Statement before the

Senate Armed Services Committee

"Reform of the Defense Department"

A Testimony by:

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Chairman McCain, Ranking Member Reed, it is a special privilege and pleasure to be before the Senate Armed Services Committee, especially for the topic of this hearing, "Do we need to reform the Goldwater-Nichols Act?"

I devoted ten years of my life to serving the United State Senate and the Senate Armed Services Committee. Honestly, it was the highlight of my professional career and I will always be grateful for those opportunities.

As a relatively junior member of the staff, I was able to work on the legislative effort that ultimately became the Goldwater-Nichols Act. That too, was arguably one of the premier professional experiences of my life. I can still remember the debates within the Committee during markup of the bill. The debates were strong and the Committee was deeply divided. But the debates were highly substantive and conducted with deep respect. Every member of the Committee knew the gravity of the issues before them, and approached the deliberations with honesty and great seriousness. It was the model of Congress at its best.

The issue before us today is the question whether this landmark legislation needs to be changed. I think it does, honestly. But we have to change it in a way that preserves the great accomplishments of the original landmark legislation.

Prior to passage of Goldwater-Nichols, the military services operated as highly autonomous entities. Coordination in the field was ad-hoc, with little predictability of effect. Back then, coordination meant "de-confliction." Senior officers saw the other services as competitors for resources, feeling that their requirements were inherently superior to the needs of other departments. Command and control was fractured. Joint command and control meant carrying multiple redundant communication radios that worked only in service-specific channels.

Before Goldwater-Nichols, the Chairman of the Joint Chiefs was a figure head, but lacked the power to coordinate a unified approach. Regional combatant commanders were largely extensions of the dominant military service deployed in the theater.

The Goldwater-Nichols Act changed all this. Of course there are still strong parochial forces within the Defense Department. But the senior officer corps today genuinely knows more about the other services and respects their capabilities and operating procedures. Senior officers genuinely think "jointly" now, something that was quite rare 35 years ago.

This has produced the finest fighting force it the world. So people will rightly ask "why change it now?"

In some instances, changes are needed because we didn't quite get it right with the original legislation. But in most instances, the times have changed. The structure that emerged from Goldwater-Nichols doesn't well fit operations in year 2015. And in a few instances—like cyber war and cyber defense—there was no consciousness of these issues when the Goldwater-Nichols Act was passed. So permit me to present my thoughts along these three lines: (1) things in Goldwater-Nichols that we need to fix, (2) changes that have occurred in modern military

operations that need to be reflected in revisions to the Act, and (3) things we need to incorporate that were never anticipated.

Correcting Original Problems in Goldwater-Nichols

There are two major issues that were "flaws" in the original design of Goldwater-Nichols. One of them the Committee has already addressed, and that is chain of command for acquisition.

The underlying theme of Goldwater-Nichols was to create a healthy balance between "supply" and "demand" within the Department. Prior to Goldwater-Nichols, both supply and demand resided within each military service. We wanted to increase the voice of "jointness," and to do that Goldwater-Nichols elevated in prominence the Chairman of the Joint Chiefs of Staff. You gave the Chairman a Vice Chairman, and he was given protocol status of being #2 and not #6. You elevated the stature of the Regional Combatant Commanders (then called the Regional Commanders-in-Chief).

The Service Chiefs—as heads of their respective services—were stripped of operational command. Command would be exercised by the President through the Secretary directly to the Unified Combatant Commanders. The Chairman was assigned the responsibility of providing military advice directly to the President. The Service Chiefs no longer commanded forces in combat.

At nearly the same time, Congress adopted the Packard Commission recommendations that stripped acquisition responsibilities away from the Service Chiefs. The Committee acted to correct this mistake with the National Defense Authorization Act you recently passed. This is a very good thing.

From my perspective, DoD often courts trouble when there are confused or bifurcated responsibilities for functions and activities. It made no sense to have the Service Chiefs responsible for training, equipping and housing their respective forces, but not accountable for acquisition.

As I said, I think that you have largely fixed this problem with the authorization act you passed this year. It will take some years to work through all the details and make the new connections in the Pentagon, but I am confident this one act will produce the changes that we need.

The second problem with the original Goldwater-Nichols Act is not resolved, and that concerns the way we added joint-duty obligations to the normal officer management system. The Defense Officer Personnel Management Act, or DOPMA, was enacted in 1980. It created a uniform set of requirements for officer development. It was a very good and successful act. But it created a very elaborate set of requirements. We then added on top of that, the joint-duty requirements for promotion to general officer/flag officer ranks.

The idea was simple—you can't become a general or flag officer if you have not had experience in a joint-duty assignment. In general terms, I agree with this. It created a valuable incentive we need to keep.

But this requirement was layered on top of DOPMA, creating a very complex and elaborate system. This complex system is now driving force structure, which is upside down in my view.

Now I will add an additional factor, and I anticipate that my words will be controversial. We could manage that elaborate, complex personnel management system when we had much larger operational forces. But since 1990, we have dramatically reduced the size of the operating force—too much in my view. But we didn't cut the officer corps as much as we cut the operating forces. So we had to find places for officers to work, and that has contributed to the significant expansion of headquarters staffs. Large headquarters organizations demand ever-increasing levels of coordination, and also generate considerable micromanagement of people doing real things.

