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TRANSFORMING THE NATIONAL GUARD: RESOURCING FOR READINESS

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

APRIL 29, 2004

Serial No. 108–188

Printed for the use of the Committee on Government Reform

Available via the World Wide Web: http://www.gpo.gov/congress/house
http://www.house.gov/reform

U.S. GOVERNMENT PRINTING OFFICE

95–597 PDF WASHINGTON : 2004

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TRANSFORMING THE NATIONAL GUARD: RESOURCING FOR READINESS

THURSDAY, APRIL 29, 2004

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10 a.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis of Virginia (chairman of the committee) presiding.

Present: Representatives Tom Davis of Virginia, Shays, McHugh, Souder, Schrock, Miller, Murphy, Blackburn, Waxman, Lantos, Maloney, Tierney, Watson, Van Hollen, Ruppersberger, and Norton.

Staff present: David Marin, deputy staff director and director of communications; Keith Ausbrook, chief counsel; David Young, counsel; Robert Borden, counsel and parliamentarian; Drew Crockett, deputy director of communications; Grace Washbourne, professional staff member; Teresa Austin, chief clerk; Brien Beattie, deputy clerk; Corinne Zaccagnini, chief information officer; Kristin Amerling, minority deputy chief counsel; Karen Lightfoot, minority communications director and senior policy advisor; Anna Laitin, minority communications and policy assistant; Earley Green, minority chief clerk; Jean Gosa, minority assistant clerk; and Andrew Su, minority professional staff member.

Mr. SHAYS [assuming Chair]. Good morning. A quorum being present, the Committee on Government Reform hearing entitled, "Transforming the National Guard: Resourcing for Readiness," will come to order. Chairman Davis will be arriving shortly, but he asked me to open the hearing so we can get all the testimony in the record.

Governor Pataki, we understand you have a tight schedule, and we appreciate your being here. I ask unanimous consent to allow the Governor to testify and answer questions after Mr. Waxman and I have made opening statements but before other Members do so. But if it's just Mr. Lantos and my colleague from Virginia, we probably could have all four of us do it. Without objection, so ordered.

The committee convenes today to discuss important issues raised by plans to transform and modernize the National Guard to meet the demands of a growing set of domestic and global missions. We captioned the hearing Resourcing for Readiness, because Members need to know Guard units will be equipped and trained to perform both the Homeland Security and global defense tasks assigned them.

In the past, the total force, the operational union of Active Duty and Reserve component units, didn't always add up. National Guard units too often languished at the end of the supply chain with limited training on hand-me-down equipment. At the national level, significant strides have been made reshaping military capabilities to meet an uncertain world of lethal threats at home and asymmetrical warfare overseas.

But much more needs to be done to clarify the operational and physical implications of new military missions within the sovereign borders of the States, where National Guard members can be called to duty by both the Governor and the President. Federal mobilization of National Guard units can draw heavily from local first responder ranks, degrading domestic readiness.

So the shape, size and mission of the National Guard of the future will have significant intergovernmental implications. Governors, county executives, mayors and hospital administrators are trying to build response capabilities and enhance preparedness without knowing who the Federal Government might bring or take away when disaster strikes. To train as they fight, Guard units have to take part in local and regional exercises. Equipment, interoperability standards and communication channels have to be established before the next attack is upon us.

But National Guard civil support capabilities are not yet well integrated with the State and local response plans. When the battle lines stretch from Baghdad to Bridgeport, from Kandahar to Kinderhook, new approaches are needed to assure the National Guard is ready to confront the threat at home and abroad. Building on rich traditions that predate our constitution, the citizens militia that are the National Guard today bring awe inspiring patriotism and skill to their work and our common defense. They deserve to know they will have the equipment and training they need to succeed in their 21st century mission.

At this time, the Chair recognizes the Ranking Member of the full committee, Mr. Waxman, for his opening statement.

[The prepared statement of Hon. Christopher Shays follows:]

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Statement of Rep. Christopher Shays
April 29, 2004

The Committee convenes today to discuss important issues raised by plans to transform and modernize the National Guard to meet the demands of a growing set of domestic and global missions. We captioned the hearing "Resourcing for Readiness" because Members need to know Guard units will be equipped and trained to perform both the homeland security and global defense tasks assigned them.

In the past, the "Total Force" – the operational union of active duty and reserve component units – didn't always add up. National Guard units too often languished at the end of the supply chain, with limited training on hand-me-down equipment. At the national level, significant strides have been made reshaping military capabilities to meet an uncertain world of lethal threats at home and asymmetrical warfare overseas. But much more needs to be done to clarify the operational and fiscal implications of new military missions within the sovereign borders of the states, where National Guard members can be called to duty by both the Governor and the President.

Federal mobilization of National Guard units can draw heavily from local first responder ranks, degrading domestic readiness. So the shape, size and mission of the National Guard of the future will have significant intergovernmental implications.

Governors, county executives, mayors and hospital administrators are trying to build response capabilities and enhance preparedness without knowing who the federal government might bring, or take away, when disaster strikes. To "train as they fight" Guard units have to take part in local and regional exercises. Equipment interoperability standards and communications channels have to be established before the next attack is upon us. But National Guard civil support capabilities are not yet well integrated into state and local response plans.

When the battle lines stretch from Baghdad to Bridgeport, from Kandahar to Kinderhook, new approaches are needed to be sure the National Guard is ready to confront the threat at home and abroad. Building on rich traditions that pre-date our Constitution, the citizen militias that are the National Guard today bring awe-inspiring patriotism and skill to their work in our common defense. They deserve to know they will have the equipment and training they need to succeed in their 21st Century missions.

Mr. WAXMAN. Thank you very much, Mr. Chairman. I want to thank you for holding this hearing. I am pleased that the committee has been focusing attention on the increasing demands facing our National Guard members. We must do everything we can to ensure that the National Guard can meet its myriad responsibilities without overburdening the dedicated and brave Guard members who risk their lives to serve.

For over 350 years, our country has looked to the National Guard to provide security within our borders and assist in local disaster relief. But in the past few years, Guard members have been activated for Federal duties with increasing frequency and the Guard's responsibilities have been growing exponentially. The shift from an essentially Reserve role to active participation in the Nation's security forces has placed tremendous strains on the National Guard system. We in Congress have heard countless stories about problems Guard soldiers have experienced, from poor training to inferior equipment and health care, to delays in pay, to the negative effects of long deployments.

We can't keep expecting these men and women to be everywhere and to serve indefinitely. We need direction and forethought from our military and State leaders, and a clear plan that considers the increasing burdens facing the National Guard. To this end, I support the efforts of General Blum and his counterparts at the Department of Defense and Department of Homeland Security to formulate a plan for restructuring the National Guard. I look forward to hearing more from today's witnesses about this plan and any other steps necessary to assure that the National Guard is best equipped to fulfill its important duties within and outside our Nation's borders.

Mr. SHAYS. Thank you. We're going to go right to the witness, but we have a senior member, Mr. Lantos, and Mr. McHugh, who's from New York. I guess what I would do is just say that the Governor has to leave by 11 a.m., so it would make sense to go to his testimony. Is there anyone who would just like to make a short comment? Mr. McHugh.

Mr. MCHUGH. I will be very, very brief, and I certainly want to add my words of welcome and note to my fellow committee members, as I suspect they totally understand, that the reason the Governor is here is, this Governor is a lot of very great things, known to New Yorkers and known, particularly after September 11th, to every American.

But one of the things he is most of all is an amazing leader of the New York National Guard. Through his initiatives and his programs New York State National Guard receives support and benefits that are really second to none in this Nation. We have before us a gentleman who can help us understand a great deal about the demands on the Guard here and the new reality of the 21st century, but also can teach us a great deal about what other States might do to have as effective an organization. So Governor, welcome, it's good to see you again.

Governor PATAKI. Thank you.

Mr. SHAYS. The Chair would recognize Mr. Lantos and then hope that we could go to Governor Pataki. Mr. Lantos, you have the floor.

Mr. LANTOS. Thank you, Mr. Chairman. I'm particularly delighted to welcome my good friend, Governor Pataki. I am particularly pleased that he is testifying today because his State is a perfect illustration of the wisdom of the legislation I introduced, namely, preventing National Guardsmen and Guardswomen from incurring severe financial losses and their families incurring severe financial hardships as they are activated. The State of New York provides the differential between the military pay and the former civilian pay. I want to commend the Governor for his State's action along this line. When it comes time to question him, I will ask him what the cost of this has been for the State of New York, whether it has entailed additional appropriations, and what in his judgment has been the impact on morale.

New York State is leading by giving us an example of how to handle this problem. And it's long overdue that the administration drop its opposition to what is a common sense, singularly non-partisan approach to a severe issue of recruitment and retention. Thank you, Mr. Chairman.

Mr. SHAYS. I thank the gentleman. Mr. Pataki, Governor, as you may know, it is our practice to swear in all our witnesses, being that this is an investigative committee. I would ask you to stand and raise your right hand.

[Witness sworn.]

Governor PATAKI. I do.

Mr. SHAYS. Thank you so much, Governor. You have the floor, and we welcome you and we know you have a very busy schedule. Thank you for honoring us.

STATEMENT OF GEORGE E. PATAKI, GOVERNOR, STATE OF NEW YORK

Governor PATAKI. Thank you very much, Mr. Chairman, and to Congressman Lantos and Congressman McHugh and the other Members, thank you all for having me before you this morning, and for the opportunity to speak on this important subject.

At no time in America's history has the National Guard played so critical role in both the security of our homeland and in our Nation's military objectives overseas. In today's world, the notion of the traditional citizen soldier, training 1 weekend a month and 2 weeks a year for a war that might never occur is a thing of the past. Our troops are actively engaged on the front lines, supporting both our State's efforts to keep New York safe at home and our Nation's efforts to combat terror abroad.

In February, I had the great privilege of joining five other Governors from across the Nation on a historic bipartisan mission to visit our troops in Iraq. I was inspired by the tremendous spirit, professionalism and resolve of each and every one of the soldiers I met. They understand the mission before them and why we must seize the opportunity to break the back of terror so that our children and their children can live in freedom.

The trip also reinforced just how involved and essential the role of our National Guard troops is to our Nation's mission. Each day, we flew in and out of Iraq from Amman, Jordan. It was National Guard soldiers who piloted us each way. And everywhere I went,

I met with National Guard soldiers from New York and from the other States.

As we speak this morning, more than 3,700 of the New York National Guard members are currently on Active Duty, supporting State security missions at home, Federal security missions under Operation Mobile Eagle and overseas military operations as part of Operational Enduring Freedom and Iraqi Freedom. Thousands more are engaged in regularly scheduled training and operational requirements around the State, the Nation and the world.

From riflemen to fighter pilots, in the turrets of Humvees and in the huge bellies of C5 Galaxies, New York National Guard soldiers and airmen are providing a historic level of support to the Coalition forces in Iraq and Afghanistan. From a total force perspective, the Guard has never played a more vital role in major combat operations.

What truly sets the Guard apart, however, is its dual roles. Our Guardsmen and women are not just part time members of our Nation's military forces, they are our State's primary emergency response force, providing support to their communities and to civil authorities and first responders throughout the State.

At no time in New York's history was this aspect of the National Guard's role more evident than on September 11, 2001. Within hours of the attacks on the World Tarde Center, 1,500 New York National Guard troops from units within New York City had reported to duty. Another 1,500 units from upstate New York were en route. In less than 24 hours after the attacks, over 8,000 New York National Guard soldiers and airmen were on Active Duty supporting New York State's security needs. These troops provided not just a calming presence on the streets of New York during very unsettling times, they provided New York's first responders with critical perimeter security support, refueling for civil emergency vehicles, emergency lighting, power generation, communications, emergency transportation, engineering assets and other logistical support.

In the days, weeks and months that followed, our National Guard force would assume mission and responsibilities within New York State that never could have been imagined by previous generations of National Guard soldiers. Today, hundreds of New York Army National Guard soldiers are serving on State Active Duty as part of Task Force Empire Shield. These soldiers support security operations at New York's major rail stations and nuclear power facilities, missions that have been ongoing every day since September 11th.

During times that warrant an even higher elevation of the threat level, the National Guard's Task Force Empire Shield is integrated into Main Shield, the State's multi-agency joint security task force, headed by the New York State Office of Public Security. In addition, a civil support team for weapons of mass destruction is on call 24 hours a day to respond to incidents, known or suspect, to involve nuclear, biological or chemical weapons. We continue to deploy our CST, to provide proactive precautionary monitoring at major public events and strategic locations throughout the city and State of New York.

Soon our CST will play an instrumental role in the stand-up of a new type of National Guard capability, a chemical, biological, radioactive, nuclear and explosive, or CBRNE, enhanced response force. This joint National Guard task force will integrate CST with an enhanced medical company possessing robust determination and treatment capabilities, engineering assets specializing in search and rescue, and specially trained combat units capable of supporting civilian law enforcement.

Even with all of these added responsibilities and missions, the New York National Guard remains our State's primary emergency response force. As New York's Governor, I've called upon New York's Guard more than any other Governor in our State's history. Each time they responded heroically and met every mission asked of them, particularly in times of crisis. The attack on the World Trade Center, 8 natural disasters, 4 plane crashes, 11 crippling blizzards, 2 major wildfires, a statewide blackout and now of course, the threat of global terror.

National Guard Bureau Chief Lieutenant General Blum is working in Washington to transform the Guard into a modern, highly relevant and appropriately structured force, capable of combating the asymmetrical threat of terror at home and terror threat abroad. I salute General Blum's efforts to enhance and modernize the Guard's mission, while preserving both its relevance to the Department of Defense and the capabilities it provides to the Governors.

As State Commander in Chief of one of the largest Guard forces in the Nation, I'm encouraged by General Blum's vision and his appreciation of the Guard's dual role and the necessity of preserving that role. General Blum is committed to enhancing the National Guard's role as an active participant in the Nation's military force and he aims to preserve and enhance the National Guard's State role simultaneously.

As we work to transform the U.S. military, and specifically the National Guard, it's critical to ensure that the Governors who are most intimately familiar with and better understand their unique needs retain the ability and the authority to deploy the National Guard troops that best meet those needs. General Blum's transformation plan would allow for a generous National Guard contribution to Federal missions at home and abroad, and ensure that at least 50 to 75 percent of a State's National Guard troops remain available for State Active Duty. His model shows real commitment to the traditional dual roles of the National Guard, and is one I strongly support.

When President Bush gave authorization to deploy troops to airports across the Nation after the September 11th attacks, New York was of course among the first to respond. Because this mission was a Title 32 status, where troops are paid federally but remained under their State's command and control, rather than in Title 10 status, where they would have served under the Active Duty Army, we were able to meet this requirements quickly, smoothly and with the troops best suited for the task.

From an operational standpoint, this approach makes the most sense and is consistent with General Blum's innovative thinking on this matter. We need to assure that troops activated under Title 32 status remain under the authority and control of the State's Gov-

ernor to ensure maximum flexibility and effective deployment. General Blum's plan promises to bring predictability and regularity to Federal deployment of National Guard units. A full spectrum availability model would call for one Federal Title 10 Army Guard deployment every 6 years and one Air Guard rotation every 15 months. This will distribute the burden equally among States and units and provide predictability and ample planning time for both unit commanders, their individual troops and their families.

Having spoken directly with families of deployed troops across New York, and having talked with troops on the ground during my trip to Iraq in February, I can tell you that General Blum's plan is not only welcome, but it is urgently necessary.

In today's post-September 11th climate, we are asking more from our National Guard troops than ever before. In New York, we strongly believe it is incumbent upon our government to do more for our troops than ever before. No State in the Nation is doing more than New York to support our troops and their families. Last year, I was proud to propose and sign a historic measure called the Patriot Plan into law.

The Patriot Plan, without question, provides the most comprehensive package of protections and benefits in the Nation to assist New York's military personnel and their families. This historic package of benefits and protections for deployed New York National Guard and Reserve troops was a recognition that the National Guard, like the rest of the U.S. military, cannot hope to continue its mission without these brave men and women who join its ranks.

The Patriot Plan has 28 different benefit packages for our Guardsmen, including, and I will just briefly summarize, because I know it's a long hearing, including providing the difference between a State employee's pay and their Active Duty compensation; providing free tuition for the children and families of National Guard members who are killed or seriously injured in defending our freedom, and a number of other benefits as well.

Quite simply, we have two basic roles here. One is to understand the importance of the State mission that the Guard plays as we call upon it for enhanced Federal activity, and second, the sacrifice that the families have to make while their loved ones are away. To the extent we can provide additional benefits, that's what we need to make sure the Guard remains strong and effective. Thank you.

[The prepared statement of Governor Pataki follows:]

George E. Pataki, Governor
State of New York
Testimony before the
House Committee on Government Reform
Role of the National Guard
April 29, 2004

Mr. Chairman and members of the committee:

Thank you for inviting me to speak on this important subject today. At no time in America's history has the National Guard played so critical a role in both the security of our homeland and in our nation's military objectives overseas. In today's world, the notion of the traditional citizen soldier, training one weekend a month and two weeks a year for a war that might never occur, is a thing of the past. Our troops are actively engaged on the front lines – supporting both our State's efforts to keep New Yorkers safe at home and our nation's efforts to combat terror abroad.

In February, I had the great privilege of joining five other governors from across the nation on an historic bipartisan mission to visit our troops in Iraq. I was inspired by the tremendous spirit, professionalism and resolve of the soldiers I met. They understand the mission before them and why we must seize the opportunity to break the back of terror, so that our children and their children can live in freedom.

The trip also reinforced just how involved and essential the role of our National Guard troops is to our nation's mission. Each day we flew into and out of Iraq from Amman, Jordan, and it was National Guard soldiers who piloted us each way. And everywhere I went, I met with National Guard soldiers from New York and other states.

As I speak, more than 3,700 members of the New York National Guard are currently on active duty supporting state security missions, federal security missions under Operation Noble Eagle, and overseas military operations as part of Operations Enduring Freedom and Iraqi Freedom. Thousands more are engaged in regularly scheduled training and operational requirements around the state, nation and world.

From riflemen to fighter pilots, in the turrets of Humvees and in the huge bellies of C-5 Galaxies, New York National Guard Soldiers and Airmen are providing an historic level of support to the Coalition Forces in Iraq and Afghanistan. From a total force perspective, the Guard has never played a more vital role in major combat operations.

