.

OFFICE OF THE SECRETARY OF DEFENSE

In the DoD things were quite different. The SECDEF, Casper Weinberger, had openly opposed any legislation in testimony during Congressional hearings. In testimony, he claimed that if Congress increased the powers of the CJCS that it would undermine the SECDEFs position and ultimately civilian control of the military would become an issue as our founding fathers had warned. The Service Secretaries and uniformed Service Chiefs backed his opposition to reform. Navy Secretary Lehman led the strongest opposition from the secretaries. Lehman represented the Navy view, which traditionally is the most resistant of the Services to being subordinated to joint or multi-service command.

It was not until tasked by the President to address the concerns voiced by former CJCS General Jones did Weinberger take any action to respond to defense criticisms. He tasked the JCS to come up with recommendations for change to the JCS structure. In 1983, the SECDEF
accepted the JCS recommendations and forwarded draft legislation to the hill for consideration. The proposal offered small changes such as designating the CJCS as the principal advisor, lengthening Joint Staff tours and removing the limits on the size of the Joint Staff. Secretary Lehman immediately went public opposing the draft legislation, which immediately derailed this action. The conflicting actions from the DoD made it impossible for the SECDEF to present a consolidated DoD position on reorganization.

Weinberger even tried to stop the President from initiating the Blue Ribbon Commission. It was only after the President assured Weinberger that the commission was not focused on his job performance, but on acquisition reform did Weinberger back off on his objection. In the final analysis of Weinberger’s role in all the debates on defense reform, he was never able to produce concrete rebuttals to the defense reform studies thus negating his influence.

**THE SERVICES**

The Services enjoyed the current system and publicly opposed organization reform. They did not want to see the CJCS increase in power over the Service Chiefs. The Chiefs liked the current setup since they were co-equals with the CJCS and the CJCS was still responsive to his respective Service. The Chiefs enjoyed the power gained when the Chairman was out of town since one of them would then be designated as CJCS in his absence. This sharing arrangement kept each Service satisfied with the balance of power. The organizational structure of the time provided the Chiefs with access to the President and ensured that each Service had an equal voice in Congress during budget deliberations. It did not allow for a dissenting view from the Services during budget submissions, as they all would support each other in collusion on the budget. This was understandable under the current organizational dynamics. “It is difficult for even the most well-intended Chief to abandon Service positions in JCS deliberations.” If he
did not defend his Service interests in the joint forum, then he would lose support and loyalty of his Service, thus destroying his effectiveness.  

Best illustrating the zeal of the Service’s opposition is the following example. As draft legislation was preparing to go through the SASC for markup, the CJCS, Admiral Crowe invited Senators Goldwater and Nunn to meet with the JCS to discuss the legislation. In this meeting, the Chief of Naval Operations exploded in a twenty-minute diatribe followed by equally strong remarks by the other Service Chiefs. The Senators sat in silence in the face of this verbal onslaught until Senator Goldwater slammed his cane on the table and warned the Chiefs that their confrontational tactics were going to backfire. After the meeting when SASC staffer Locher asked the Senators if they wanted to postpone going ahead, both Goldwater and Nunn responded that they were convinced that it was impossible to achieve agreement with the JCS and therefore there was no reason not to move ahead with legislation.

CONGRESS

Congress’s role in defense reform evolved in the 1980’s. In the early 1980’s, Representatives Nichols (D) and Aspin (D) were aggressively pursuing defense reform in the House Armed Services Committee (HASC). Representative Nichols had been convinced of the need for defense reform after a briefing on the Desert One fiasco. From that point forward, he was committed to picking up where President Eisenhower had folded two decades ago. In 1982, Representative Nichols became the Chairman of the HASC Investigations subcommittee. Under his leadership, the subcommittee spearheaded many hearings on defense reform that heard testimony from prominent officials and retired Generals such as General Jones and Meyer. These efforts continued without much progress due to the Senate’s resistance to pursue reform.

