
THE CONGRESS PROJECT

Assignment Prompt Sheet

Goldwater-Nichols Department of Defense Reorganization of 1986

Overview

Act Title: Goldwater-Nichols Department of Defense Reorganization of 1986

Congress: 99th Congress (1985-1986)

Session/Sessions: 1-2

Statute No: 100 Stat. 992-1075b

Public Law No: 99 PL 433

Eid: 990433

Gid: 212-009

Bill: [HR 3622](#)

Sponsor: Rep. [Bill Nichols \(D-AL\)](#)

House Committees: Armed Services

Senate Committees: Armed Services

Companion Bill: S 2295

Related Bills: HR 2165; HR 2265

House Rules: Hres 322

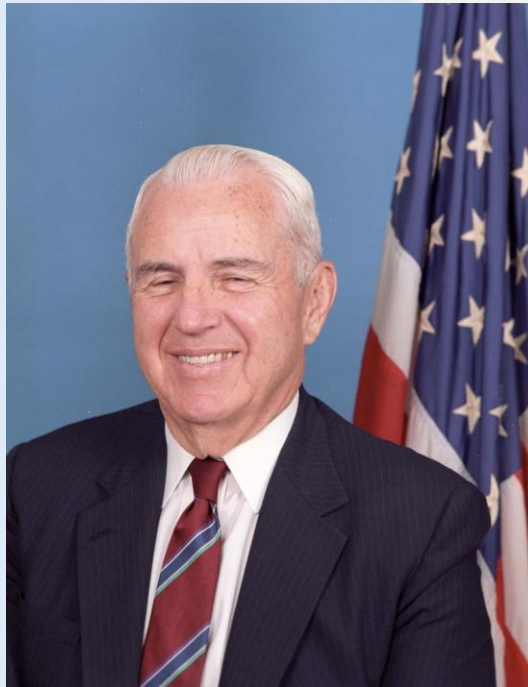
Past Bills: 97 HR 6954; 98 HR 3718

Introduced Date- Law Date: October 24, 1985-
October 1, 1986

House Floor Days: 2

Senate Floor Days: 2

Roll Call Votes: 5



(Above) Rep. Bill Nichols (D-AL), who cosponsored the Goldwater-Nichols Department of Defense Reorganization of 1986. Nichols would claim that the Beirut attack "drove him toward reform." See Pearson, Richard. 1988. "Alabama Democratic Rep. Bill Nichols Dies at 70." The Washington Post, December 14.

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Legislative History Comments

The [*Goldwater-Nichols Department of Defense Reorganization of 1986 \(99 PL 433\)*](#) was a massive defense reorganization act that sought to reduce inter-service rivalries which many argued led to disasters in Iran and Grenada in the early 1980s. Many of its reforms are still relevant today. At the time of enactment, it was dubbed by CQ the “[the most sweeping reorganization of the U.S. military establishment since Congress created the Department of Defense in 1947.](#)” The act significantly strengthened the Joint Chiefs (largely at the expense of the Secretary of Defense). The measure was also partly motivated by stories of corruption in weapons testing and procurement. Former Georgia Senator Sam Nunn (D-GA) played a big role in its construction. From a process standpoint, it’s a pretty straight-forward bill.

From a process standpoint, the only question I really have is why the Senate took so long to move on this after the House passed its bill. Discussing the difference between the two measures in the conference sections is also going to be important. As I mentioned on the video, some of this ease in passage is likely an artifact of this being a military security bill where it appears a lot of the conflict occurs in committee and not on the floor. So historical newspapers should be a strong resource here.

But in terms of floor process, this is pretty easy. The bill comes to floor in the House under Hres 322, an open rule. It passes [385-28](#). Initial Senate consideration is done via uc. It sounds like there’s at least one controversial amendment, but the bill passes the Senate [95-0](#). The conference report passes both chambers by voice vote.

I’d recommend checking out this CRS report by [McInnis \(2016\)](#); [CQ Almanac 1985](#); [CQ Almanac 1986](#), as well as the book/movie “Pentagon Wars” for more on this measure or the motivations behind it. Don’t hesitate to e-mail me if you have questions!

Assignments

For the sections below, you’re going to want to answer the questions and write-up the process sections that correspond to your assigned number. Here they are:

#1.

#2.

#3.

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Background Questions

1. Discuss the broader political context this bill was considered in. Who controlled the House? The Senate? By how many? Who was President? Was this part of the President's agenda? What other pieces of legislation were being considered/passed in this Congress? The Stathis (2014) piece might be worth a citation here. CQ (1986) called the bill's passage a "defeat for Defense Secretary Caspar W. Weinberger." Why? Who was Weinberger? Why did Reagan eventually sign it?
2. What does this act actually do? Who was pushing for it? Was it significantly altered during consideration? What were the problems it was trying to rectify? On the latter point, I have read that it was a combination of military failures (like the Beirut attack), as well as the Defense Procurement Scandal that helped usher in the reforms. What motivated consideration of this legislation in this specific Congress?

In terms of "what does this act do?", take a look at this CRS report by [McInnis \(2016\)](#). On the Defense Procurement Scandal, consult Mothershed (2011). The scandal at least partially motivated the writing of a book "[The Pentagon Wars](#)," which was later made into a movie starring Kelsey Grammar and Cary Elwes. It's worth a look.