What truly sets the Guard apart, however, is its dual role. Our Guardsmen and women are not just part-time members of our nation's military forces; they are their state's primary emergency response force, providing support to their communities and to civil authorities and first responders throughout their state.

At no time in New York's history was this aspect of the National Guard's role more evident than on September 11, 2001.

Within hours of the attacks on the World Trade Center, 1,500 New York National Guard troops from units within New York City had reported for duty. Another 1,500 from units in Upstate New York were en route. Within 24-hours of the attacks, over 8,000 New York National Guard Soldiers and Airmen and women were on active duty supporting New York State's security needs. These troops provided not just a calming presence on the streets of New York during unsettling times, they provided New York's first responders with critical perimeter security support, refueling for civilian emergency vehicles, emergency lighting, power generation, communications, emergency transportation, engineering assets and other logistical support.

In the days, weeks, and months that followed, our National Guard force would assume missions and responsibilities within New York State that could never have been imagined by previous generations of National Guard soldiers.

Today, hundreds of New York Army National Guard soldiers are serving on State Active Duty as part of Taskforce Empire Shield. These soldiers support security operations at New York's major rail stations and at nuclear power facilities – missions that have been ongoing since September 11, 2001.

During times that warrant an elevation of the threat level, the National Guard's Taskforce Empire Shield is integrated into NYShield, the state's multi-agency joint security taskforce headed by the New York State Office of Public Security.

In addition, our Civil Support Team (CST) for Weapons of Mass Destruction is on call 24-hours a day to respond to incidents known or suspected to involve nuclear, biological or chemical weapons. We continue to deploy our CST to provide proactive precautionary monitoring at major public events and strategic locations throughout the City and State of New York.

Soon our CST will play an instrumental role in the standup of a new type of National Guard capability– a Chemical Biological Radioactive Nuclear and Explosive (CBRNE) enhanced response force. This joint National Guard taskforce will integrate the CST with an enhanced medical company possessing robust decontamination and treatment capabilities, engineer assets specializing in search and rescue and specially trained combat units capable of supporting civilian law enforcement.

Even with all these added responsibilities and missions, the New York National Guard remains our State's primary emergency response force. As New York's Governor, I have called upon New York's Guard more than any other governor in State history. Each time, they have responded heroically and met every mission asked of them, particularly in times of crisis - the attack on the World Trade Center... eight natural disasters... four plane crashes... eleven crippling blizzards... two major wildfires, a statewide blackout... and now of course... the threat of global terror.

National Guard Bureau Chief, Lieutenant General Blum is working in Washington to transform the Guard into a modern, highly relevant and appropriately structured force capable of combating the asymmetrical threat of terror at home and abroad. I salute Gen. Blum's efforts to enhance and modernize the Guard's mission while preserving both its relevancy to the Department of Defense and the capabilities it provides to the governors.

As state commander-in-chief of one of the largest Guard forces in the nation, I am encouraged by Gen. Blum's vision and his appreciation of the Guard's dual role and the necessity for preserving that role. Gen. Blum is committed to enhancing the National Guard's role as an active participant in the nation's military force and he aims to preserve and enhance the National Guard's state role. As we work to transform the United States military and specifically the National Guard, it is critical to ensure that the governors, who are most intimately familiar with and better understand their unique needs, retain the ability and authority to deploy their National Guard troops to best meet those needs.

Gen. Blum's transformation plan would allow for a generous National Guard contribution to federal missions at home and abroad and ensure that at least 50 to 75 percent of a state's National Guard troops remain available for State active duty. His model shows real commitment to the traditional dual role of the National Guard and it is one that I strongly support.

When President Bush gave authorization to deploy troops to airports across the nation following the September 11th attacks, New York was among the first to respond. Because this mission was in Title 32 status, where troops are paid federally but remain under their state's command and control, rather than in Title 10 status, where they would have served under the active duty Army, we were able to meet this requirement quickly, smoothly, and with the troops best-suited for the tasking.

From an operational standpoint, this approach makes the most sense and is consistent with Gen. Blum's innovative thinking on this matter. We need to ensure that troops activated under Title 32 status remain under the authority and control of the State's governor to ensure maximum flexibility and effective deployment.

Gen. Blum's plan promises to bring predictability and regularity to federal deployment of National Guard units. His Full Spectrum Availability Model would call for one federal Title 10 Army Guard deployment every six years and one Air Guard rotation every 15 months. This would distribute the burden equally among states and units and provide predictability and ample planning time for both unit commanders and individual troops and their families.

Having spoken directly with families of deployed troops across New York and having talked with troops on the ground during my trip to Iraq in February, I can tell you that Gen. Blum's plan is not only welcome, it is urgently necessary.

In today's post September 11th climate, we are asking more from our National Guard troops than ever before. In New York, we strongly believe it is incumbent upon our government to do more FOR our troops than ever before.

No state in the nation is doing more than New York to support our troops and their families. Last year, I was proud to sign an historic measure called the "Patriot Plan" into law. The Patriot Plan – without question – provides the most comprehensive package of protections and benefits in the nation to assist New York's military personnel and their families.

This historic package of benefits and protections for deployed New York National Guard and Reserve troops was a recognition that the National Guard, like the rest of the US military, cannot hope to continue its mission without these brave men and women who join its ranks.

The Patriot Plan's 28 points include:

- Providing protections against housing and employment discrimination for National Guard and Reserve members;
- Permitting military personnel to terminate a car lease if he or she is called to active duty;
- Providing scholarships for dependents of troops killed or permanently disabled while on active duty;
- Capping the rates of interest on installment loans at 6 percent while a soldier is on state active duty.
- Making free passes to New York State parks and beaches available for Guard members;
- Designating Family Liaison Officers to assist families of military personnel during periods of deployments ordered by Presidential or Congressional directives;
- Requiring colleges and universities to provide educational military leave of absence for students called to active duty, so that they do not lose any tuition money or earned college credits;
- Establishing a voluntary, state-sponsored program for merchants who agree to provide reduced price discounts for merchandise and services for all military personnel;
- Waiving teaching license fees for licenses that lapse during deployment and extending EMT and First Responder certifications that expire during deployment. Professional licenses and continuing education requirements are also extended during deployment; and
- Permitting children of overseas deployed parents to remain in the same school, without disruption for period of deployment;

These are just some of the measures we have enacted in New York that are squarely aimed at easing the burdens that extended deployments impose on citizen soldiers and their families.

This year, we are building on this historic new law by introducing Patriot Plan II, which will, among other things, raise State Active Duty pay by 25 percent in the face of serious fiscal challenges. If the National Guard is to remain a viable asset to our nation, we must take care of its people.

Whether it is protecting their employment rights, taking care of their families' needs when they are deployed, providing them with the best, most modern equipment available, or guaranteeing them the best possible medical screenings, treatment and monitoring upon returning home, we must do all we can to protect those who protect us.

Over the last five weeks, New York welcomed home four units from a year of combat duty overseas. One of these units, the 105th Military Police Company, lost two of its members in separate incidents. Many of these troops were away from home for up to 18 months, including their post-mobilization training.

While it is too early to tell how current events and the challenges facing our troops might affect re-enlistment rates, we should proactively be considering additional steps that can be taken to keep recruitment and retention rates strong.

After my trip to Iraq and meeting our troops firsthand, I can tell you that measures such as New York's Patriot Plan have been well-received and I believe, can help a great deal in maintaining and enhancing strength levels.

As you look to the future of the National Guard in our nation, I urge you do so with an eye toward preserving the traditional dual role that has served this nation so well during some of our toughest times. I urge you to also consider and take every action necessary to protect and enhance the well-being of the men and women and their families who choose to serve their state and nation as members of the National Guard.

Just a few months ago, I saw the dangers our troops are facing in Iraq, and we must ensure that members of the Guard and all of our troops overseas are provided with the latest, most advanced equipment to protect them to the greatest extent possible. I understand the Army is doing everything possible to provide our National Guard soldiers with the best equipment available. Our soldiers serving on the front lines of the War on Terror deserve nothing less than the best.

Before I close, I have an urgent message for every Governor and State Legislature in the nation – follow New York's lead.... pass your own "Patriot Plan" into law. This is the single, most important measure a state can take to support our military personnel and their families.

While our courageous servicemen and women focus on their mission to fight for freedom and fight terror overseas, we must do our part to make sure their families are cared for here at home.

I cannot tell you how impressed I have been with the tremendous strength, resolve and unwavering support the families of deployed soldiers have shown. When you look into their eyes, you see concern for their loved one's safety, but you also see the tremendous pride they feel for the duties and responsibilities their loved one is assuming to protect our freedom and keep us safe from threats of terror.

The sacrifices our military men and women make while serving on active duty should not be compounded by their families having to make additional sacrifices at home. Passing a Patriot Plan – like the one we passed in New York – in every state will help ensure they won't have to.

Mr. Chairman, I thank you for the opportunity to participate in these proceedings and look forward to any questions you may have.

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Mr. SHAYS. Thank you for a very helpful statement, Governor.

We have a number of people, we'll do the 5-minute rule, we're going to go with Mr. Schrock then Mr. Waxman if he returns. Then Mr. McHugh and Mr. Lantos. I'd love it if other Members—if you're able to stay beyond 11 a.m., it would be great, but let's give it a shot. Mr. Schrock.

Mr. SCHROCK. Thank you.

Thank you, Governor, for being here, thank you for your testimony, thank you for going to Iraq. I've been to Iraq and Afghanistan a few times, and whether they're Guard, whether they're Reserves or Active Duty forces, they all work together as one cohesive unit. That's a wonderful thing.

You talked about the dual role. I just have one question I'm going to ask. Is there a benefit to, in your opinion, redefining the role of the National Guard in responding to homeland security concerns? In looking back at the last 2½ years, what have you found are the major stumbling blocks to helping the Guard respond to their homeland security challenges in your State? Do we need to redefine the authorities of the State Governors and the adjutant generals?

Governor PATAKI. In our State, we have had, I hate to use the word, but virtually seamless efforts to respond to any homeland security problems within New York State. We have a well thought out plan and we're able to implement that plan. And the fact that the adjutant general, the local commanders can determine what force to use for a particular mission has been enormously helpful.

I'll just give you one example. When we call on National Guard troops to perform a particular mission that doesn't require a skill set, we ask for volunteers so that we minimize the disruption in these citizens soldiers' lives. We couldn't do that if they were federally controlled, so we're very pleased with the response of the Guard and the ability to command and control the Guard within the State.

Mr. SCHROCK. You think it works fine, then?

Governor PATAKI. Within our State, it works very well. The area of concern that we all have, I think, is to make sure that the homeland security role within the States under the command and control of the Governors is understood as a critical mission of the Guard as they assume a more important Federal role, and that the sacrifice that the families make is understood, and we do what we can to help them on every different front.

Mr. SCHROCK. Great. Thank you. I yield back, Mr. Chairman.

Mr. SHAYS. Mr. Lantos, you can now question Mr. Pataki.

Mr. LANTOS. Thank you, Mr. Chairman.

Governor, I again want to commend you for your leadership on this whole, complex issue. I'd like to zero in on the legislation I introduced almost a year ago. I have to admit that I find it very disturbing when I don't understand the source of the opposition or the logic behind the opposition. I know you will be able to help me.

In New York State, you recognize the obvious, that at a time of war, we must have if not equality of sacrifice, because we cannot attain that, but we must have an attempt at sharing sacrifice. To place on the families of activated National Guard people tremendous financial burdens, financial strains of major proportion, people

losing their homes because they cannot pay their mortgage, children discontinuing their college education because the parents can't pay tuition.

It makes eminently good sense not to impose on an activated National Guardsman or woman an additional financial burden. In New York, you're doing this, and I want to congratulate you. May I ask your general judgment about the philosophy behind my legislation, namely preventing financial losses for people who are already called upon to make a major personal sacrifice?

Governor PATAKI. Congressman, of course I agree with the need that we have, not just at the State level but at the Federal level to understand the economic impact this has on a citizen soldier who has been activated. It's very different from a career professional military person who understands the pay scale and accepts that pay scale as part of their career determination. But citizen soldiers too often will see their income dramatically reduced.

Now, how you deal with that, I think you can do it in many different fronts. In fact, Congress first began to respond to that concern with the Soldiers and Sailors Relief Act that was passed back during World War II. But obviously, circumstances have changed dramatically since World War II.

So I think there are a number of different approaches. One is to provide additional benefits in the form of salary enhancement or making up the gap when someone suffers a significant diminution of earnings. Another is to make sure that we do cap interest rates. I know the Soldiers and Sailors Relief Act does that at 6 percent. Given the historically low interest rates now, perhaps they could be lowered even more.

Our plan not only provides to make up that salary differential, but as an example, if a young man or young woman goes out and leases an SUV that they use and then they get called to Active Duty, we allow them to cancel that lease, so that the don't have any penalty at all. If you're enrolled in school and you're activated, we require that school to give the tuition back and the fees back to the portion of the semester they were there and to keep that slot open for when they come back.

So there are a whole gamut of benefits, including salary enhancements, that we are looking to do at the State level, and I think it is appropriate to do at the Federal level as well.

Congressman, just one point, though, and this is something where I'm commenting from afar because I'm not a part of the Federal military chain of command. But one of the important things we cannot do is have a differential among those in the Guard so that people are reluctant to call up a particular unit because of the additional cost factor if that skill set is needed.

So I don't know if that is in fact a relevant consideration as your legislation and others is considered, but it's just something that we have to be able to call upon the people we need with the skills we need without concern for the economic cost to the country, we have to be concerned about the economic impact on those soldiers and sailors and their families.

Mr. LANTOS. Governor, if I may pursue this for one more moment, obviously we all know that we face serious problems of reenlistment, retention, enlistment, given the new nature of the glob-

al struggle we are engaged in. In view of that fact, do you view the New York program as a success?

Governor PATAKI. The New York program is a success. As I indicated earlier, one of the first things we did, well before September 11th, we created a program where if you enlist in the National Guard, you get free tuition at our State or city universities or an equivalent in a private or parochial. And that had a very dramatic impact on recruitment. Now we have seen, since September 11th and since the operations overseas, recruitment holding steady, and in fact a little bit increased over the last couple of months.

We are concerned about retention, as thousands of our National Guard troops come back. It's too soon to tell, but one significant enhancement of the benefit package for our National Guard troops that we believe would help with both recruitment and retention would be to provide health benefits to those who enlist in the National Guard. It's something that they would be able to access under the Federal program, and it would have an enormous help to both encourage enlistment in the first case and retention of those who are coming back.

Mr. LANTOS. I want to thank you, Governor, and want to commend you for your achievement.

Governor PATAKI. Thank you very much, Congressman.

Mr. SHAYS. Thank you. Mr. McHugh.

Mr. MCHUGH. Thank you.

Again, Governor, welcome. Always good to see you. My friend from California brings up a serious consideration, and from my other perspective as the chairman of the Personnel Subcommittee on Armed Services, I commend him for his concern and for his leadership on it. I was pleased to hear your response, Governor, and the program you've initiated, that I tried to acknowledge and praise in my opening comments. Obviously I'm very familiar with it. Again, God bless you for that insight and that leadership.

As I think your response indicated, there's a whole range of things that can and probably should be done in terms of benefit packages for the Guard, for the Reserve component in general that can show both our appreciation and also our concern about retention and recruitment, and you have. As my friend from California suggested, you're a natural leader on that.

But Mr. Lantos mentioned the administration's opposition, and I think technically that's true. But I think it's important just to note for the record that the military service is opposed to that initiative as well, because of their concern about the morale impact of placing two service members in this new era, one active and the other Guard and Reserve, where they're doing the same job and taking the same bullets and sitting in the same foxhole and being paid at different levels.

Mr. LANTOS. Will my friend yield for just a second?

Mr. MCHUGH. I will in just a moment.

I'm not sure that concern is justified. There have been attempts in the past to try to divide pay differentials that have failed and insurance policies that were run through Gulf war one. We are aggressively searching for a way in which we can help that one-third, in fact about one-third of the Guard and Reserve that have deployed actually lose money, about a third stay the same and about

the other third actually make some money, because it is a legitimate point.

But it has proven to be far more complex here at the congressional level, and at the Washington level, than just passing the bill to mandate it. With that, I'd be happy to yield to my friend from California.

Mr. LANTOS. I will just make one quick point, and thank my good friend for yielding. I find a profound inconsistency in the administration's opposition while at the same time the administration is praising private employers for maintaining salary levels of activated people. They can't have it both ways. They can't praise a company for doing exactly what my legislation is calling for while opposing the legislation.

Mr. MCHUGH. Well——

Mr. LANTOS. That's profoundly inconsistent.

Mr. MCHUGH. Reclaiming my time, I understand the gentleman's point. But as I tried to note, maybe I wasn't clear enough, there is a distinction between the administration concerns about the gentleman's proposal, and they're praising private employers and the military opposition, I was referring to the military's concern, I'm not de-legitimizing the gentleman's point, I just want him to know we're trying to work through that.

That having been said, Governor——

Governor PATAKI. It's a very unpleasant debate, and I'm used to being in the middle of it.

Mr. MCHUGH. Well, we appreciate it, and if you weren't so darned foresighted on this, it wouldn't have been a problem. But it raises a very serious point, and we need to deal with it, and we thank you for drawing our attention to it.

I was going to ask you about recruitment and retention, because that does become important in the Reserve components, and General Blum was kind enough to stop by my office not so very long ago and talk about the discussions he had with you and some of the other Governors with respect to that meeting to retain both the control of those forces through his Title 32 provision, but also the need to ensure you have sufficient manpower, personpower, I guess, in this day and age, to meet those kinds of emergencies and demands that are common to someone who's got a few nuclear power plants in his district and has had all those snow storms you spoke about and the ice storm and others for the National Guard that you deployed and activated came and helped. That's something we want to see happen.

So you are, as I understand your comments, at least at the moment encouraged if not optimistic that General Blum is in the right direction, and that will be helpful in ensuring that you have as a Governor what you need.

Governor PATAKI. Yes, I think General Blum has outlined a very sound strategy that not only works from a Federal force perspective but works from the standpoint of the Governors, their Guards and the Guard families. One of the important elements is to have some predictability and some warning as to when you're going to be called for Federal duty.

After September 11th, obviously we were all starting an era that we had not anticipated and could not, if we have tried, prepared

for. It was just very different to see this type of attack upon our soil against civilians. So when some of our Guard components were activated for Federal duty, they hadn't been prepared, either as a family or militarily to respond. And it took some time.