In the Senate, the SASC was chaired by Senator John Tower who did not fully support defense reform, mainly influenced by his close ties to the Navy and significant interest in
becoming SECDEF. Another reform opposition leader was Senator John Warner, a former Secretary of the Navy. When James Locher briefed the Senate panel on the Locher study, he encountered sharp questioning by Senator John Warner, saying that the military had deterred war for over 40 years and that the recommendations would diminish the role of the Service Chiefs. The resistance in the Senate changed at the start of 1985 when Senator Goldwater (R) took over as chair of the SASC when Senator Tower retired. This turned out to be the defining moment in defense reform. Goldwater’s stature as the elder statesman of modern conservatism and as a retired Air Force Reserve Major General with impeccable credentials as a defense ‘hawk’ made him the right person at the right time. Strengthening the Senate resolve on reform was Senator Sam Nunn (D) who was widely regarded as Capitol Hill’s most influential single voice on defense issues. Together they created a very powerful bipartisan leadership in the Senate capable of passing this kind of legislation.

Members in the House now felt that with Goldwater’s and Nunn’s leadership, defense reform was a possibility. Representative Aspin echoed this feeling by saying, “Military reform is one of the two or three things that I think it’s most important to try to accomplish in this Congress.” He went on to say, “The reason is because we’ve suddenly got a Senate Committee Chairman, Barry Goldwater, in cooperation with Sam Nunn, who wants to do it.”

The primary reason why Congress was willing to take a stand on defense reform was the budget implications. No one in DoD was placing fiscal constraints on the defense budget and that left it up to the Congress. The JCS was incapable of establishing inter-service budget priorities; the JCS avoided the issue by recommending that all service programs be fully funded and thus provide civilian leaders with no cross-service recommendations on the defense budget. In 1982, the enormity of this problem was graphically revealed when the Reagan Administration’s record peacetime military build up of $1.6 trillion over five years fell $750
billion short of the JCS recommendation.\textsuperscript{34} Amplifying this concern about the budget, Senator Sam Nunn proclaimed, “The JCS does not play a useful role in the allocation of resources,” and went on to say, “There is no strong voice advocating joint interest in budgetary matters.”\textsuperscript{35}

Representative Aspin indicated his concerns with the JCS when he stated, “The Chairman of the JCS is a eunuch.”\textsuperscript{36} In Aspin’s view, the JCS is “a bureaucracy that can’t make decisions” and is forever “bogged down in the need for unanimity.”\textsuperscript{37}

Finally, the timing to enact legislation was perfect. Senator Goldwater was about to retire and had nothing to lose in pursuing reform and wanted to leave his mark on the defense department. Senator Nunn was hoping for an increased role in the Senate and saw this as a way to springboard his already stellar reputation into a key leadership role in the Senate. In the House, Nichols and Aspin had both risen to key leadership positions in the HASC. The political stage was set for strong elected officials to drive this legislation through the process.

The reform movement attraction became irresistible for Congressmen, as it was the perfect venue to be both in favor of the defense buildup and in favor of defense reform, thus a growing number of Congressmen joined the cause.\textsuperscript{38} The House and Senate continued with increased vigor their hearings on reform. The hearings developed consensus among those in Congress and between the houses on specifics of the legislation.

**THE LAW**

In the end, a bi-partisan effort by both the Senate and House, under the leadership of Senators Goldwater and Nunn and Representatives Nichols and Aspin was able to gain consensus on DoD reorganization. Many proposals were forwarded and separate bills were introduced in both houses of Congress. The Senate passed the Goldwater DoD Reorganization Act in May of 1986 and the House passed the Nichols Bill 392-17 in August.\textsuperscript{39} That summer a
compromise bill was reached and the Congressional Conference Committee agreed and renamed the defense reform legislation, the Goldwater-Nichols Department of Defense Reorganization Act of 1986. President Reagan signed the GNA into law on 1 October 1986.\(^{40}\)

Regarding the powers of the CJCS, the GNA designated the CJCS as the principal military advisor to the President, SECDEF and NSC. The CJCS became the senior uniformed officer of the nation and the act specified that all communications between the President or the SECDEF and the Commanders in Chief (CINCs) should be transmitted ‘through’ the Chairman.\(^{41}\) The GNA also provided the CJCS with a four-star VCJCS who is second only in rank to the CJCS and serves as the Chairman in his absence. The Joint Staff was placed under full control of the CJCS. GNA charged the CJCS to developing plans that conform to resource levels projected by the SECDEF. Finally, the GNA tasked the CJCS to advise the SECDEF on priorities identified by the CINCs and evaluate to what extent the Services budgets supported those priorities and submit to the SECDEF alternative budget proposals that conform to those priorities.\(^{42}\) The GNA was a sweeping piece of legislation designed to improve the organization of the DoD, and notably increase the powers of the CJCS.