3. What did existing federal policy look like in this specific issue area? Why did reformers feel it needed to be changed? What happened in previous congresses regarding this? Had Congress considered comparable legislation? Specifically, address failures to reorganize the military in 1982, 1983 and 1984 (see [CQ Almanac 1985](#), "Early Moves" for more).

Process Sections

Please write-up the sections that correspond to your number. Feel free to incorporate any notes I might have dumped in the margins.

#1. House Consideration of HR 3622 (November 20, 1985)

On November 20, 1985, Rep. Joe Moakley (D-MA) called up Hres 322. Moakley described Hres 322 as an "open rule that would provide 3 hours of general debate" on HR 3622, the Joint Chiefs of Staff Reorganization Act (*Congressional Record*, 99th Congress, November 20, 1985, 32575). Responding to Moakley, Rep. Trent Lott (R-MS) stated that while he didn't believe the bill to be "necessary," he praised the majority for this being a "rare occasion when we have a straight, open rule (*Congressional Record*, 99th Congress, November 20, 1985, 32575)." The rule was then adopted by voice vote.

Commented [AJM1]: Debate on the bill starts immediately afterwards.

#2. Senate Consideration of S 2295 and HR 3622 (May 7, 1986)

On May 7, 1986, Sen. Barry Goldwater (R-AZ), asked for, and received "unanimous consent that the Senate proceed to the consideration [of S 2295] (*Congressional Record*, 99th Congress, May 7, 1986, 9799)."

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#3. Senate Consideration of the Conference Report on HR 3622 (September 16, 1986)

#3. House Consideration of the Conference Report on HR 3622 (September 17, 1986)

Member Spotlight

Choose one of the following for your member spotlight:

#1. Rep. Bill Nichols (D-AL); Rep. Joe Moakley (D-MA); Rep. Charles E. Bennett (D-FL); Rep. Ike Skelton (D-MO); Rep. Ron Dellums (D-CA)

#2. Sen. Barry Goldwater (R-AZ); Sen. John Warner (R-VA); Sen. Dan Quayle (R-IN); Sen. Alan Dixon (D-IL); Sen. Robert Byrd (D-WV); Sen. Robert Dole (R-KS)

#3. Sen. Sam Nunn (D-GA); Rep. Trent Lott (R-MS); Rep. Les Aspin (D-WI); Sen. John Tower (D-TX); Rep. Berkley Bedell (D-IA); House Speaker Thomas P. “Tip” O’Neill (D-MA)

Commented [AJM2]: He had retired, but it sounds like Tower’s opposition had killed defense reorganization in previous congresses.

Aftermath Questions

1. When was the act signed into law? How was this act viewed upon passage? What did the newspapers say? How did the final measure differ from the one reformers were pushing? What ultimately lead President Reagan to support it?
2. How has this law evolved over time? Has it been featured in any major Supreme Court cases? Significantly altered by subsequent legislation? How relevant is this law currently? Are there additional issues related to it that reformers have been pushing to change? There were concerns that it would dilute civilian control over the military. Has that been the case?
3. How has this act been viewed by scholars? Did it achieve its stated goals? Do scholars highlight any major limitations? Are there aspects of the bill that are viewed more favorably than others? Discuss the relevance of this act as it pertains to contemporary policy. From what I’ve seen, the law has been viewed as less effective in procurement issues.

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Suggested Sources

Scholarly Articles:

Locher III, James R. "Has It Worked? The Goldwater-Nichols Reorganization Act." *Naval War College Review* 54.4 (2001): 95-115.

Locher, James R. *Victory on the Potomac: The Goldwater-Nichols Act Unifies the Pentagon*. Vol. 79. Texas A&M University Press, 2004.

McInnis, Kathleen J. "Goldwater-Nichols at 30: Defense Reform and Issues for Congress." (2016).

Lederman, Gordon Nathaniel. *Reorganizing the Joint Chiefs of Staff: The Goldwater-Nichols Act of 1986*. No. 182. Greenwood Publishing Group, 1999.

Wills, Steven. "The Effect of the Goldwater-Nichols Act of 1986 on Naval Strategy, 1987–1994." *Naval War College Review* 69.2 (2016): 20-40.

Mothershed, Airon A. "The 435 Hammer and 600 Toilet Seat Scandals: Does Media Coverage of Procurement Scandals Lean to Procurement Reform." *Pub. Cont. LJ* 41 (2011): 855.

Newspaper Pieces:

- https://www.washingtonpost.com/world/national-security/its-time-for-some-intelligent-intelligence-gathering-in-washington/2015/01/19/1c6fa808-9da4-11e4-a7ee-526210d665b4_story.html
- <https://www.washingtonpost.com/archive/opinions/2003/05/21/overhaul-without-oversight/e6b88dd1-0a75-4ba7-8b88-f29b2cb945ce/>
- <https://www.washingtontimes.com/news/2020/sep/21/time-for-military-to-reform-goldwater-nichols-g-n/>
- <https://www.nytimes.com/1993/08/14/opinion/a-chairman-for-changing-times.html>
- <https://www.airforcemag.com/article/1011campaign/>
- <https://foreignpolicy.com/2009/11/16/the-unbearable-jointness-of-being/>
- https://www.brookings.edu/wp-content/uploads/2016/06/goldwater_nichols_final.pdf