But that is a thing of the past, I honestly believe that. Right now we are seeing some, we get the advance notice, the units are on a list and they do have the training, the preparation and when they're called to duty, they are called for a mission as opposed to being called and then ending up waiting, which happened shortly after September 11th quite a bit. So I'm very pleased with the Federal action in dealing with, to the extent they can, predictability, notification, training, and equipment is prevailing.

Congressman, let me just say for a moment, you and I have been to Fort Drum together a number of times. The Tenth Mountain Division, of course, is headquartered there. They have played a critical role in Afghanistan and in the entire war against terrorism. You've done a tremendous job in making sure that facility and that great unit is one of the finest, if not the finest in the world.

Mr. MCHUGH. Thank you. I yield back.

Mr. SHAYS. I thank the gentleman. We're going to go to Mr. Ruppersberger then Mrs. Miller and Mr. Tierney and Mrs. Blackburn.

Mr. RUPPERSBERGER. Governor, thank you. First, having a job like yours and managing a lot of issues you have to deal with, you do a great job.

Governor PATAKI. Thank you.

Mr. RUPPERSBERGER. When I was in Iraq, it was where you talked with the troops and I think one of the biggest issues with the National Guard and Reserves too were what was happening when they got back to their home life and with their families and jobs. I think really, you call it the Patriot Plan, it's an admirable plan and probably has given a lot of comfort to those individuals. We still have a long way to go, and there are a lot of problems when our men and women come back, and we'll have to face that down the road.

To begin with, the issue of recruitment, because we do have a dual role, and that dual role, I'm sure, will continue on for many years to come, based on what's happening in the world today. Where does New York stand as far as recruitment of National Guard? What is your plan?

Governor PATAKI. We have, as I indicated, we have recruitment levels not just remain the same so that we can maintain our current force level, it has actually gone up a little bit over the course of the past few months. We had a terrible record in the early and mid 1990's in recruitment. But one of the programs, we began a number of things. One was the free tuition thing. That had an enormous impact on young people, to understand that by serving their State and their country they could at the same time get education without any charge. It dramatically improved recruitment.

We also began to use the norm, so that they had constructive missions, not just in response to emergencies, whether it was TWA 800 or the ice storm in Congressman McHugh's district or some of the other disasters, but we created something called Guard Help where they would proactively work with communities. Just one ex-

ample in the south Bronx, the Bronx River was a needed entity, it's a wonderful water body where you had truck bodies and debris blocking the stream.

We brought in a Guard engineering crew to work with the community and clean it out. So they had a mission where they were helping their communities, they had a sense of purpose as well as immense benefits. It worked extremely well, we're pleased with the recruitment level that continues now. Our concern, as I indicated, is with the troops coming back, what the retention rate will be. We just don't know, because it's too soon.

Mr. RUPPERSBERGER. How about the issue of retention?

Governor PATAKI. We don't know, we're not sure. We're hopeful, because most of our National Guard troops in Iraq have gotten back within the last weeks. I believe there's a 90 day period when they come back where they make a determination. So we haven't seen people saying yes or no yet. Anecdotally we're hopeful, but it's too soon to really say.

Having said that, it's always better to retain more. And if we could enhance the National Guard by providing health care benefits, military Federal health care benefits for someone who enrolls in the National Guard, it would help on both levels. It would help with recruitment because it would be another benefit and reason for someone to choose to serve. And when the soldiers came back, it would help with retention because they would have a significant benefit they might not have in civilian life.

Mr. RUPPERSBERGER. That would be excellent. It's amazing the patriotism that the National Guard and Reserve in the United States and abroad and Iraq have at this point.

To get to another issue as far as local government is concerned, you have a lot of your first responders, especially in your volunteer fire and paramedics, that have been called to service. And it's causing a problem with some of the stations that have to, at least in my State, the State of Maryland. What impact is that having on your State?

Governor PATAKI. It has had an impact, a significant percentage of our National Guard are first responders. And a lot of them are police officers and corrections officers. Before we passed the Patriot Plan, we listened to the local governments. And they said, well, we're losing three of our police officers, a small town in upstate New York. And we don't want to hire new ones, because they'll be coming back.

So what we did as part of our plan is in that law now, local governments can bring back retirees to fill a position of someone who has been activated to National Guard duty. It's a very intelligent program. A retired firefighter, retired police officer, someone from that community gets activated, their local government doesn't want to train somebody else, knowing that this person will be returning in a year, so they can bring back someone. So we have had the problem, this is one of the ways we've looked to deal with it.

Mr. RUPPERSBERGER. OK, thank you.

[The prepared statement of Hon. C.A. Dutch Ruppersberger follows:]

Congressman C.A. Dutch Ruppersberger
Full Committee on Government Reform Hearing
Transforming the National Guard: Resourcing for Readiness
Opening Remarks
4.29.04

Thank you Mr. Chairman. I would like to start by commending you for your leadership in holding this hearing. I know this committee is serious about making sure our troops, and in this case our national guard and reserve service men and women, have the equipment and support they need to defend this nation. I am honored to be a part of this committee's effort to provide genuine oversight to ensure that the transformation of the guard and reserves is done correctly.

I would also like to thank the witnesses for their dedication to this issue and for their service to the nation. General Blum, I understand you gave a thorough briefing of the challenges the guard and reserves face and I want you to know how much I appreciate that. I am also comforted by the fact that there seems to be a well thought out medium and long range plan for this transformation process. I look forward to continued oversight by Congress and to doing my part to make sure we follow through on our commitments to making the guard and reserves into what is needed for the 21st century.

My most immediate concern regarding these issues is not that different than that of my colleagues. Regardless of who we represent or which side of the aisle we sit on, we share a great concern for those proudly serving our nation today – both here

at home and abroad. And I would like to make sure we are focused on what those troops on the ground in Iraq and Afghanistan need today. What can we do in the short term to help them, their families, and their employers? As we move forward with a long range vision of future forces, we must also remember the boots on the ground today.

Thank you Mr. Chairman.

Mr. SHAYS. Thank you. The Chair would like to recognize Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Chairman.

Governor, thank you so much for being here today. I must say that watching you after the absolutely horrific attacks on our Nation on September 11, we all look to you as the Nation's Governor, quite frankly, and your leadership that you demonstrated at that time has really been very significant. We certainly appreciate your being here today and your comments.

I share your concern about retention with the National Guard. I actually have a National Guard base in my district in Michigan, which has been sort of the staging area for our, all of the midwest, frankly, for many of the Guard and Reserve components that have deployed for Afghanistan, Iraq, Uzbekistan, what have you. It's interesting, actually over 30 percent now of all our troops in theater are National Guard or Reserve. So they really, as you mentioned in the total force concept, are such a critical component of all that.

I would just make one comment, we talked about retention. One of our Guard units, the Michigan Red Devils, who fly F–15s, the 107th is over in Iraq right now. When they deployed, they had more volunteers than they actually could accommodate, and I'm sure that is not unique throughout the Nation.

But my question, I think, Governor, to you would go more to your State plan. As you're aware, obviously, all the different States are preparing their individual risk assessment plan for the Department of Homeland Security. And how did you find in your State the cooperation from your various units? Did you task that force principally to—did you call it New York's Public Security Force or your State Police? Did they cooperate with the National Guard?

Governor PATAKI. We had an emergency management office, SEMO, the State Emergency Management Office, that responded to the national disasters and plane crashes and things of that nature. But after September 11th, we created a whole new bureau, the Office of Public Security. We gave them oversight over all the different elements, including the National Guard, so we would have coordination.

So we don't have the National Guard running our homeland security operation in New York State, we have an entity, because we have to integrate not just National Guard, but State Police, New York City Police Department, the finest in the world, first responders from around the State. And one of the key elements is integrating the health department, so we can have instantaneous, not instantaneous, but within minutes, the ability to determine if there is an outbreak of a particular illness or where experts are to respond.

So we created this entity, the National Guard plays a critical role within that entity, but I wouldn't say a disproportionate role. The State police, the health department, local officials are all of them working together.

Mrs. MILLER. Just one other question. As all of us are trying to make sure that we do get the necessary resources into our respective States, the first responders, what have you, did you share your State plan with your congressional delegation or did you have any input——

Governor PATAKI. We have worked closely with the congressional delegation. I don't know that we sat down and formally said, this is what we're doing. But we did give them parameters and also of course the request for Federal assistance. Because this is an extraordinary expense, and in New York now, we're at level yellow, it's still costing us tens of millions of dollars for, as Congressman McHugh was indicating, enhanced security at the nuclear power plants in his district, train stations, bridges, tunnels, other very sensitive areas.

Mrs. MILLER. I see. Thank you very much, and again, thank you for your testimony today and your service to the State and the Nation.

Governor PATAKI. Thank you.

Mr. SHAYS. Thank you. Mr. Tierney, you have the floor.

Mr. TIERNEY. Governor, thank you for coming here today and for your testimony.

In Massachusetts, one of the comments that some of our officers were making was about the armories, the physical assets that the Guard has. In New York, do you feel all your physical assets are being used to their maximum potential? If they are, what exactly are you doing with them other than just the monthly training regimen that's going no, and if you're not, what do you think they might be used for?

Governor PATAKI. First, let me say from an equipment standpoint, I know that question has been raised. All of our Guard troops that have been deployed overseas were very pleased with the level of material and equipment they've been provided. And I think there's been dramatic improvement over the course of the past couple of years in making sure that the necessary equipment and supplies that we need, not just for overseas but also domestically, are available.

With respect to the utilization of the resources, General McGuire, our Adjutant General, I'm unaware that we have any shortages or stockpiles. The General reminded me that things like our engineering battalions that haven't been deployed we're using as things like the Guard health program, so that we are utilizing those assets on an ongoing basis in a way that is constructive to the troops, because it gives them experience and training and a sense of mission and helps with the local communities as well.

So if you're creative, we've got the equipment, we're going to use it.

Mr. TIERNEY. Beyond equipment, the armories themselves, the buildings, structures. Are you maximizing the use of those and how?

Governor PATAKI. We have surplus armories, because the size of the force has, since over 100, in some cases 150 years ago when these armories were constructed, there are surplus armories. But what we've done, as we have identified those that no longer serve a military purpose, we've turned them over to community groups, we've converted them into recreational centers, or community centers, we've sold them off to private entities. They still serve a very important function.

The evening of September 11th, the armory on 23rd Street in lower Manhattan served as the family command center where fam-

ily members would go for information. So we want to make sure we maintain sufficient armory capability around the State in case there's a call on them for some emergency service. To the extent we have surplus armories, we have disposed or turned over to communities a large number of them.

Mr. TIERNEY. Thank you. I yield back, Mr. Chairman.

Chairman TOM DAVIS [assuming Chair]. Thank you very much.

Governor, I apologize for being late. We are so happy to have you here today to talk about the job you're doing there. You have a unique perspective in New York, of course, being the epicenter of September 11. We appreciate it.

I'm going to defer my opening statement so we can get to members' questions. Usually we have one or two Members in this hearing, so on a day the House is not voting, there's not a lot of interest in what you have to say, and we appreciate your being here.

Governor PATAKI. Thank you for having me, Mr. Chairman.

Chairman TOM DAVIS. Mrs. Blackburn.

Mrs. BLACKBURN. Thank you, Mr. Chairman, and Governor, thank you so much for taking the time to be here and to talk with us. Those of us that have large numbers of National Guard families in our districts and in our States are very concerned and very interested in what we're going to do as we look at the National Guard going forward, how they integrate into the Active Duty. The issues you've mentioned of predictability, readiness, skills, whether it's the equipment, the training, the help, the quality of life issues for the families, and I commend you for your Patriot Plan and the way that does address those quality of life and recruitment and retention issues.

I'm going to roll my three questions into one for the sake of conserving time, and ask you to respond to those. Because I know you all had significant Guard deployments like we are having in Tennessee, with our Guard being down, and did those Guard deployments affect your ability to respond to State missions or disasters, or homeland security needs. And then as you looked at your State plans, did you build a compact with surrounding States to assist you and back you up if there were to be a need for those resources. And the third part is, how did you as a State reimburse the Guard for any homeland security missions that they may have performed for you?

Governor PATAKI. That brings up three very important questions. First, with respect to the Federal deployment, it has never jeopardized our ability to respond or be active status to protect the State of New York against any possible attack. As I indicated, right now there are probably 3,700 New York Guards troops that are serving a Federal mission, hundreds more serving a State mission. But we have 17,000 plus the Naval militia and the New York Guard.

So I don't believe, other than September 12th and a few weeks after that, there are still units that have not been called upon because of their unique skill sets. So we have not been stretched too thin, to use that term. And General Blum and the Federal officials have been very, very careful to work closely with our command structure to make sure that the calls they have made are consistent with our need to protect ourself.

Second, with respect to compacts with surrounding States, of course, we are a part of EMAC, the Emergency Management Assistance Compact, with a number of other States. That was very helpful right after September 11th, when emergency teams from other States came to New York and they had the ability to function within New York State free of any constraints they may have had because they were not within their home State.

We also have entered into, I assigned Executive orders, I'll just give you one example, authorizing Connecticut and the New Jersey State police and law enforcement officials to have jurisdiction on the trains between New York and Connecticut and New York and New Jersey. When we're at level orange and at other times that we don't discuss, we have significant additional support and security on the commuter trains, in addition to on the subway lines. The commuter lines run not just within New York State but into New Jersey and Connecticut. And the Governors of Connecticut and New Jersey have placed their troopers where we would have jurisdiction of our troopers on the trains in Connecticut and they would have jurisdiction within Penn Station or Grand Central Station. And that has worked very well.

And we're continuing to work on a regional concept of support, particularly information sharing. We're going to be moving forward on the intelligence and information sharing with some specific initiatives over the course of the next few weeks.

Mrs. BLACKBURN. Thank you, sir. We appreciate your work and appreciate your time here very much.

[The prepared statement of Hon. Marsha Blackburn follows:]

Statement from Mrs. Blackburn

Mr. Chairman, I want to thank you for holding this hearing today on "Transforming the National Guard: Resourcing for Readiness." Many of our National Guard units have been activated and called into service in the war on terror. It is my hope that by having this hearing we can examine issues relating to predictability and force structure. Many members of the 168th live in my district and their unit was activated in December of 2002. The 168th is a Military Police unit and their services are in demand in Iraq. In June of 2003 they were sent to Iraq and were scheduled to come home in a few weeks, but their deployment was extended an additional 90 to 120 days. When they return to Tennessee they will have been activated for 21 months. It is important that this hearing examine

how the National Guard is structured and what the skill allocation is among their members, and how that allocation prepares them to respond to the requirements and responsibilities of the National Guard. I have visited with the family members of many deployed soldiers, and I believe that the National Guard should provide them with a reliable level of predictability for when they will be called to duty. Once again, Mr. Chairman, thank you for holding this hearing and I look forward to the testimony.

Governor PATAKI. Thank you.

Chairman TOM DAVIS. Thank you. Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you, Mr. Chairman, and thank you, Governor, for your leadership on these many issues.

I also had the opportunity to travel to Iraq in February on a trip that was led by the chairman of this committee, and had the opportunity to talk to many of our National Guardsmen and women there. I must say I found their morale was high, that they were proud of the service they were doing.

They also, though, were lied, that the term, that the time for their tour of duty, they took that seriously as it was given to them and many of them were discouraged by the fact that their tours were extended beyond the time they had been originally informed. Obviously you have a hardship on families back home as well as them. So I think it's important that we work this out so we can provide greater predictability both to the men and women who are serving overseas but also to their families back home. I do appreciate what you've done in New York to relieve those burdens.

I want to ask quickly, if there's a member of the New York State government who is deployed overseas, in addition to paying the pay gap, you also guarantee their position will be held open when they return, is that right?

Governor PATAKI. That's correct. We hold their position open.

Mr. VAN HOLLEN. And a number of States have done this, my home State of Maryland has done this. Their experience has been that they are able to cover this pay gap without having to request additional appropriations, that those agencies have been able to fill, meet those demands without having a lot of additional cost. Is that your experience?

Governor PATAKI. That has been our experience. But I just want to clarify something in response to what Congressman Lantos said earlier. We provide the pay gap when you are a State employee. We did not mandate that for local governments and we do not do that for private employers. So if you are a State employee, we work with the public employee unions, we provide that pay gap, we hold the slot open. And we've been able to minimize the fiscal impact to the State of that particular benefit.

Mr. VAN HOLLEN. Right. I just think what you've done is a good model for what we can be doing at the Federal level with respect to Federal employees, as Congressman Lantos has suggested. I think we can do it with minimal impact on the budget.

Let me ask you, because a lot of States are facing multiple demands on the National Guards people as you suggest. Do we have, this function where the Guards serve within the States to respond to emergencies now more and more to homeland security demands, at the same time we have many being deployed overseas. Have you encountered any difficulties in terms of the competing demands on the same resources and when those competing demands occur, which take precedence? How do you decide?

Governor PATAKI. We really have not seen that, because General Blum, as I indicated, has been very, very cooperative in working with our command structure, General McGuire and the others, as the New York members of the Guard are deployed for a Federal mission. So we haven't seen that.

There is one area where we are requesting additional help, and that's the civil support team, which has the ability, the high tech equipment, to not just respond but to monitor for chemical, biological or radiological weapons. We only have one of those teams. It hasn't been called upon for Federal service, but we call upon it regularly to monitor and to proactively protect. That is one area where we would very much like the authorization to have a second civil support team that would allow us to enhance that capability and not keep relying on that one unit.

Mr. VAN HOLLEN. Thank you. And thank you, Mr. Chairman.

Chairman TOM DAVIS. I think the time has come, you said 11 o'clock, and we will let you go at 11. I appreciate it very much, for what you've been able to add to this. We may get back to you with some ideas. This has been very, very helpful for us and we appreciate it.

Governor PATAKI. Thank you very much, Mr. Chairman. It's been an honor to testify before the committee. What you're doing is extremely important and I have no doubt you will do it extremely well. Thank you very much.

Chairman TOM DAVIS. Thank you very much.

We will have a 3 or 4 minute recess as we go to our next panel.

[Recess.]

Chairman TOM DAVIS. We're going to move to our second panel of witnesses, and I want to thank you all for taking time from your busy schedules to appear today. I think you've heard Governor Pataki from the back.