**CONCLUSION**

In 1958, President Eisenhower recommended shifting additional power from the Services to a joint Pentagon institution, but that effort was squelched by a coalition of the Services, led by the Navy. However, 36 years later Congress was able to make President Eisenhower’s vision a reality. Congress was able to accomplish this feat in part due to highly visible military failures since 1958, and an extensive number of very detailed studies on the current organizational structure recommending change. However, the real driving force behind this legislation was the bi-partisan Congressional leadership of Senators Goldwater and Nunn and Representatives
Nichols and Aspin. These very influential members of Congress wanted to reform defense for several reasons. First, they wanted to correct a military command structure that was perceived to be providing poor, little or late advice to both the executive and Congress. Second, which was of special interest to Senator Goldwater, was to address the enormous waste of money during the huge defense buildup in the 1980’s, because no one was considering joint solutions. Congress made many changes to the defense department, none of which is more profound than increasing the power of the CJCS. Congress gained an unbiased voice in the department and a separate organization to review from a joint perspective whether the Services were acquiring hardware that supported the CINCs priorities while staying within resource constraints. The President gained a more clear line of command and a single voice from his senior military advisor. As for the Services and OSD, they are still working to implement fully and in spirit all the changes of the GNA. Senator Goldwater knew the effect of this legislation would not occur instantly and expected it to take 5-10 years to fully implement. The proof that increasing the powers and responsibilities of the CJCS has benefited the military is being demonstrated today in Afghanistan.

In the final analysis, Congress seemed intent on retaining its increasingly activist role in defense policy and management. The JCS reform legislation passed in late 1986 was initiated in the face of intense opposition from DoD. It was the result of congressional initiative and is indicative of the desire and willingness of Congress to forcefully exercise its constitutional prerogatives concerning the organization of the nation’s armed forces.”

THE FUTURE

Now where do we go from here? The GNA did not solve all the problems in the defense department and many say much still needs to be done. As our nation now confronts our newest
enemy, terrorism, many of the DoD critics will again call for more reforms. As the defense department increases, its commitments throughout the world to protect our nation will be tested on just how ‘joint’ it really is. However, today, just like in the 1980’s, the real challenge facing lawmakers remains the budget. With homeland security now taking center stage, the battle over who gets how much of the budget becomes even more of an issue. If the defense department is to compete against those who want to focus funds on homeland security, then the DoD will have to demonstrate a more fiscally constrained joint budget. Unfortunately, even though GNA legislated the CJCS to provide an independent budget assessment it is not happening. For Congress to get that kind of scrutiny on the budget they will need to force it by legislation, meaning a joint budget unlike the Service specific budgets today. However, this kind of legislation may be too great a change and thus not possible in today’s political environment.

Therefore, approaching it from the other side of the equation would make more sense. Congress needs to address the homeland security office. The prospect lies in legislation changing the coordination, cooperation, and budgetary authority within the interagency process of those involved in homeland security. The recommendations of Governor Ridge and those of key studies could provide the spark for such a debate resulting in meaningful change in the interagency process, both organizationally and in how budgets are created all in the name of homeland security.

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1 Barry Goldwater, “DOD Reorganization: Summary of the Problems,” Armed Forces Journal International 123, no. 4, (October 1985, Extra): p. 37. Statement by Senator Goldwater, who, after passage GNA in the Senate by a vote of 95 to 0 proudly proclaimed:


6 Paul M. Besson, p. 6.

7 Ibid, p. 21.


17 Thomas L. McNaugher, p. 239.


24 Ibid, p. 76.

25 Colleen Marie Getz, p. 197.

26 Ibid, p. 197.


28 Katherine Boo, p. 34.

29 Colleen Marie Getz, p. 138.


32 Pat Towell, p. 574.


41 Public Law 99-433, Sec. 201.153 and 163.

42 Public Law 99-433, Sec 201-204.