This is a complex problem that cannot be easily engineered away by a small change to Goldwater-Nichols. I believe that the size of the officer corps should be reduced. And we need to fundamentally review DOPMA and change it to create a more dynamic management system.

There might be a set of changes you should contemplate for the fundamental requirement of joint duty experience as a pre-condition for promotion to general/flag rank. I have not studied this adequately, so I offer this as a hypothetical idea, not a recommendation. But perhaps we might change the requirement for non-combat military operational specialties that require joint duty only for promotion to O-8 or O-9 rank. I don't know if that is the right answer or not, and I don't know how significantly it would change personnel management models. But it is an example of ideas we should study.

Updating Goldwater-Nichols for changing patterns of war

Second, we have new operating patterns today that were not anticipated at the time Congress enacted Goldwater-Nichols.

The largest item in this category concerns the unified combatant commands. I was on the staff of this committee at the time you deliberated Goldwater-Nichols. At that time, we thought that wars would be fought by the regional combatant commanders. But that is not how we go to war today. Today, we largely conduct operations through joint task forces or combined task forces—purpose-built for the operation at hand. The regional combatant command headquarters are now overseers and supporters of those task force organizations.

We still need regional commanders, and I think they are more important than ever. The primary role of regional commanders, in my view, is to develop strategic partnerships with friends and allies in their region, to undertake planning functions for dealing with crises in their region, and to engage local military establishments in a constructive way.

Our grand strategy for the next thirty years will be to build networks of partner relationships around the world with countries that share our broad goals. We need to have a very senior officer in the region with a strategic vision about what we need to manage tension and deter conflict, and to develop operational plans to do that. This cannot be done from Washington, D.C. Washington is obsessed with politics and staffing cabinet secretaries who spar every day over policy matters with political impact. The forward regional commanders are detached from the daily politics of Washington and can nurture enduring relationships.

So in my view, regional commanders are more important than ever. But I don't think they need the kind of war-fighting structure and staffs that they have. The logistics chief for a regional command, for example, doesn't command anything associated with logistics. That general officer is looking over the shoulder of real logisticians in task force organizations, and providing administrative support from a distance. Much of the headquarters structure in regional combatant command headquarters is redundant, in my view.

I believe we should radically restructure most of the regional commands and sub-command headquarters to focus them on the indispensable role they plan as strategic architects of security in their respective regions, and then strip away the command structure that is not needed now that we fight through task forces.

A second area where I think we need to update our structure reflects the revolution in industry that we have neglected in the Defense Department. For example, 50 years ago, American corporations had separate warehouse departments and transportation departments. Now every successful corporation has combined these two functions. Yet we in DoD have stand-alone organizations that do transportation and depot warehousing.

I hear all the time the tired argument of defenders of our current system that our demands are different—that our forces are moving and we can't use a Walmart model. I think that is absolute nonsense. A friend of mine once said "candle makers will never invent electricity." That is what we have here. The people working within the existing system will never transform their operation to eliminate their job. We need re-organization from the top, because we will not get it from the bottom up.

Goldwater-Nichols really didn't tackle the support side of the Defense Department. Understandably, and quite appropriately, it focused on warfighting. But now we must focus on the support side of the Defense establishment, and bring in modern management methods to eliminate outdated organizations we inherited from World War II.

New Demands

The third broad area I would suggest we need to examine are those issues that never existed 35 years ago when Goldwater-Nichols was adopted. The primary issue here is how we organize ourselves for cyber warfare.

When I was Deputy Secretary of Defense back in 1998, I revealed publicly the first cyber-attack on the United States. In retrospect, it was laughable and not serious. Now it is

deadly serious. America has become more dependent on computers, and our opponents have become far more skilled in exploiting our weaknesses.

The Defense Department is wrestling with this. I support the idea of creating a cyber command. But this papers over a larger set of issues that have not been resolved within the Department. Who is responsible for the computers when we go to war? Is it the service that bought the system? Is it the regional commander that is supporting task forces fighting in his area of responsibility? Is it a central cyber command in the National Capitol Region? Can the head of Cyber Command take over operations of networks of a regional commander during wartime?

These are very hard issues. And there are no easy solutions. Again, I will make a controversial observation. I am a strong advocate for individual services being responsible for acquisition for military hardware for their respective services. Loyalty to a service matters a great deal. We don't want to do what other military establishments have done—which is to create a unified "buying command" that buys things on behalf of the military departments.

But I make one major exception to this. I have come to the painful conclusion that command and control systems should be procured centrally by the Defense Department, not by individual military departments. We will never solve interoperability problems until we get a single, central authority to buy them. We will never get our arms around cyber vulnerabilities until we have a single focus responsible for stronger protection. In this one instance, I would take the Title 10 authority away from the military departments and shift it to a central agency working for the whole Department.

Conclusion

Mr. Chairman, distinguished members of this Committee, I admire your foresight and courage to take on this important question. Goldwater-Nichols was landmark legislation. It produced the finest military establishment in the world. It was legislative activity at its best. But after 30 years, it needs amending. None of these changes would undermine the great contribution it made to build the best military in the world. But these changes are needed to make this Department function more effectively going forward.

I am honored to have been invited to appear today. I will gladly help the Committee in any way as you move forward with this important agenda.