We have today the Honorable Paul McHale, Assistant Secretary of Defense for Homeland Security and a former Member of this body. Paul, welcome back in a different role here, but it's good to have you here. The Honorable Thomas F. Hall, the Assistant Secretary of Defense for Reserve Affairs; Lieutenant General H. Steven Blum, the Chief of the National Guard Bureau; and Major General John Love, the Special Assistant to the Combatant Commander for National Guard Affairs, U.S. Northern Command.

It is the policy of this committee that all witnesses be sworn before you testify, so if you would rise with me and raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. Thank you very much.

Members deferred opening statements, and I would just put my opening statement into the record, and we'll ask unanimous consent that Members put their statements into the record.

[The prepared statement of Chairman Tom Davis follows:]

Opening Statement of Chairman Tom Davis
Government Reform Committee Hearing
"Transforming the National Guard: Resourcing for Readiness"
April 29, 2004

I would like to welcome everyone to today's hearing on the emerging operational roles of the National Guard and its overall state of readiness.

How proud are we of the people of the National Guard these days? It seems that every United States military mission abroad and at home is filled with dedicated Guard personnel. 25 percent of the 460,000 soldiers and airmen in the Army National Guard and Air National Guard are now on Title 10 active duty, 37 percent of the troops now on the ground in Iraq are in the Army National Guard and 80 percent of all Army Guard and Air Guard personnel will be called up at least once in the next three years for active duty.

And what of their Title 32 and state missions at home? Isn't it about time Congress considers rewriting Title 32 to reflect the operational and resourcing realities of the Guard today? Just how many Guard units are listed as critical homeland defense and security assets of our states? I am sure Governor Pataki will be able to tell us how important the Guard is to New York.

The purpose of this hearing is to examine if we are preparing the Guard with everything it needs to perform its emerging operational missions. At a moment's notice call of the President and the Governors, the Guard is truly a critical part of our national and homeland security. In Washington we distinguish between homeland defense and homeland security, but as we will hear today, I am sure that distinction back at home is hairsplitting at best. I am sure the Adjutants General of Texas, Washington and Maryland, who are on the front lines of balancing their Guardsmen and resources between Title 10, Title 32 and state emergency missions, will tell us of the complications.

The Guard has many masters and many federal and state departments and organizations that need to come together to task and manage the Guard in a consistent and well-defined manner. I know that General Blum of the National Guard Bureau, as liaison between the states and the Department of Defense has many short and long term ideas for reforming the Guard.

Does the Guard have enough manpower to perform missions abroad and at home? That subject is certainly up for debate here on the Hill. Does the Guard receive the equipment and training it needs to perform these missions? We have all heard the "poor-stepchild" tales of DOD shortchanging the Guard when it comes to equipment funding. How and when will this be changed to reflect changing needs and current military strategies? How much money is in the 2005 Defense Budget to replace or maintain Guard equipment being used in Iraq? How much maintenance funding is taking care of aging Air National Guard planes used abroad and in Operation Noble Eagle? We look to Secretaries McHale and Hall of the Department of Defense to let us know which direction our

national military strategy is going to take in terms of the National Guard operations and resourcing and how and when we are going to get there.

And how about training? How does the Department of Defense judge the training readiness of the Guard for active duty and homeland defense missions under constantly changing operational responsibilities and derivative deployed units? Do training tasks reflect lessons learned abroad and at home? Does the Guard participate in major active-duty exercises or participate in homeland exercises with first responders? Who is gathering these lessons learned and are they being incorporated into training and equipping? What operational plans and training does NORTHCOM Commander General Eberhart foresee for the National Guard for homeland defense missions? His special assistant, Major General Love will let us know today.

The Committee on Government Reform seeks timely and comprehensive answers to these questions, and we look to the Department of Defense to cement its operational plans for the Guard and fund it adequately for the first time in its long history. We look to new, more effective channels to resource the Guard, and we seek input from the States on their current and future plans for Guardsmen. They too are responsible for the security of our citizens. We look for active coordination of management resources between DOD and DHS, and more than just interagency task force reports.

The General Accounting Office will testify today regarding Guard transformation and rebalancing, and the tension between the increased reliance on reserve components in the war on terrorism and the increased responsibilities of Guard units to their state's governors to provide forces for homeland security emergencies and other traditional state missions.

Call it transforming or rebalancing, call it funding or resourcing, but we should not wait any longer. Ensuring the National Guard is prepared and ready in this decade and beyond should be an immediate priority of the Administration, Congress and the individual States. The time to ensure the brave and dedicated men and women of the National Guard receive the management, training and resources they need to fulfill missions of safety and security for the people of the United States is now. We wait at their peril and our own.

Chairman TOM DAVIS. I do recognize Mr. Schrock. Do you want to wait? We'll go through this panel and then go to Mr. Schrock's questioning.

Mr. Secretary, welcome back. It's good to have you here. I know you've worked hard on this and thanks for being here.

STATEMENT OF PAUL MCHALE, ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND SECURITY, U.S. DEPARTMENT OF DEFENSE; THOMAS F. HALL, ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS, U.S. DEPARTMENT OF AFFAIRS; LIEUTENANT GENERAL H. STEVEN BLUM, CHIEF, NATIONAL GUARD BUREAU; AND MAJOR GENERAL JOHN A. LOVE, SPECIAL ASSISTANT TO COMBATANT COMMANDER FOR NATIONAL GUARD AFFAIRS, U.S. NORTHERN COMMAND

Mr. MCHALE. Mr. Chairman, it's good to be back.

Mr. Chairman and distinguished members of the committee, it is an honor and a privilege to appear before this body. To be entrusted with national security responsibilities at any time, but especially at this point in our country's history, it is a solemn and sacred duty.

From past experience, I fully appreciate your oversight obligations pursuant to Article 1, Section 8 of the Constitution, although I have to tell you it's a little more challenging on this side of the table than it was when I sat up there and asked the questions. My goal today is to provide the committee with a candid, accurate assessment of our current homeland defense capabilities and to describe emerging DOD mission requirements with particular emphasis on Reserve component capabilities.

Because I have submitted my formal testimony for the record, I would like to provide only a brief introduction at this point, in order to allow maximum time for member questions. I appear before you today in my capacity as Assistant Secretary of Defense for Homeland Defense. My position was created by Public Law 107–314, the National Defense Authorization Act of 2003.

The statutory duty assigned to the Assistant Secretary of Defense for Homeland Defense is "the overall supervision of the homeland defense activities of the Department." I was nominated by President Bush in January 2003 and confirmed by the Senate 1 month later. As a result, I have been serving in this office for just a little over a year.

In the interim, much has happened. Although my written testimony focus in some detail on the organizational changes within the Department of Defense following the attacks of September 11, 2001. I think the members of this committee are primarily interested in the recent steps we have taken to ensure the physical safety of our citizens, their property and our Constitutional freedoms. The painful losses of September 11th produced not only grief, but resolute action.

Each day since September 11th, the men and women of the North American Aerospace Defense Command, NORAD, have patrolled the air space over Canada and the United States. In a completely integrated effort of U.S. and Canadian capabilities, the U.S. Air Force, Air Force Reserve and the Air Guard have protected the skies of our major metropolitan areas, critical infrastructure, gov-

ernment facilities and historic monuments. These dedicated professionals have executed over 34,000 air defense sorties and responded to over 1,700 requests from the Federal Aviation Administration to intercept potential air threats. That is an extraordinary achievement.

In fiscal year 2004 alone, the Air National Guard has flown 1,909 sorties and logged 6,926 hours to guard our Nation's skies. The number of flights and their location changes daily, and each day's flight data is shared in advance with the Department of Homeland Security. This level of air security is unprecedented in our Nation's history. Nearly every homeland defense exercise that we now conduct involves a threat scenario involving a terrorist takeover on commercial airliners. As a result, our air defense training is realistic, focused, and subject to well understood rules of engagement.

We had implemented similar improvements in our domestic land defense capabilities, while fully recognizing that domestic counterterrorism is a lead law enforcement mission, we now have Active Duty soldiers and Marines on alert every hour of every day, prepared to deploy to any location within the United States where a land defense against a terrorist attack might be required. Such quick reaction forces did not exist on September 11, 2001. They do now and they are both trained and ready.

Even more importantly, we are working closely with the National Guard Bureau to ensure that Army Guard forces will be mission ready to provide immediate land security forces within their own States. In my judgment, the protection of critical infrastructure will likely become a core National Guard mission during the next decade. It is also important to note that DOD has recently been assigned, with the signing of Homeland Security Presidential Directive 7, an important responsibility in the protection of the defense industrial base. The achievement of this new mission will require close coordination of private and public, military and civilian security capabilities. The task is both enormous and essential.

We now recognize that a 21st century maritime defense requires a common operating picture of the maritime domain, real time tracking of threat vessels, appropriate ships and resources to support maritime intercept operations on the high seas against terrorists potentially armed with weapons of mass destruction, and command and control structure which maximizes both Navy and Coast Guard capabilities.

Our goal is to defeat every enemy maritime threat with an integrated, layered defense long before such threats are able to enter our ports. To that end, Secretary of Defense Rumsfeld recently signed an expanded maritime intercept operations execute order for realistic maritime exercises and unprecedented Navy-Coast Guard cooperation. We are making daily progress with that goal.

Similar improvements have been made with regard to DOD's ability to support civilian authorities following a terrorist attack. Thirty-two National Guard weapons of mass destruction civil support teams have been trained, equipped and certified by the Secretary of Defense. Twelve new teams will be created this year. We are planning to establish a total of 55 civil support teams, sufficient to ensure that every State and territory will be served by a team.

If a more substantial WMD response is required, we have established, equipped and organized large joint task forces at dispersed locations throughout the United States, sufficient to ensure that we will be able to respond to multiple, near-simultaneous terrorist attacks involving weapons of mass destruction. Although this capability is not fully developed, we are working hard and with a sense of urgency to get there.

In my view, multiple simultaneous attacks are not only possible, they are consistent with terrorist operational doctrine. Even in the absence of a large scale enemy attack, the Department of Defense civil support responsibility is substantial. During the past year, DOD acted on 75 separate civil support requests from more than 20 civilian agencies, including the January 4th deployment of the Marine Corps chemical-biological incident response force to the Dirksen Building when ricin was detected in Senator Frist's office. That mission was executed at the request of the Capitol Police.

And finally, we at DOD recognize that an effective defense against terrorist activity requires a close daily partnership between our Department and the newly created Department of Homeland Security. Our missions are complementary and mutually reinforcing. To make certain that partnership is a reality, employees from my office now work full time in the Homeland Security and Operations Center. A defense coordination office has been established by DOD personnel at DHS. A memorandum of agreement for mutual support has been negotiated between the two departments. And I meet routinely and regulatory with senior DHS leadership, including a 1-hour meeting yesterday with Admiral Loy, the Deputy Secretary.

Our homeland security and homeland defense exercise programs have now been fully integrated. The scenarios are challenging and involve complete interagency participation. Mr. Chairman, this summary should make it clear that the Department of Defense, working with our partners in the private and public sectors at the local, State and national levels, is fully committed to the most capable homeland defense ever planned or executed in our country's history.

Despite great progress, we are not comfortable, we are not satisfied. Rather, we are dedicated, with a real sense of urgency, to ever-improving homeland defense capabilities. In that effort, our men and women in uniform stand in common cause with the members of this committee. Victory in the global war on terrorism is a national imperative, our generation's greatest challenge.

Mr. Chairman, I look forward to your questions and those of the members of the committee.

[The prepared statement of Mr. McHale follows:]

Statement by

Honorable Paul McHale,

Assistant Secretary of Defense for Homeland Defense

Before the 108th Congress

Committee on Government Reform

United States House of Representatives

April 29, 2004

INTRODUCTION

Chairman Davis, Congressman Waxman, distinguished members of this Committee, it is an honor to appear before you today to address the Department of Defense's role in providing for the security of our nation.

Today's threat environment, as demonstrated by the September 11, 2001 terrorist attacks, marks our nation and its people as targets on a global battlefield very different from those of World War II or the Cold War. President Bush gave us a new direction when he said, "We must take the battle to the enemy, disrupt his plans and confront the worst threats before they emerge. In the world we have entered, the only path to safety is the path of action. And this nation will act." Our nation cannot afford to wait for terrorist adversaries to act -- this is the impetus behind the Global War on Terror.

As directed in the 2001 Quadrennial Defense Review's defense strategy, "[t]he highest priority of the U.S. military is to defend the Nation from all enemies." At home, U.S. actions have spared the nation from a repeat of the tragedy of the September 11, 2001 terrorist attacks. Still, the threat remains and, therefore, so too our need to remain vigilant. With a continuing sense of urgency and focus, the Department of Defense (DoD) has implemented substantial improvements in homeland defense capabilities over the past year, increasing the safety of the nation. At the same time, there is no reason nor place for complacency. We fully recognize that significant challenges lie ahead.

Based on the Committee's request, my testimony today will address DoD's vision for the operational use of the National Guard in homeland defense and defense support to civil authorities operations. To meet today's challenges, DoD will continue to use the Total Force concept, drawing on the talents of Active Duty, Reserve, and National Guard forces. The seven Reserve Components now comprise almost 46% of the Total Force.

Clearly, they are a significant portion of the nation's defense assets and an essential partner in the full range of military operations at home and around the world. Additionally, as requested by the Committee, I will discuss DoD's robust engagement with the Department of Homeland Security in working to achieve our common goals of securing our nation, its territory, and its people.

DEPARTMENT OF DEFENSE AND THE SECURITY OF OUR NATION

Through prosecution of the Global War on Terror, the Defense Department focuses on combating terrorism as far from our borders as possible. Thus, our first line of defense is abroad -- to confront the enemy where they live, train, plan, and recruit, as we are doing today in Afghanistan and Iraq. The second line of defense also lies beyond the borders of the nation -- the air and maritime avenues of approach – where we will engage terrorists before they reach our borders. Inside our borders, the domestic law enforcement community is responsible for countering terrorist threats; DoD stands ready to provide capabilities in support of civil authorities, consistent with U.S. law.

As you know, following the tragic events of September 11, 2001, at the direction of the President and with Congressional support, DoD moved quickly to establish new organizations focused on homeland defense and civil support: U.S. Northern Command (USNORTHCOM) and the Office of the Assistant Secretary of Defense for Homeland Defense (ASD(HD)).

At the request of the Secretary of Defense, the Office of the Assistant Secretary of Defense for Homeland Defense was established by Congress in the Bob Stump National Defense Authorization Act for Fiscal Year 2003. I am honored to have been nominated by the President and confirmed by the Senate to serve as the first Assistant Secretary of Defense for Homeland Defense. My office was established in recognition of the need to have a focal point to assist the Secretary improve policy and provide guidance to

combatant commanders regarding air, ground, and maritime defense of U.S. territory and the conduct of support to civilian authorities. As provided in the establishing statutory language, I provide overall supervision of the homeland defense activities of DoD.

On October 1, 2002, DoD activated USNORTHCOM, headquartered in Colorado Springs, Colorado. This is the first combatant command with a primary mission to defend the land, sea, and air approaches to the United States. USNORTHCOM conducts operations within its assigned area of responsibility to deter, prevent, and defeat threats and aggression aimed at the United States, its territories, and interests. Accordingly, as directed by the President or Secretary of Defense, USNORTHCOM would direct military operations within its area of responsibility, including combat operations. In addition, when directed by the President or Secretary of Defense, USNORTHCOM would also provide military assistance to civil authorities to mitigate the results of disasters and catastrophes, including those resulting from a weapon of mass destruction (WMD) attack.

USNORTHCOM's area of responsibility includes the continental United States, Alaska, Canada, Mexico, and the surrounding water out to approximately 500 nautical miles. The defense of Hawaii and U.S. territories and possessions in the Pacific remains the responsibility of U.S. Pacific Command (USPACOM). The commander of USNORTHCOM is also the commander of the bi-national U.S.-Canada North American Aerospace Defense Command (NORAD). I am pleased to report that USNORTHCOM achieved full operational capability on September 11, 2003 and is fully able to conduct missions assigned to the command in the Unified Command Plan.

Air domain. NORAD guards, patrols, and monitors the skies over Canada and the United States. Each and every day the men and women of the United States Air Force, United States Air Force Reserve, and the Air National Guard secure the skies over major metropolitan areas, and our nation's critical infrastructure, and historic monuments. Since September 11, 2001, these dedicated professionals have executed

over 34,000 air defense sorties and responded to over 1,700 requests from the Federal Aviation Administration to intercept potential air threats.

Maritime domain. Similarly, the U.S. Navy vigilantly monitors the sea approaches to the United States and works with the U.S. Coast Guard to patrol international waters and our territorial seas. On a daily basis, the U.S. Navy operates under new and expanded authority to interdict vessels potentially bearing terrorists or their weapons before they reach our shores. Further, under Operation NOBLE EAGLE, naval maritime surveillance and engagement forces are designated for transfer to USNORTHCOM command and control when directed by the Secretary of Defense.

Land domain. The Homeland Security Act of 2002 assigns the Secretary of Homeland Security the responsibility for the security of the nation's borders. That responsibility includes preventing terrorists and instruments of terrorism from penetrating our borders, protecting our ports of entry, immigration enforcement, and ensuring the speedy, orderly, and efficient flow of lawful traffic and commerce. DoD's role in that border security mission is to provide support to civil authorities, principally the Department of Homeland Security, when appropriate. To that end, DoD is prepared to respond swiftly when required. DoD has established and maintains Quick Reaction Forces and Rapid Reaction Forces, which, when deployed, will operate under USNORTHCOM command and control. These highly trained U.S. Army and Marine Corps personnel are postured to respond to the full range of potential threats to the United States. Additionally, when authorized by the Secretary of Defense, in the case of a WMD attack, Joint Task Force Civil Support headquartered in Norfolk, Virginia; Joint Task Force Consequence Management East headquartered at Fort Gillem, Georgia; or Joint Task Force Consequence Management West headquartered at Fort Sam Houston, Texas, under the command and control of USNORTHCOM, would provide consequence management support to civil authorities.

Civil Support. The Defense Department has a long tradition of support to civil authorities as necessary and appropriate while maintaining its primary mission of fighting and winning the nation's wars. Since my testimony before the Subcommittee for National Security, Emerging Threats and International Relations one year ago, DoD has continued to lend necessary assistance to civil authorities when they were overwhelmed or faced with challenges necessitating the Department's unique capabilities. Last year we acted on 75 requests for assistance from more than 20 civilian agencies, including the Department of Homeland Security (DHS), the Department of Justice, the Department of Health and Human Services, the Department of Transportation, the Department of State, the National Aeronautics and Space Administration, the U.S. Marshals Service, and the National Interagency Fire Center.

To provide several brief examples of civil support activities last year, DoD provided emergency support in natural disasters such as Hurricane Isabel in September 2003 and the October 2003 California wildfires. DoD also provided support in responding to incidents such as the Columbia space shuttle accident in February 2003 and the January 2004 ricin incident on Capitol Hill. For the latter, USNORTHCOM's Joint Force Headquarters-National Capitol Region, in its first operational use, provided command and control of U.S. Marine Corps Chemical-Biological Incident Response Force assistance to the U.S. Capitol Police.

THE ROLE OF THE NATIONAL GUARD

The National Guard is a critical component of DoD's contribution to the security of our nation. Since the terrorist attacks of 9/11, the National Guard has been key to many of our accomplishments at home and abroad. Much of the success we have had would not have been possible without the participation of National Guard forces.

The Reserve Component and Active Component are both fundamental to accomplishing homeland defense and defense support to civil authorities operations. The National Guard brings to bear significant capabilities for contingencies at home or abroad. Additionally, National Guard forces are also uniquely positioned to engage within the United States and its territories by virtue of their geographic dispersal and relationships to state and local governments. The National Guard plays a critical role in planning for and any response to future terrorist attacks in the United States, including response to mass casualty attacks. It is no accident that General Eberhart, the commander of Northern Command, selected a National Guard general officer as his chief of staff.

National Guard Contributions Immediately After 9/11. National Guard forces were instrumental in providing trained and ready personnel for missions within the United States shortly after the 9/11 terrorist attacks. At the request of the President, state Governors supplemented the security of the nation's airports with National Guard personnel. This mission initially encompassed 421 airports in 52 states and territories and involved over 7,000 National Guard personnel in Title 32 status (state control, federal funding). Additional airports and personnel were added subsequently. In February 2002, the newly established Transportation Security Administration assumed legal responsibility for baggage screening and checkpoint security, enabling most National Guard personnel to conclude their support by the end of May 2002.

Additionally, between March and August 2002, DoD mobilized some 1,600 National Guard troops along the northern and southern borders to support the U.S. Customs Service, the Immigration and Naturalization Service, and the Border Patrol, in their heightened post-9/11 security posture. The tasks of military forces included providing a security presence, vehicle inspection, traffic management, tactical operations advice, air operations, cargo inspection, and administrative support until the requesting agencies could hire and train new employees.

Legal Framework for National Guard Employment. Developing clear and coherent sets of agreements and relationships between Northern and Pacific Commands and the state and territorial National Guards was a top DoD priority following the establishment of Northern Command in 2002. In order to accomplish their homeland defense and civil support missions, Northern Command and Pacific Command coordinate closely with the 54 state and territorial National Guards through the National Guard Bureau.

It is important to understand that relationships between combatant commands with homeland defense and defense support to civil authorities missions and the National Guard are not static. They are based on specific scenarios and the particular legal authorities invoked in managing a contingency.

- **Title 10 (United States Code) Status**. When National Guard forces are ordered or called to active duty in a Federal or Title 10 status (Federal control, Federal funding), the President or the Secretary of Defense may authorize employment of activated National Guard forces along with other active duty forces. The Commander of Northern Command would have direct command and control authority over those forces assigned to Northern Command for employment, as would the Commander of Pacific Command in his area of responsibility.
- **State Active Duty Status and Title 32 (United States Code) Status.** USNORTHCOM and USPACOM have no command and control relationship with the National Guard when these forces are in State Active Duty (state control, state funding) or in Title 32 status (state control, Federal funding) under the command of a state governor. In either status, National Guard members are not subject to the provisions of the Posse Comitatus Act and may engage in activities related to law enforcement if authorized to do so under applicable state law.

In the event of a domestic attack, forces under state command and control and federal forces under Northern Command or Pacific Command's command and control could find themselves operating within a common operating area. Unity of effort requires coordination and cooperation among all forces toward a commonly recognized objective, although they are not part of the same command structure. The Commanders of Northern and Pacific Command, the National Guard Bureau, Army, Air Force, and other relevant DoD components are currently working to refine such unity of effort in the domestic context. Establishing this type of coordinating relationship is also an inherent element of the Northern Command exercise program.

Counterdrug. Counterdrug is an area in which DoD, and in particular the National Guard, has longstanding relationships with civil authorities, including U.S. border and law enforcement officials. By statute, DoD is the lead Federal agency for the detection and monitoring of aerial and maritime movement of illegal drugs toward the United States. DoD works with civil authorities to transmit information to enable law enforcement authorities to interdict such trafficking. As stated in the 2003 National Strategy for Combating Terrorism, "breaking the nexus between drugs and terror is a key objective in the war on terrorism." Since 9/11, policy and operational changes in the Department have improved the alignment of resources and efforts where there is a link between terrorism and narcotics trafficking. Additionally, USNORTHCOM is now charged with counterdrug activities in its area of responsibility, including counterdrug support to domestic law enforcement authorities and command of Joint Task Force-6 (JTF-6), headquartered in El Paso, Texas.

Within the Office of the Secretary of Defense, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)) has the overall lead for the Department's counterdrug activities, with assistance from my office on issues with domestic implications. In most of the 55 states and territories, the National Guard supports intelligence analysis efforts of the Drug Enforcement Administration, Federal

Bureau of Investigation (FBI), the DHS Bureau of Customs and Border Protection, and various Federal, state, and local task forces. Since 1989, DoD Active and Reserve Component forces, particularly the National Guard, have provided a wide variety of counterdrug support to drug law enforcement agencies along the southwest border of the United States. Today DoD supports requests from the Department of Justice, the Department of Homeland Security, and the High Intensity Drug Trafficking Areas (HIDTA) Task Force Headquarters for unique military assistance, such as reconnaissance (ground-based, aviation-based, and maritime), logistics, transportation, engineer support along the southwest U.S. border, as well as intelligence programs and training.

Weapons of Mass Destruction – Civil Support Teams (WMD-CST). WMD-CSTs represent a specialized homeland security capability based entirely in the National Guard. WMD-CSTs consist of small, highly trained National Guard units that support local, state, and Federal agencies responding to an attack involving WMD. The impetus in establishing WMD-CSTs was to develop a rapidly deployable capability to assist a local incident commander in determining the nature and extent of an attack or incident. If terrorists release biological, chemical or radiological agents, we must have the ability to identify the agents and the ready knowledge of mitigation actions and response units that can assist civil authorities in managing the consequences of an attack.

There are currently 32 WMD-CSTs assigned in 31 states (California has two teams). Ten teams were fielded in 1999. In January 2000, Congress authorized the fielding of seventeen additional teams. Five more teams were added in 2001. Section 1403 of Public Law 107-314 (the National Defense Authorization Act for Fiscal Year 2003) authorized the Secretary of Defense to establish 23 additional WMD-CSTs, for a total of 55 teams, ensuring at least one team is established in each state and territory. Congress appropriated funds for the establishment of 12 of these 23 teams in Fiscal Year 2004.

Vision for the Future. At the direction of the President and Secretary Rumsfeld, DoD continues to transform to a more responsive, lethal, and agile force that focuses on capabilities needed rather than threats anticipated. The Global War on Terrorism has accelerated the need for change. As DoD transformation has progressed, it is increasingly evident that capabilities in the Active and Reserve Components must be rebalanced to improve the responsiveness of military forces and to help ease stress on units and individuals with skills in high demand.

As DoD works to rebalance the Active and Reserve Components, we are focusing on having the right force mix and the right kinds of units with the right capabilities in every state and territory. For example, we are looking at taking skills that are now found almost exclusively in Reserve Components and moving them into the Active force, so that we are not completely reliant on the National Guard and Reserves for those needed skills. And in both the Active and Reserve Components, we are moving forces out of low demand specialties, such as heavy artillery, and into high demand capabilities such as military police, civil affairs, and special operations forces. At the same time, the National Guard Bureau has played a significant leadership role in transforming 162 disparate state headquarters organizations into 54 standing joint force headquarters. In addition to streamlining benefits, this initiative also serves to promote needed jointness at the state level.

As rebalancing activities continue, I envision that the National Guard will remain fully "dual use" -- capable of engaging in contingencies at home or abroad. Additionally, National Guard forces must be fully integrated as part of DoD's developing Homeland Defense Strategy.

DEPARTMENT OF DEFENSE PARTNERSHIP WITH THE DEPARTMENT OF HOMELAND SECURITY

Overview. DoD focuses on and is responsible for homeland defense, which is the protection of United States territory, domestic population, and critical defense infrastructure *against external threats and aggression.* It also includes routine, steady-state activities designed to deter aggressors and to prepare U.S. military forces for action if deterrence fails. DHS, on the other hand, focuses on homeland security, which is defined in the 2002 National Strategy for Homeland Security as "a concerted national effort to prevent *terrorist attacks within* the United States, reduce the vulnerability of the United States to terrorism, and minimize the damage and assist in the recovery from terrorist attacks."

In simpler terms, the Defense Department provides the military defense of our nation from all attacks that originate from abroad, while DHS protects the nation against, and prepares for, acts of terrorism. DoD is organized and prepared, however, at the direction of the President and the Secretary of Defense, to play a vital role in support of the DHS mission.

As the Secretary of Defense's principal representative to the DHS, I have worked hard to build upon our excellent working relationships throughout the Department of Homeland Security. We have nearly completed a memorandum of agreement with DHS, under which DoD will continue to provide some 64 detailed personnel to DHS to fill critical specialties, principally in the areas of communications and intelligence. We have also established a 24/7 DoD presence in the DHS Homeland Security Operations Center with direct connectivity back to DoD for rapid response. Additionally, we established planning teams to assist the DHS Interagency Incident Management Group – a group of senior interagency officials focused on incident response. This year, we are further enhancing our partnership with DHS by establishing a DoD advisory and liaison office – called the Homeland Defense Coordination Office – within DHS headquarters.

Critical Infrastructure and Key Asset Protection. The Homeland Security Act of 2002 (Public Law 107-296) assigned DHS the responsibility to develop a comprehensive national plan to protect our nation's critical infrastructure and key assets. The National Strategy to Secure Cyberspace (February 2003) and the National Strategy for the Physical Protection of Critical Infrastructure and Key Assets (February 2003), as well as HSPD-7 on Critical Infrastructure Identification, Prioritization, and Protection (December 2003), designate DoD as the sector-specific agency for the Defense Industrial Base sector. This designation recognizes DoD's important role in the protection of critical defense installations and facilities. In this capacity, DoD must work closely with private sector owners of critical defense infrastructure encourage risk management strategies to deter, mitigate, or neutralize terrorist attacks in order to sustain military operations.

In September 2003, the Secretary of Defense assigned me the responsibility for Defense Critical Infrastructure Protection. Since then, we have consolidated Critical Infrastructure Protection (CIP) funding within the Office of the Secretary of Defense into a single program, managed by the newly established Defense Program Office for Mission Assurance. Under my oversight, this office conducts focused research and development using a systems approach for CIP activities supporting DoD missions. We have also taken steps to increase the preparedness of critical defense installations and facilities against chemical, biological, radiological, and nuclear threats. Pentagon efforts are helping to develop DoD-wide installation preparedness standards and requirements, which we will apply at 200 other key installations over the next few years.

National Incident Management. Public Law 107-396 (Homeland Security Act of 2002) Section 502 directed DHS to consolidate the existing Federal Government emergency response plans – the Federal Response Plan, U.S. Government Interagency Domestic Terrorism CONOPS Plan, the National Contingency Plan, and the Federal Radiological Emergency Response Plan – into a single, coordinated national response

plan. Homeland Security Presidential Directive 5 designates "the Secretary of Homeland Security is the principal Federal official for domestic incident management." DoD is fully engaged in the interagency development of the National Response Plan and the National Incident Management System. DoD has also provided planning teams for DHS' Interagency Incident Management Group.

Technology Development. In accordance with Section 1401 of Public Law 107-314, I serve as the "senior official of the Department of Defense to coordinate all Department of Defense efforts to identify, evaluate, deploy, and transfer to Federal, state, and local first responders technology items and equipment in support of homeland security." In that capacity, I work closely with the DHS Under Secretary for Science and Technology.

Recent examples of technology transfer initiatives include: information-sharing systems; biometrics identification technologies; ground sensors and their application in border security; and unmanned aerial vehicle experimentation. Additionally, new Advanced Concept Technology Demonstration (ACTD) efforts are underway that have the potential to deliver capabilities supporting both DoD missions abroad and DHS missions at home. These include the High Altitude Airship, a prototype untethered platform that could provide wide area surveillance and communications capabilities, and the Air Transportable Cargo screening ACTD, designed to detect explosive threats in pallet cargo loads moving through military transportation systems.

Furthermore, DoD invests nearly $100 million yearly in the Technical Support Working Group (TSWG), a U.S. national forum that brings together over 85 Federal agencies to identify, prioritize, and coordinate interagency and international research and development requirements for combating terrorism. The TSWG rapidly develops technologies and equipment to meet the high-priority needs of the combating terrorism community. Many of these technologies are also applicable to first responders and other

homeland security missions. In recognition of that synergy, DHS has joined as a partner in the TSWG, and TSWG staff are also members of the Homeland Defense Technology Working Group. Recent examples of TSWG results include specific building design guidelines for protection against blasts; countermeasures to defeat improvised explosive and chemical/biological devices; personal protection equipment; and equipment for military and civilian response teams for chemical incidents.

Another important interagency technology forum is the Combating Terrorism Technology Task Force (CTTTF). Established within a week of the 9/11 attacks, the Task Force is comprised of science and technology senior leaders from all DoD Components, flag-level officers from the Joint Staff and selected Combatant Commands, the Central Intelligence Agency, the Department of Energy, and now the Department of Homeland Security. The CTTTF initially focused on accelerating technologies for homeland defense and the war in Afghanistan. Currently, the CTTTF is identifying and accelerating technology for deployed force protection. Recent examples of CTTTF results include technologies that enable the inspection of cargo in closed containers and the detection of small quantities of explosives. DoD also sponsored a rapid study to determine radiation levels needed to kill anthrax spores -- knowledge that supported the detailed response to the anthrax attacks of 2001.

CONCLUSION

Throughout our history, U.S. military forces – Active Duty, National Guard, and Reserves -- have defended our nation against its enemies on land, at sea, and in the air, adapting continuously to engage threats to our nation.

Today we face a challenge that is equal to or greater than any we have ever faced before. We must cope not only with the threats produced by the proliferation of WMD

and missile technology among nation-states, but also with WMD threats posed by individual terrorists and terrorist organizations with global reach.

Throughout DoD we are transforming, increasing our capabilities for combating terrorism and homeland defense on a daily basis, while continuing a long tradition of support to civil authorities. As has been the case throughout our history, the National Guard and the Reserve are central to meeting these commitments.

Homeland defense and homeland security are featured on Secretary Rumsfeld's top priorities list for this year. To support his priorities, we are developing a comprehensive Homeland Defense Strategy for the 21st century. This strategy will support the National Security Strategy, the National Strategy for Homeland Security, and the updated Defense Strategy. It will also provide the framework for pursuing operational capabilities to prepare for tomorrow's challenges.

Mr. Chairman, I commend you and the members of this Committee for your continued interest in and efforts in support of the Department's combating terrorism and homeland defense missions. The citizens of this nation, its institutions, and our brave men and women in uniform have repeatedly demonstrated the patriotism, toughness, innovation, determination, and resiliency to defeat our enemies while retaining our freedoms. There is no doubt in my mind that those capabilities will be tested against this newest enemy threat – nor is there any doubt that we will prevail.

Chairman TOM DAVIS. Thanks very much.

Mr. Hall.

Mr. HALL. Thank you, Mr. Chairman, and thank you for the opportunity to be here and speak to the committee. I'm pleased to be here today with my colleague Paul McHale and with Generals Blum and Love to discuss the role of the National Guard in overseas and homeland operations.

Our Guard and Reserve make up 46 percent of our military, or some 1.2 million service members. Since September 11, we have mobilized a total of 340,000 service members. This equates to 40 percent of our force, and it's the largest mobilization since Korea. Today as we meet, there are over 165,000 Reserve and Guard members that are mobilized. Although 60 percent of our Reserve force has not been touched, we share everyone's concerns about the same thing, and that's the stress on our force.

Just as the active force is the first to deploy in support of U.S. operations abroad, the National Guard is often the first military force to deploy in support of most homeland security requirements. National Guard is a citizen soldier force that can be activated by the Governor in support of State emergencies and also Federalized to support national contingency requirements. A Governor can deploy National Guard under State Active Duty or upon approval of the Secretary of Defense in Title 32 of the U.S. Code, National Guard can of course be Federalized under provisions of Title 10, U.S. Code. This unique triple status makes the National Guard a cost effective, flexible force that can be employed in a variety of circumstances.

The Guard's capability was demonstrated in the aftermath of the September 11th attacks. Even after the attacks, as we have heard and know, the National Guard responded, National Guard assets took to the skies to secure our air space, and local Guard forces were directly sent to the World Trade Center and the Pentagon to assist with security and recovery efforts.

Shortly thereafter, the President asked the Governors to use their Guardsmen to secure airports at Federal expense. They responded in a matter of hours by deploying Air Guardsmen in Title 32 status at over 440 airports. In addition, many of our Governors ordered our Guardsmen in State Active Duty to secure critical infrastructure facilities, such as bridges, power plants and government buildings. Many of those State security missions continue today.

Our National Guard personnel were activated in 12 States under Title 10 to augment security along our Nation's borders. Their missions ensure that the commerce continued to flow while the vital entryways were protected. Today, there are over 100,000 Air and Army National Guard men and women mobilized in support of Operations Noble Eagle, Enduring Freedom and Iraqi Freedom. They are flying air patrols, performing force protection duties here in the United States, flying refueling missions over central Asia and on the ground in both Iraq and Afghanistan. As expected, the National Guard continues to conduct all missions in an exceptional manner.

The fight against terrorism and the protection of our homeland will be protracted endeavors, much like the cold war. To that end, many outside policy experts, independent panels and studies have

advocated expanding roles for the National Guard in homeland security. Some have even suggested that the National Guard should be reoriented, re-equipped, and retrained solely for the homeland security mission.

The reality is that there has been no recent national security change that justifies the need to establish a separate role for the National Guard to perform homeland security related missions under new statutes and administrative guidelines. There are already sufficient legal mechanisms in place that enable State and territorial Governors to employ their National Guard forces and support local authorities to meet a wide range of existing missions.

The National Guard is an integral part of the Air Force and Army total force mission capability. Their roles are vital to the survival of this Nation. The position of the Department of Defense is that the National Guard will remain a dual mission military force.

This concludes my statement. Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Hall follows:]

STATEMENT
OF THE

ASSISTANT
SECRETARY OF DEFENSE FOR
RESERVE AFFAIRS

HONORABLE THOMAS F. HALL
BEFORE THE

HOUSE COMMITTEE ON GOVERNMENT REFORM

IN CONNECTION WITH
TRANSFORMING THE NATIONAL GUARD:
RESOURCING FOR READINESS

29 APRIL 2004
10:00 A.M.

Room 2157, Rayburn House Office Building

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HOUSE COMMITTEE ON
GOVERNMENT REFORM

RESERVE AFFAIRS STATEMENT

HOUSE COMMITTEE ON GOVERNMENT REFORM

INTRODUCTION

Good morning Mr. Chairman and members of the committee, thank you for your invitation to testify today. I would like to provide information to assist you in making the critical and difficult decisions you face over the next several months. I want to publicly thank you and your committee for your help. The Secretary and I appreciate it, our military personnel are grateful, and we thank you.

THE ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS' MISSION

The mission of the Assistant Secretary of Defense for Reserve Affairs (ASD/RA), as stated in Title 10 USC, is the overall supervision of all Reserve components' affairs in the Department of Defense. I take this responsibility very seriously because our Guard and Reserve perform vital national security functions at home and around the world, and are closely interlocked with the states, cities, towns, and communities in America. I have made it my business to get out to the field— to see and listen to the men and women in our Guard and Reserve. My staff and I have spent time in the states and around the world with them and we have listened carefully to their comments and concerns. Again this year, we are continuing to closely monitor the impact of increased use on our Guard and Reserve members, and on their families and employers.

My "Acid Test for the Guard and Reserve" remains unchanged; that is to "Ensure that the Guard and Reserve are: assigned the right mission; have the right training; possess the right equipment; are positioned in and with the correct infrastructure; are physically, medically, and

operationally ready to accomplish the assigned tasks; are fully integrated within the active component; and are there in the right numbers required to help fight and win any conflict!"

RESERVE COMPONENTS ARE FULL PARTNERS IN THE TOTAL FORCE

Because the Reserve components (RC) now comprise 46% of the Total Force, they are an essential partner in military operations ranging from Homeland Defense and the Global War on Terrorism to peacekeeping, humanitarian relief, small-scale contingencies and major crises. The fiscal year 2005 Defense budget recognizes the essential role of the RC in meeting the requirements of the National Military Strategy. It provides $33.3 billion for Reserve component personnel, operations and maintenance, military construction, and procurement accounts, which is approximately 2.8% above the fiscal year 2004 appropriated level. [Note: This sentence was deleted because there is no basis for drawing a conclusion about what kind of return on investment is realized.] Included are funding increases to support full-time and part-time personnel, and the required sustainment of operations. It also continues last year's effort toward RC equipment modernization and interoperability in support of the Total Force policy. These fiscal year 2005 funds support 870,900 Selected Reserve personnel. Within that total, the National Guard consists of the following: Army National Guard 350,000 and Air National Guard 106,800. Our total Ready Reserve, which also includes the Coast Guard Reserve, Individual Ready Reserve and Inactive National Guard, is approximately 1.2 million personnel.

Maintaining the integrated capabilities of the Total Force is key to successfully achieving the Defense policy goals of assuring allies, dissuading military competition, deterring threats against U.S. interests, and decisively defeating adversaries. Only a well-balanced, seamlessly integrated military force is capable of dominating opponents across the full range of military operations.

DoD will continue to optimize the effectiveness of its Reserve forces by adapting existing capabilities to new circumstances and threats, and developing new capabilities needed to meet new challenges to our national security.

MOBILIZATION, CONTINGENCIES, AND THE GLOBAL WAR ON TERRORISM

Today, we are in the midst of one of the longest periods of mobilization in our history. However, one certainty remains - that when called upon, the men and women of the National Guard and Reserve will respond promptly and perform their duty. From September 11, 2001, through April 19, 2004, we had mobilized approximately 345,000 Reserve component personnel in the Global War on Terrorism (GWOT). We are managing these call-ups in a prudent and judicious manner, assuring fair and equitable treatment as we continue to rely on these citizen-soldiers. As of April 19, 2004, 167,242 Reserve component personnel were on active duty - here at home and in every theater around the world supporting the Global War on Terrorism. They are providing a very broad range of capabilities, from Special Operations and Civil Affairs to personnel and finance support. The National Guard breakdown is as follows:

- Army National Guard (ARNG): 91,222
- Air National Guard (ANG): 3,490

The National Military Strategy requires the united States military forces to sustain a high degree of readiness and be able to deploy anywhere around the globe. The Guard is an essential partner in the Total Force and as such is a key player in providing support to the full spectrum of military missions ranging from Homeland Defense, peacekeeping, humanitarian relief and small-scale contingencies.

The Air National Guard is fully integrated with the Air Force and is engaged in full-time, daily missions as a part of the Air and Space Expeditionary Force. Because of the Air Forces' one tier of readiness standard, the Air National Guard has already made the transition from a strategic Reserve into an operational Reserve. Their recruiting and retention is on track and despite the current increased operational tempo of the aircrews, the majority of the Flying Wings continue to maintain a high readiness rate.

The Army National Guard is at a historic moment in time. During the next ten years, we'll see the most significant changes in the Army Guard since its inception almost 368 years ago. The Army National Guard will be redesigned and re-equipped while simultaneously engaged in the Global War On Terrorism. The vision of the Army is modularity-smaller more agile units with more capability. The transformation into modular type units will include the Army National Guard with its conversion scheduled to begin in 2008 or sooner. Today, the Army National Guard faces the unique challenge of meeting the new reality without the prior addition of comparable resources for equipment and training. As a result, to support ongoing operations they have cross-leveled personnel and equipment.

Because the Army National Guard and the Air National Guard are integral partners in the Total Force and have contributed large numbers to the Global War On Terrorism, we have significantly increased the number of combat veterans in the Guard. These veterans will provide mentoring to troops with less experience and pass on valuable lessons learned. The Guard as a whole is benefiting. Moreover, our personnel are being trained on the most technologically advanced equipment in the world.

Morale is high. The Guard and Reserve are proud of their contribution and ready to serve. They will continue to respond to the call to active duty as long as there is meaningful work and

we only keep them on duty for the absolute essential period of time. The men and women with whom I have spoken are proud of their service, fulfilling important missions and contributing to the needs of their country. We know there is a clear correlation between job satisfaction and proximity to the action and it is our intent to make sure when we call Guardsmen or Reservists we assign them to the full range of military missions.

MANAGING FORCE CAPABILITIES IN HIGH DEMAND

With the Global War on Terrorism and the ongoing mobilization of Guard and Reserve members, we are monitoring the capabilities in the Reserve components that have been in high demand and, where necessary, identifying actions necessary to reduce the demand on these capabilities. To assess the capabilities that are projected to be in demand as we prosecute the war on terrorism, the Department has conducted an analysis of what elements of the RC have been called-up—evaluating their usage in terms of:

- Frequency of call-up—the number of times members have been called to active duty since 1996.
- Percentage of available pool—what percent of the RC force has already been used to support current operations.
- Duration—how long the members served when they were called-up.

Frequency of call-up—empirical data have revealed that, to date, a relatively small number of RC members have been called up in support of the current operation who were called up for other contingency operations in the last eight years. Though December, 2003, overall, 27,784 Reserve members, or about 3.2% of our Selected Reserve force of 875,609, had been involuntarily called-up more than once since 1996 (11,802 called-up for more than one

contingency operation – Bosnia, Kosovo, Southwest Asia, and ONE/OEF/OIF - and another 15,982 called-up more than once for the current contingency - ONE/OEF/OIF). This indicates that from a macro perspective the frequency of call-ups does not indicate an excessively high demand on the Reserve force at this time.

Percent of available pool—to mitigate the depletion of the available pool of reserve assets, the Department policy is that Reserve component members will not serve involuntarily more than 24 cumulative months and to utilize volunteers to the maximum extent possible. In viewing the available pool from the macro level, it might appear that the overall percentage of the RC force that has been used to support operations since 9/11 may be approaching a level difficult to sustain over a prolonged campaign. Through December 2003, about 36 percent of the Selected Reserve force was mobilized in just over two years of this operation. However, the usage rate is not consistent across the force. Some career fields—like force protection, civil affairs, intelligence and air crews—have been used at a much higher rate. And other career fields—like medical administration, legal, and dental—have been used at a much lower rate. Currently, the utilization is concentrated in about ¼ of the officer career fields and about ⅓ of the enlisted career fields; furthermore, the highest utilization is concentrated in a relatively small number of selected career fields.

Duration—tour lengths for RC call-ups have increased for every operation since Desert Shield/Desert Storm. The average tour length for Desert Shield/Desert Storm was 156 days. For operations in Bosnia, Kosovo, and Southwest Asia, the average tour length was about 200 days. For those members who have completed tours of duty during the current contingency, tour lengths have averaged about 320 days.

We are taking steps to address the possible depletion of needed resources that include:

- Increasing international military participation in Iraq, and developing Iraqi capacity to conduct police and security tasks and increasing actionable intelligence to disrupt threats to stability in Iraq.
- Rebalancing the Active and Reserve force mix and capabilities. By identifying about 100,000 billets for possible restructuring over the next several years.
- Reviewing over 300,000 military positions for possible "civilianization," thereby increasing the number of military in the operational force.

All these actions are high priorities for the Department since they will provide greater stability and predictability for reservists, their families and employers, and will optimize the forces available over what is anticipated to be a long war.

Predictability is an important key to using the Reserves. It is now routine for the Army Guard to plan and execute Bosnia and Kosovo missions. They are currently maintaining about 474 Guardsmen in the Sinai. The Army Reserve provides most of the logistics support in Kosovo. Future rotations in Iraq and Afghanistan will be planned in advance, providing more time for the RC to train at home in preparation.

Force protection continues to be an important requirement for the force in the Global War on Terrorism both at home and abroad. Reserve personnel provide the majority of force protection to military personnel and installations worldwide. As of February 25, 2004, the Army National Guard had 6,021 soldiers augmenting Air Force security forces—providing support at Air Force bases for the second and final year of this mission. Approximately 9,000 soldiers provided force protection for the Air Force the first year. This initiative in one example of innovative solutions for force protection in the GWOT as the Air Force rebalances it security forces through an increase in training capacity, use of contractors and technological solutions.

The Guard and Reserve are important partners in daily military operations and will play a major role in any future operations while maintaining its traditional role as citizen soldiers. We must ensure that when we employ members of the Guard and Reserve, they are provided meaningful missions and we retain them on active duty for only as long as is necessary to accomplish the mission.

REBALANCING THE FORCE

The Reserve components continue to make significant and lasting contributions to the nation's defense and to the Global War on Terrorism while the Armed Services transform to be more responsive, lethal, and agile. However, it has become evident that the balance of capabilities in the Active and Reserve components is not the best for the future. There is a need for rebalancing to improve the responsiveness of the force and to help ease stress on units and individuals with skills in high demand.

Repeated mobilizations are not a major problem yet, as they are focused in a small amount of particular skill sets. Thus, force rebalancing is necessary in some areas, but in other areas innovative management actions may be sufficient to reduce the stress of over-use.

Easing or reducing the stress on the force requires a multifaceted approach by the Department – no single solution will resolve the challenges faced by the Services. To achieve this goal, the Department engaged in a cohesive rebalancing strategy consisting of the following points:

- Move later deploying Active component (AC) forces forward in operation plans and early deploying RC forces later in the plan and shift assets between combatant commanders. This would enhance early responsiveness by structuring forces to

reduce the need for involuntary mobilization during the early stages of a rapid response operation.

- Introduce innovative management techniques such as enhanced volunteerism, expanded use of reachback, streamlined mobilization processes to improve responsiveness, and employment of innovative management practices such as the continuum of service and predictable overseas rotations.
- Rebalance capabilities by converting lower priority structure to higher priority structure both within and between the AC and RC.

Through this comprehensive rebalancing strategy the Department will gain added efficiencies from its existing force structure that may preclude any necessity to increase force end strength. This rebalancing strategy has already resulted in about 10,000 changes in military spaces both within and between the Active and Reserve components to address stressed career fields in fiscal year 2003, and about 20,000 more in fiscal year 2004. The fiscal year 2005 budget supports about 20,000 additional changes as well.

A breakdown of specific fiscal year 2005 Service-rebalancing initiatives includes:

- Army – 12,000 spaces converted to improve early responsiveness in the transportation, quartermaster, medical and engineer career fields. Conversions will also reduce stress on military police, special operations forces and intelligence career specialties.
- Navy – 1,000 spaces converted to reduce stress in security forces.
- Marine Corps – 3,000 spaces converted to reduce stress in Air Naval Gunfire Liaison Companies, security forces and intelligence career fields.
- Air Force – 4,000 conversions to reduce stress in security forces, aircrews and

maintenance career fields.

Additional plans embedded in the Future Years' Defense Plan (FYDP) include further conversions and major rebalancing efforts to improve readiness and capabilities. In total, the Services plan to rebalance about 100,000 spaces between fiscal years 2003 and 2009.

By employing innovative force management practices, the Services can perhaps achieve the greatest degree of flexibility in utilizing the Total Force, while reducing the stress on critical career fields and the need for involuntary mobilization. Each Service is unique. Approaches such as the continuum of service, reachback, improved predictability through rotational overseas presence, and improvements to the mobilization process, can help to ensure that the Services have access to individuals with the skills and capabilities required for both emergent operations and sustained, day-to-day activities.

In total, the initiatives described reflect a cohesive rebalancing strategy that will ease the stress on the Reserve Forces. Rebalancing efforts will not happen overnight. The process will be iterative and ongoing, as demands on the Total Force change and new requirements create different stresses on the force. By proceeding in this manner, the Department will be able to achieve its transformational goals, ensure the judicious and prudent use of its Reserve components, and ultimately assure victory in the Global War on Terrorism.

TRAINING THE FORCE

The Guard and Reserve are preserving their well-earned reputation as the best trained and best led Reserve components in the world. However, our global environment has changed significantly since September 11th, and our approach to training and readiness has changed accordingly. As we prosecute the Global War on Terrorism, training to meet required readiness

levels remains a Departmental priority and attention is focused on optimizing training effectiveness and efficiency.

Meeting these challenges requires both short-term and long-term solutions. As an example, we are finding that functions for which units and personnel are structured and trained do not always match the current and emerging mission requirements. While rebalancing efforts provide force structure solutions, immediate retraining of our Reservists provides a near-term solution. Once units are identified for future force rotations, retraining begins immediately to maximize time available prior to deployment. Currently innovative concepts such as employing four-week training venues, known as "2+2s" or "pop-ups" - that are comprised of two-weeks of Annual Training coupled with follow-on two-weeks of Active Duty Training (ADT) – are quickly and effectively meeting these challenges. Although our solution set is effective, it is not yet efficient.

We need additional tools, innovations and flexibility to better manage current training/retraining efforts. To this objective, a proposed legislative change requests removal of the "other than for training" exclusion from existing mobilization statutes. The ability to schedule and conduct well-planned, phased training will yield maximum benefits in both the learning experience and skills retention. Coupled with the Department's "train, mobilize, deploy" approach to RC employment, we will capitalize on scarce resources, reduce "cross-leveling" and unit disruptions, and eliminate some "post-mobilization" training. This approach allows units to train together and deploy as cohesive, effective units. Ancillary benefits also include increased predictability, stability and relevance for RC members, and protections and benefits for members' families not previously available while participating in required training in a non-mobilized status.

Effective and meaningful training is only relevant if RCs are responsive and rapidly deployable in the joint strategic environment. Toward that end, we've worked to ensure the Reserve components are included in all training transformation initiatives and other joint training opportunities. These joint opportunities will result in a significantly improved overall capability of our Armed Forces.

Also included in the Training Transformation initiative is the use of cutting edge training technologies that will significantly improve members' access to required training – anytime, anywhere. When implemented, training transformation will deliver joint training worldwide and provide a major step forward for Reserve members, providing distributed learning with embedded simulations that will enable "see, learn, do" training. These and other technology-based initiatives will optimize use of training days, while limiting time away from employers and families.

Our part-time citizen soldiers, sailors, airmen and Marines have responded magnificently to their Nation's call. They have faced significant training challenges supporting the Global War on Terror - challenges they have met head-on and overcome – and I am immensely proud of their accomplishments.

A CONTINUUM OF SERVICE

We are in our second year of transitioning to a new approach in force management called "continuum of service." The continuum of service will facilitate varying levels of participation and enable members to more easily move between Active and Reserve service. Particularly for reservists, this approach would enable them to voluntarily move from the traditional reserve training regimen (or simply being available as part of the Individual Ready Reserve manpower

pool) to full-time service for a period of time – or into a participation level somewhere between full-time and the traditional 38 days of reserve training each year. Or move in the other direction – fewer days of participation as their circumstances dictate. The continuum of service also applies to the active service member who could easily move into a Reserve component for a period of time, without jeopardizing his or her career and opportunity for promotion.

Just as the continuum of service encourages volunteerism in the standing force, it also creates opportunities for military retirees and other individuals with specialized skills to serve on a more flexible basis, if their skills are needed.

The "continuum of service" has a number of important advantages: in addition to capitalizing on volunteerism, it will enhance the ability of the Armed Forces to take advantage of the highly technical skills many reservists have developed by virtue of their experience in the private sector – while at the same time creating opportunities for those in the Active force to acquire those kinds of skills and experiences. It also improves our capability to manage the military workforce in a flexible manner, with options that currently exist only in the private sector. Finally, there are certain skills that are hard to grow or maintain in the full-time force, but may be ideally suited for part-time service in a Reserve component, such as certain language skills and information technology specialties. The continuum of service can provide the opportunity for highly trained professionals to serve part-time and provide a readily available pool of these highly specialized individuals who would be available as needed.

We have two programs that started last year using this concept. In August 2003, the Army implemented an innovative new program to recruit Arabic speakers directly into the Individual Ready Reserve. The program focuses on recruiting American citizens or U.S. permanent residents (many of Iraqi origin) who are fluent in languages that are needed for the Global War

on Terrorism. By the end of 2003, the Army had enlisted 144 heritage Arabic speakers. By the end of this year, we expect the number of volunteers participating in this program to exceed 250. Recruits include individuals skilled in the following languages: Arabic-Modern Standard; Arabic-Gulf-Iraqi; Pushtu; Pushtu-Afghan; Pushtu-Peshawari; Kurdish; Turkish; Dari/Persian-Afghan/Persian-Dari. Once they complete all training requirements, many will deploy to Iraq to assist in the reconstruction effort.

The second initiative now under way is a small pilot program aimed at leveraging people with a unique set of civilian skills that are hard to grow and maintain on active duty, but who can, in small numbers, have a dramatic impact on our military's success on the battlefield. This program, known as the Defense Wireless Service Initiative, is recruiting highly skilled wireless engineers and spectrum managers to help us better manage our increased use and reliance on the electromagnetic spectrum in the execution of combat operations and employment of smart weapons. Our office is working with the Army to imbed a total of eight reservists (4 officers and 4 enlisted) into an Army structure that will work in two four-person teams to analyze operational scenarios and lay down networks for the Army. When called, these reservists will deploy to perform real-time operational spectrum management.

While we are making strides to implement the continuum of service, there are areas in which we need your assistance. They include:

- Providing more consistency in management and accounting of reservists serving on active duty.
- Providing greater flexibility in using inactive duty for reach-back and to perform virtual duty. e. g., Flexibility to perform duty anywhere, not necessarily under military supervision.

- Allowing for an alternative military service obligation and streamlined basic training for certain individuals accessed into the force with unique civilian acquired skills.
- Providing the authority to establish auxiliaries for the Army, Navy and Marine Corps, modeled after the very successful Coast Guard Auxiliary.

These changes will help the Department optimize the use of the force and facilitate volunteerism, thus reducing the need to involuntarily call-up Guard and Reserve members.

RESERVE COMPONENT SUPPORT TO CIVIL AUTHORITIES

The National Guard has played a prominent role supporting local and state authorities in terrorism consequence management. At its core is the establishment of 55 Weapons of Mass Destruction Civil Support Teams (WMD CSTs), each comprised of 22 highly skilled, full-time, well-trained and equipped Army and Air National Guard personnel. To date, the Secretary of Defense has certified 32 teams as being operational. The Assistant Secretary of Defense for Homeland Defense recently released the locations of the twelve new teams, designated in the FY04 National Defense Authorization Act.

The WMD CSTs will deploy, on order of the State Governor, to support civil authorities at a domestic chemical, biological, radiological, nuclear, or high yield explosives (CBRNE) incident site by identifying CBRNE agents/substances, assessing current and projected consequences, advising on response measures and assisting with appropriate requests for additional state and federal support. The WMD CST funding for FY2004 is $184.4 million, and the budget request for FY 2005 is for $189.9 million. In the 2004 NDAA, Congress directed the Secretary of Defense to field 12 new teams and to develop a plan to establish an additional 11 WMD-CSTs,

in order to have at least one in each state and territory. These strategically placed teams will support our nation's local first responders as a state response in dealing with domestic incidents.

The Department is also leveraging the capabilities of existing specialized Reserve component units for potential domestic use in support of civil authorities. During FY 2001, DoD completed the training and equipping of 25 Army Reserve chemical decontamination companies and 3 chemical reconnaissance companies to support civil authorities in responding to domestic incidents. This enhanced training and equipment will improve the readiness of these units to perform their war-fighting mission, while allowing them to respond effectively to a domestic emergency, if needed. A budget request of $12.4 million was approved for FY 2004 to continue training Army Reserve chemical soldiers to perform these domestic decontamination and reconnaissance missions and also to sustain specialized equipment. Some of this money will also be used to provide training to Army Reserve medical soldiers that will better enable them to support a domestic medical response to a chemical, biological, radiological, or nuclear incident.

Today's National Guard Role in Homeland Security

The National Guard has a significant role in Homeland Security. Just as the active force is the first to deploy in support of US operations abroad, the National Guard is often the first military force to deploy in support of most Homeland Security requirements. The National Guard is a citizen-soldier force that can be activated by the Governor in support of state emergencies and also federalized to support national contingency requirements. The Governor can employ the National Guard under state active duty (state commanded and financed,) or upon authorization of the Secretary of Defense, in title 32, U.S.C. (state commanded and federally financed.) The National Guard can also be federalized under the provisions of title 10, U.S.C. (federally

commanded and financed.) It is this triple status that makes the National Guard a cost effective, flexible force that can be employed in a variety of circumstances.

The Guard's multi-faceted capability was ably demonstrated in the aftermath of the terrorist attacks of September 11th 2001.

Immediately after the attacks, the National Guard responded. Air National Guard assets took to the skies to secure our airspace and other National Guard forces were quickly sent to the World Trade Center and the Pentagon to assist with security and recovery efforts. Soon after, the President asked the Governors to secure critical US airports. In a matter of hours, they responded by deploying their Guardsmen in title 32 status at over 440 airports. In addition, many of the states' governors ordered their Guardsmen, in State Active Duty status, to secure critical infrastructure facilities within their states, such as bridges, power plants, and government buildings. Many of those missions continue today.

Other National Guard personnel were activated in twelve states, under title 10, to augment security along our national borders. Their mission was to ensure that commerce continued to flow while our vital border security interests were protected. These homeland security missions and others were conducted simultaneously while Army and Air National Guard forces were deployed for peacekeeping and stabilization actions in the Balkans and elsewhere, and as a critical part of the War on Terrorism. The Guard has also been mobilized to perform force protection missions in the United States in support of preparation for possible war with Iraq. As expected, the National Guard has conducted and continues to conduct all missions in an exceptional manner.

As we move forward, it is apparent that the National Guard will be increasingly involved in all aspects of the Homeland Security mission. The Homeland Security areas we focus on include:

- Combating terrorism
- Defense Support to Civilian Authorities
- Responding to the domestic use of chemical, biological, radiological, nuclear and high-yield explosives
- National Missile Defense
- Critical Infrastructure Protection
- Information Operations
- Protecting the Nation's Sovereignty.

Defense support to civil authorities includes domestic disaster relief operations in response to wild fires, hurricanes, floods, and earthquakes. It also includes consequence management assistance following a terrorist incident employing a weapon of mass destruction.

The Future of the National Guard in Homeland Security

The fight against terrorism and the protection of our homeland is expected to be a protracted endeavor much like the Cold War. To that end, many policy experts, reports, and studies have advocated an expanded role for the National Guard in Homeland Security. While some have suggested that the National Guard should be reoriented, reequipped, and retrained for the Homeland Security mission, the reality is that the National Guard is an integral part of the Army and Air Force Total Force mission capability and that role is vital to the survival of the nation. The threat posed by well-financed, sophisticated and determined international terrorist groups has raised the bar as to what the National Guard must be able to do. While the National Guard will continue to maintain a high state of readiness for overseas operations, it must also better prepare itself to respond to the Homeland Security mission within the US, the District of

Columbia, Puerto Rico, and the US possessions and territories. The National Guard can meet the increased demands of the Homeland Security mission while still maintaining its ability to execute its Total Force requirements.

EMPLOYER SUPPORT OF THE GUARD AND RESERVE

Employer support for employee participation in the National Guard and Reserve remains an area of great concern. Employer support is absolutely critical to recruiting and retaining quality men and women for our Reserve component forces. Building employer support requires a strong network comprised of both military and civilian-employer leaders, capable of fostering communication, education and an exchange of information. Employers' understanding of their legal requirements concerning support for Guard and Reserve employees is imperative.

The National Committee for Employer Support of the Guard and Reserve (ESGR) is the Department's primary office for outreach and education to employers. ESGR coordinates, trains, funds and directs the efforts of a community based national network of over 4,200 volunteers, organized into 55 committees located in every state, the District of Columbia, Guam, Puerto Rico, the Virgin Islands and in Europe. ESGR has developed and implemented new training programs for their volunteers, planned new industry symposia to bring together industry segments with military and Department leaders, expanded their presence at industry conferences, and further developed and enhanced their partnerships with the National, state and local Chambers of Commerce, and local and national human resource organizations.

Although we established a Guard and Reserve Employer Database in late 2001 in which reservists could voluntarily provide information about their civilian employers, we were having limited success in populating the database. However, information about the civilian employers

of reservists is necessary for the Department to meet its statutory responsibilities to consider… "civilian employment necessary to maintain national health, safety, or interest" (10 USC, Sec. 12302) … when determining members to be recalled, especially members with critical civilian skills, and to inform employers of reservists concerning their rights and responsibilities under the Uniformed Services Employment and Reemployment Rights Act.

Last year, we began laying the groundwork for a mandatory reporting program. That effort will culminate with the rollout of a new Civilian Employment Information (CEI) Program by late spring of this year. Under the CEI program, reservists will be required to provide information about their employers. We have been working closely with the Services and the Reserve components in the development of this program to ensure we protect the privacy of reservists with respect to the use of this information about their civilian employers. For example, we would not directly contact an employer about an individual reservist unless the reservist asked for our assistance with an employer issue. But we could work with an employer as part of our broader outreach efforts to inform all employers about the Guard and Reserve.

Populating the Guard and Reserve Employer Data Base is critical in order to clearly focus employer outreach efforts. It will enable us to work closely with the civilian employers who are directly affected by the mobilization of reservists. The use of this program will also assist in other research projects we have undertaken to determine if and when significant problems with employers are emerging. Understanding the challenges civilian employers must address will help us identify steps we can take that will be most beneficial to them—strengthening our employer support program and making service in the Guard and Reserve easier for our members.

In addition to these efforts, other major initiatives include:

- Determining employer attitudes through surveys.

- Developing personal relationships with employers.
- Supplying systems to create ESGR volunteer manpower efficiencies.
- Developing follow-up processes to sustain employer support.
- Providing support at all mobilization and demobilization locations.

The tens of thousands of man-hours from the ESGR volunteers each year determines the success of the program as measured by the employer's understanding of their role in the Nation's defense, as well as their continued strong support of their National Guard and Reserve employees. Those volunteer efforts are true patriotism at work!

EQUIPMENT AND FACILITY READINESS

National Guard and Reserve Equipment

The FY 2005 budget includes $1.6 billion to procure needed equipment for the Reserve components (RC). In the past, the RC relied on cascaded equipment from the Active components (AC) to help the shortfalls, however, given the fact that the majority of the support functions are in the RC, there is little equipment available to flow from the AC. In addition, the equipment that has been recently deployed from both the AC and RC has been exposed to extreme heat and a very sandy environment that is taking its toll on engines, generators, compressors, etc. The normal peacetime usage rate for ground equipment is 3 to 4 thousand miles a year and in the wartime environment it is currently being used 3 to 4 thousand miles a month, a 12 fold increase. With the combination of these two major factors, the life of the equipment is being shortened dramatically from what was programmed in peacetime. We are convinced that only by modernizing the equipment of our Reserve forces will the Department

reap the full potential of a capabilities based force in the future. Key equipment items planned for the RC included in the FY 2005 President's Budget request are:

- Army National Guard and the Army Reserve: Global Air Traffic Management, aircraft modifications, air traffic control, HMMWV, Family of Medium Tactical Vehicles (FMTV), Family of Heavy Tactical Vehicles (FHTV), float ribbon bridges, tactical bridging, generators, and MLRS launcher systems.
- Air National Guard and Air Force Reserve: Aircraft modifications for the F-16, C-5, C-130, KC-135 and HH-60, common aircraft support equipment, tactical communications – electronics equipment, and base information and communications infrastructure.

NATIONAL GUARD AND RESERVE FACILITIES

Military Construction

The FY 2005 military construction investment for new facilities affecting all Reserve components is $590 million and represents approximately 6.2 percent of the Departments overall Military Construction and Family Housing requests of $9.4 billion. The President's Budget request provides new Armed Forces Reserve Centers, vehicle maintenance facilities, organizational maintenance shops, and aircraft maintenance facilities for the Reserve component missions. These new facilities begin to address the needed replacement of the Reserve components' infrastructure in support of military transformation programs. The FY 2005 budget request continues the Department's efforts to improve the quality of life for the Guard and

Reserve which for the Reservist is not normally housing and barracks but rather where they work and train.

Sustainment, Restoration, and Modernization

The Reserve components' FY 2005 facility sustainment, restoration, and modernization (SRM) request is approximately $950 million. The Department continues its commitment toward restoring and modernizing existing facilities. The Reserve components were allocated 95% of their requirements. The recapitalization rate will be continually reviewed to meet the 2008 goal of a 67-year rate. The FY 2005 request reflects a concerted effort by the Department to reduce the SRM backlog and improve the Guard and Reserve facility readiness rating.

CONCLUSION

This Administration views a mission-ready National Guard and Reserve as a critical element of our National Security Strategy. As a result, our Reserve components will continue to play an expanded role in all facets of the Total Force. While we ask our people to do more, we must never lose sight of the need to balance their commitment to country with their commitment to family and to their civilian employer. That is why rebalancing of the force is so critical, the continuum of service is so crucial, and relieving the stress on the force is absolutely essential.

Thank you very much for this opportunity to testify on behalf of the greatest Guard and Reserve force in the world.

Chairman TOM DAVIS. Thank you very much.

General Blum.

General BLUM. Good morning, Chairman Davis and other members of the committee. Thank you for the opportunity to address this body this morning. I ask that my written testimony be entered into the record.

Chairman TOM DAVIS. Without objection, so ordered.

General BLUM. As we appear here this morning before you, there are 149,000 citizen soldiers and airmen employed all over the globe in the current global war on terrorism. For the last 2½ years, since September 11, the National Guard has maintained and sustained that level of contribution to the war fight, both here at home and abroad. The National Guard is no longer questioned about its relevance. Today our worst critics can only call us over-used or essential to the safety and security of our Nation.

The modern day National Guard has been in the homeland defense business now for 367 years. Our homeland defense efforts actually predate us as a Nation. We plan to remain in that effort and we call that "job No. 1" or "priority No. 1."

But defending the homeland is not always done only here at home. Some of that homeland defense has to be conducted, to use a sports analogy, as an away game, or a scheduled away game, where you see us participating with our Active Duty counterparts and the other Reserve components in a joint, multinational, interagency and intergovernmental effort overseas in Iraq, Afghanistan, Kosovo, Bosnia and other places in the world.

We have to change the National Guard, however, because it is not exactly optimized for the current threat that we're facing right now and future threats that we foresee on the horizon. As the modern day National Guard, we can answer no less calls by our Governors to respond to catastrophic events created by either Mother Nature, man-made accidents or acts of terrorism here at home.

But we have to change the National Guard, the way we train it, organize it, and most importantly, the way we resource it, so that it can be an operational Reserve force that can be used in a joint and expeditionary overseas war fight to supplement our active components when necessary. We are not structured correctly to do that today and we are working very hard to move as fast as we can with a great sense of urgency to become a relevant, ready, reliable and accessible force that is needed by our combatant commanders around the world.

The Congress, and its National Guard and Reserve Equipment Account, will remain a very essential tool in helping us accomplish this effort. As you heard Governor Pataki say, and the two previous Secretaries that have testified before me in their opening statements, I am proud to tell you that the National Guard has met every requirement that it has been asked to perform since September 11 and even before that. Service in the National Guard has always been honorable, but it is particularly rewarding today, because we are truly defending our Nation, our way of life, our liberties, our form of government, and our future. And we're very proud to stand and answer the call to do that.

But to do this, I have to tell you, we are committed to transformation. We are changing the Guard from what it was designed

to do what it needs to be designed to do today. We are transforming the Guard today to be a more joint and effective organization from the very top to the very bottom, building it from the bottom up, and that's the essence of the Joint Force Headquarters that were described by Governor Pataki and the Secretaries. We are developing capabilities that will be needed to defend the homeland here at home and to support combatant commanders overseas in the war-fight outside our Nation's borders.

We want to give better predictability to our soldiers, to their families, to their employers, as you heard discussed. And we've built a model for this that we think will accomplish better predictability. Soldiers, their families and employers will know on a more routine basis when they can expect to be called, how long they can expect to be deployed and when they will return home and then how soon again they will be asked to answer the call for another extended duration deployment.

We are meeting the needs of our elected officials and our uniformed leaders. We are meeting the mandate to operate as a seamless organization that can perform both the State mission and the Federal mission and do them simultaneously if necessary and to be able to do this in a joint, interagency, intergovernmental or multinational environment if required. The National Guard is focusing so that it ensures that every Governor and every combatant commander gets the right force mix from the National Guard: the right kinds of units with the right kinds of capabilities; modern equipment that is interoperable, and beyond interoperable—or actually interchangeable parts with our active components, whether it be Air Force or Army, Air National Guard or Army National Guard. We need to redistribute these capabilities so they are resident in every State and territory of this great Nation. We are transforming, along with the Army and the Air Force. This is not an independent effort. We are shoulder-to-shoulder on this. There is no daylight between the National Guard and the active components as once existed.

The Army recognizes that there are 18 divisions in the U.S. Army; 10 on Active Duty, 8 in the National Guard. The U.S. Army hopes to have 84 transformed brigades, 34 of these brigades will be resident in the Army National Guard. We are similarly full partners with the U.S. Air Force and their initiatives to modernize and transform and develop modularity, so that the Air National Guard and the Army National Guard can truly be plug and play elements of our Active Duty counterparts.

The bottom line is, your National Guard is committed to doing what is right for the United States of America. I look forward to answering your questions. Thank you.

[The prepared statement of General Blum follows:]

RECORD VERSION

STATEMENT BY

LIEUTENANT GENERAL H STEVEN BLUM
CHIEF, NATIONAL GUARD BUREAU

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES

ON

TRANSFORMING THE NATIONAL GUARD: RESOURCING FOR READINESS

APRIL 29, 2004

NOT FOR PUBLICATION
UNTIL RELEASED BY THE
COMMITTEE ON GOVERNMENT REFORM

STATEMENT BY

LIEUTENANT GENERAL H STEVEN BLUM
CHIEF, NATIONAL GUARD BUREAU

Mr. Chairman and distinguished members of the Committee, thank you for the opportunity to discuss rebalancing and resourcing the National Guard to be ready for both state and federal missions.

At no time since World War II has America depended more on its Citizen-Soldiers and Airmen. The strength of our National Guard, as always, is derived from the caliber of our Soldiers and Airmen. When we think about what our nation asks these young Citizen-Soldiers and Airmen to do for their communities, their states, and their nation, and how magnificently they have performed here at home and abroad, our hearts are filled with pride.

Our priorities and our vision focus on leveraging the talents, the abilities, the selfless commitment and the enthusiasm of these Soldiers and Airmen. As Chief of the National Guard Bureau, my mission is to communicate between the States and Services to help ensure that they receive the latest training, complete and modern equipment, and an organizational and command structure worthy of their mission and their service.

The National Guard will remain, first and foremost, a provider of ready, trained, and equipped warfighting units to combatant commanders through the Army and the Air Force. Notably, the Guard has always been, throughout its history, a force that spanned the continuum of what we define today as "Homeland Security," "Homeland Defense," and "Warfighting." September 11, 2001 has refocused us on our fundamental responsibility to defend the homeland -- the original mission of the militia -- and revealed the present day efficacy that the founders understood so

well -- that a citizen-based militia is the best force to protect the citizenry from which it is drawn.

The Guard is uniquely suited, like no other entity in the Defense Department, or indeed in the entire nation, to carry out that mission. No other organization has our combination of size, skills, training and experience, dispersion across the nation, command and communications infrastructure, and the legal flexibility to support civil authorities at a moment's notice. In nearly 3,000 communities around the nation, the Guard stands ready today -- as it has since Jamestown was settled nearly 400 years ago.

Support the War Fight--Anytime, Anywhere

We, the Guard, must provide the kind of forces that America needs, when America needs them.

One of Secretary Rumsfeld's key mandates to the Services is to find ways to make the National Guard more ready and accessible in its federal warfighting role. Working in conjunction with the Army and Joint Forces Command, our goal is to dramatically improve the current mobilization and demobilization process. Under current guidelines, it can take several weeks to months to prepare an Army National Guard unit to mobilize and deploy -- compared to the Air Guard model where units deploy in a matter of hours or days. We need to study and adapt the Air Guard model where possible.

We are working with the Army to change its go-to-war protocols. It is no longer practical to follow cold war regimens of train, mobilize, train, certify, deploy. We must move to train, mobilize, deploy. By updating home station facilities, taking advantage of new technologies, and increasing readiness, we hope to create a new 21st century minuteman.

The Guard must and will continue to operate across the full spectrum of national security missions. But, new asymmetrical threats call for a different kind of warfighter and different mission systems. We need to be smarter, lighter, more agile, and more lethal.

The National Guard force structure does not stand alone unto itself, but rather represents a 34 percent slice of the total Army manpower and approximately 34 percent of the total Air Force aircraft. As ongoing operations abroad reveal the need to rebalance the types of units in the Army and the Air Force, the Guard will be a leader in embracing this change. We, like the active component and reserves, must change. We are working closely with the Army as we move to a balanced, modular force. Similarly, through Vanguard, we are working with the Air Force to meet the aerospace needs of the future.

Homeland Defense--Here and Abroad for over 365 Years

We are this country's longest lasting, longest serving military organization; we predate our nation. Today, the National Guard is ready to write a brand new page in its long and heroic history, and get the mission accomplished.

When you call out the National Guard, you call out America's joint home team.

The Guard was there when it was needed, demonstrating the flexible accessibility inherent in the unique multi-status roles of the Guard. Our Homeland Defense and Security roles mandate that we be capable of seamlessly operating in federal and state intergovernmental and interagency roles. September 11th and its aftermath are illustrative of the

Guard's new operating environment and its unique flexibility to respond to our nation's needs.

Within 24 hours of the attack on the World Trade Center, more than 8,000 members of the New York Army and Air National Guard were on duty in State Active Duty status. Within 72 hours of President Bush's request to the Governors, Guardmembers were assisting civil authorities in protecting U.S. airports (USC Title 32 status). As security of our skies became paramount after September 11th, the Air National Guard logged more than 30,000 incident free, fully armed combat air patrol missions (USC Title 10 status) over the United States.

Congress funded the formation of joint Weapons of Mass Destruction Civil Support Teams within the National Guard beginning in 1999. These units were designed to provide direct assistance to civilian emergency responders in the event of a chemical, biological, nuclear or radiological attack upon the homeland. Few in numbers and still in their operational infancy in 2001, nevertheless it was one of these units -- New York's 2nd Civil Support Team -- that became the first of its kind to respond to a known terrorist incident. At Ground Zero the team sampled the air to ensure that no biological or chemical contaminants were present and provided critical communications capability to the overall effort at the scene.

Since September 11th, National Guard Weapons of Mass Destruction Civil Support Teams operate daily in communities throughout the nation. They are in a unique position to provide emergency community response with full communications capability to the local, state and federal levels. Moreover, they are actively involved in planning and integration of Guard assets in local and state emergency plans.

Currently, we have 32 fully certified Weapons of Mass Destruction Civil Support Teams. Congress recognized the urgent need to expand that number, and 23 teams are scheduled to stand up in the next four years, beginning with 12 this year alone. The Guard has initiated several dramatic new programs that will further increase and improve our Homeland Defense capability, and at the same time enhance our ability as warfighters.

We are actively pursuing the following initiatives:

- Organizing 10 Enhanced Response Force Packages. These forces will consist of a National Guard Civil Support Team, an enhanced division medical company with a 150-person per hour decontamination and treatment capability, an enhanced engineer company with specialized search and recovery equipment, and a task-trained combat unit capable of supporting law enforcement. These force packages will meet a previously identified Northern Command request for capabilities.
- Expanding National Guard involvement in Ground-based Mid-course Missile Defense, Cyber and Information Operations, Space, and Intelligence Operations for both the Army and Air Guard. One model we hope to emulate is the Guard's highly successful experience in manning Nike missile batteries in the 1960s and 1970s. At that time, traditional and full-time Guardsmen served together in units under State control, with self-activating orders that automatically brought them into a Federal status when the enemy attacked.
- Creating National Guard Reaction Forces through dual missioning and training of existing units. These units will be immediately available to State and Federal governments and for Homeland Security purposes. Being stationed throughout the United States

they are effectively "forward deployed" for such a mission. The units will retain full war fight and homeland security capabilities. These forces will also meet a previously identified Northern Command request for forces requirement.

We are expanding our interagency and intergovernmental efforts and look forward to increased cooperation between the National Guard, the states and the Departments of Homeland Security and Defense. We are participating in exercises and planning at state and local levels, and we have shared our Automated Exercise and Assessment System with them. We are working with the national emergency responder and management associations as well.

The National Guard has a significant number of units capable of "dual-use" -- that is to say, the combat skill sets in these units are directly applicable to peacetime domestic support operations. We have developed a force management model that will help us to ensure that sufficient appropriate forces, properly resourced are available to the Governors for State, Homeland Defense and support to Homeland Security missions.

We will leverage the units, training and resources in our existing war fight capabilities to expand and enhance the roles we can perform in homeland security. We will make smarter use of force structure and make minor modifications to mission essential task lists to geometrically increase capabilities. We will provide homeland defense capabilities in force packages, built from standardized warfighting units. By doing this in our role as a *state* military force, we will raise the threshold at which commitment of *federal* military resources to non-warfighting tasks becomes necessary.

Transformation for the 21st Century--Relevant, Reliable, Ready and Accessible

Transformation is a state of mind. It is about how we think, organize and approach the future. We are transforming our headquarters and our capabilities to shape our future. We reorganized the National Guard Bureau from three separate organizations into a joint organization effective July 1, 2003. We streamlined and flattened the organization, making it more efficient, capable, and aligned its staff functions and responsibilities with those of the Joint Staff and the combatant commanders.

We have undertaken aggressive employer and family programs. The three-legged stool of the Guard and Reserve – Service member, family, and employer -- is only as sturdy as the weakest leg. We are talking with the nation's major employers and the states are aggressively doing the same with employers in their area. Our family program was the model on which the entire Department of Defense program was based, and we continue to work to address the information, emotional and support needs of our families. To that end, I have authorized a position in each state to specifically deal with employer support.

The State Adjutants General consolidated 162 State headquarters organizations into 54 doctrinally aligned Standing Joint Force Headquarters -- creating, effective in October 2003, a single joint force headquarters in each state for all Army and Air Guard activities. This will ensure a rapid and coordinated response to any emergency, making the National Guard more versatile, relevant, and able to meet our national security challenges.

Our joint team will become seamless with the other five services -- the Army, Navy, Air Force, Marine Corps, and the Coast Guard -- and their reserve components as well. It will be capable of meeting active component requirements and serving as an integrator for active component and reserve component consequence management operations. Together with our sister services, we will fight and win this war on terrorism both here at home and abroad.

Readiness is a product of resources for personnel, equipment and training. We must focus our training on the myriad missions we will be asked to perform, and we -- the National Guard Bureau -- must obtain the resources necessary for the Soldiers and Airmen to accomplish the mission.

Some of the changes contemplated will require the cooperation of Congress in amending existing law.

Because of its increased relevance, the National Guard Bureau should be organized so that, unless otherwise directed by the President or SECDEF, the senior officer of the Army and the Air National Guard of the United States on duty with the National Guard Bureau should become the Acting Chief if the office is vacant or if the Chief is absent or disabled. This change is necessary because of the position elevation of the Directors of the Army and Air National Guard to Lieutenant General, without a concomitant promotion of the Vice Chief of the National Guard Bureau. Similarly, the Vice Chief of the National Guard Bureau should become the Director of the Joint Staff of the National Guard Bureau. This designation reflects the roles and functions of this individual within the National Guard Bureau's joint organization.

Conclusion

We are transforming the Guard in all domains -- the way we fight, the way we do business, and the way we work with others -- to provide the Guard America needs today and tomorrow.

Training must produce enhanced readiness, immediate accessibility, and individual and unit capability to conduct operations at home and abroad.

We have approached our transformation in an open, collegial manner, talking with all affected stakeholders including the Governors and working as a team -- Adjutants General, National Guard Bureau, Army, Air Force, Office of the Secretary of Defense, the Joint Staff and others -- to do what is right for America.

As we look forward to the new fiscal year, the National Guard is enthusiastically engaged in planning, programming, and executing the extraordinary changes that are ahead. We are evolving in ways that will allow us to accomplish our state and federal missions more efficiently than ever before, as we design mechanisms to seamlessly operate in the Defense Department, interagency, and intergovernmental environments.

The National Guard will continue to defend our nation, both at home and abroad, in both its state and federal capacities, as it has for 367years. It will continue to serve as the reserve component without peer in the world. This is our birthright -- it is the legacy of the Minuteman.

Chairman TOM DAVIS. Thank you very much. General Love.

General LOVE. Mr. Chairman, distinguished members of the committee, on behalf of General Everhard and the men and women of the U.S. Northern Command, thank you for the opportunity to be here to discuss the National Guard's role in the vital issues of homeland defense and homeland security.

As you've heard from Secretary McHale, Secretary Hall and Lieutenant General Blum, every Department of Defense office and headquarters charged with defending our homeland has looked very carefully at the role the National Guard should play in deterring and preventing attacks on our homeland and mitigating any attacks that might occur. The National Guard Bureau, under the guidance and direction of General Blum, has begun a number of what I believe to be critical initiatives to respond to the realities of our post-September 11 world.

Historically, the National Guard headquarters in each State has largely acted to fulfill the services and needs to organize, train and equip airmen and soldiers to fight our Nation's war somewhere other than in our homeland. It was always an additional mission to provide Guardsmen to meet the needs of their States in responding to natural disasters. That response seldom called for skills other than those war-time training had already provided.

All of our assumptions regarding the use of our core war force and Reserve were predicated upon the United States having and retaining the initiative as to where to fight and when to fight. This is not the case with the global war on terrorism. We no longer have the initiative, and we must be prepared to respond anywhere within our homeland, knowing that any delay in that response may be a loss of lives, and those are American lives.

The National Guard has deployed in 3,300 locations across our Nation. Wherever a terrorist attack may occur, it is likely that the National Guard will be the first military force on the scene. The response to a terrorist attack will not be analogous to the response to a flood. It will require specialized training at a corporate as well as a unique command and control structure that is responsive to the realities of a WMD attack.

By any measure, this change is through transformation. The National Guard headquarters in each State must now deal with its historic roles to organize, train, equip and deploy, it must now be an operational headquarters that provides not only a response to a crisis in their State but provides NORTHCOM and the Nation with a clear picture of what has happened and what is needed to save lives and property. We must examine closely the statutory authorities under which the National Guard responds to an attack in our homeland and how best it may be utilized to prevent those attacks.

We at NORTHCOM are looking closely at changes that may be necessary in Title 32 of the U.S. Code. We believe that certain circumstances may dictate that National Guard units should perform homeland defense or homeland security duties in a Federal status other than Title 10. It may be far more effective for the Guard to remain under the command of the Governor of a State as opposed to being Federalized and placed under the command of NORTHCOM. Guardsmen know the local territory, know the local

first responders, exercise with those who will be engaged on the part of the State emergency response system, and under Title 32 utilization, can be accessed far more quickly.

Response in the homeland is all about speed. We cannot wait for help from afar if there is help close at hand. We must train and equip that help so it can offer the kind of assistance that is needed and so it can do so with proper training and equipment. If the mission is a Federal mission, we must find a way to budget for that mission and make those funds available to a Governor to pay his or her Guardsmen.

Of course, States must assure the Congress that its appropriations are being used as it directs. But that's not a complicated undertaking. The Guard performs counter-drug missions in a similar manner, and that program has worked well for 15 years.

The war on terrorism demands that we look for innovative ways to utilize those forces that are closest to any crisis. That said, it is not really innovative at all. The National Guard has been responding to crises in their communities for more than 367 years, since 1636, when the Massachusetts Militia mustered in December of that year in Salem.

Mr. Chairman, thank you for the opportunity to testify today and thank you and your colleagues for your continued commitment to armed forces.

[The prepared statement of General Love follows:]

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HOUSE COMMITTEE ON GOVERNMENT REFORM

STATEMENT OF

MAJOR GENERAL JOHN A. "ANDY" LOVE, AIR NATIONAL GUARD

SPECIAL ASSISTANT TO THE COMBATANT COMMANDER

UNITED STATES NORTHERN COMMAND

BEFORE THE

HOUSE COMMITTEE ON GOVERNMENT REFORM

29 APRIL 2004

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HOUSE COMMITTEE ON GOVERNMENT REFORM

Chairman Davis, Congressman Waxman and Members of the Committee:

On behalf of Gen Eberhart, it is an honor to appear before this Committee and to represent the outstanding men and women of United States Northern Command (USNORTHCOM). Thank you for the opportunity to discuss the progress USNORTHCOM is making in working with the National Guard toward structure, procedures and authorities for homeland defense and civil support missions.

We believe the best way to protect Americans is to defeat terrorists as far away from our homeland as we can. We want to engage our enemies in "away games" like U.S. Central Command is doing in Operations IRAQI FREEDOM and ENDURING FREEDOM. We want to take the fight to those who threaten our way of life and our freedoms.

Although we have the advantage during "away games," we are also prepared to win the "home game" by protecting, defending and defeating threats against our Nation. An area of significant focus is the 500-mile "buffer" zone offshore. These approaches to our mainland do not have the level of real-time surveillance we believe is required to detect and interdict threats. Therefore, we are looking at ways to interdict terrorists or other enemies operating in these critical areas. Of note, we are encouraged by a technology demonstration to determine the potential of high altitude airships to look over-the-horizon throughout North America and out from our coastal waters for air, ground and maritime threats.

We are working with the National Guard Bureau to improve the ability of the National Guard to support homeland defense and civil support missions. In addition, the National Guard is evaluating how it might tailor its forces to meet the needs of the States and defend our Nation.

Following are some National Guard initiatives we believe would enhance USNORTHCOM's ability to respond to national security threats.

- **Joint Force Headquarters (State).** Transforming the National Guard State Area Command Headquarters in each state and territory into a Joint Force Headquarters (State) would provide a well-placed command and control capabilities for situational awareness and immediate response throughout the United States.
- **Chemical, Biological, Radiological, Nuclear and High-Yield Explosive (CBRNE) Enhanced Response Force Package.** The National Guard is organizing, equipping and training existing units to create regional CBRNE Enhanced Response Force Packages that provide capabilities for mass decontamination and rescue and to fill the gap between first responders and the arrival of more robust Department of Defense forces.
- **Joint CONUS Communications Support Enterprise.** The National Guard is evaluating the feasibility of a Joint CONUS Communication Support Enterprise using existing communications capabilities. This system would provide USNORTHCOM with access to near real-time information on local and state events and enhance our ability to identify potential requirements.
- **Quick and Rapid Reaction Forces.** The National Guard proposes to use existing National Guard forces to meet immediate requirements within each state and, if required, to provide Quick and Rapid Reaction Forces in support of the Commander, USNORTHCOM. These forces would alleviate part of the strain placed on the active duty components. We envision these units would act under Title 32 status while on alert and have "hip pocket orders" to convert to Title 10 status, if required.

These are a few of the initiatives we are pursuing with the National Guard to enhance unity of effort. We hope to take full advantage of the fact that the National Guard is forward deployed throughout America and is located in 3300 armories and Air National Guard facilities.

We appreciate your support and commitment to our mission, as well as to our servicemen and women. Through your efforts, the United States is better prepared to face terrorist threats. USNORTHCOM will continue to improve our capabilities to protect and defend this great Nation. I look forward to your questions.

Chairman TOM DAVIS. Thank you very much.

I thank the panel for your testimony. We will move into questioning. We'll start first with the gentleman from Indiana, Mr. Souder.

Mr. SOUDER. Thank you, Mr. Chairman.

I first want to make sure I get a couple of comments on the record, if we have to get the answers written, I'd appreciate it. First, I want to thank Secretary McHale for his comments on narcotics. It's impossible to do that task without the assistance of the Department of Defense. On JTF6, there is an interrelationship where the training of our Guard and Reserve and military component is absolutely essential to our south border.

If we're long-term going to protect our homeland security on the south border, I mean, right now a million people are making it across. That's why we need immigration reform, we need a number of things. But the bottom line is, we are not secure at all there. And without your help, it would be inconceivable even to do it.

I want to raise again, and we need your particular help, we've raised this with the Department of Defense, in the Barry Goldwater Range in the southwest part of Arizona, we have a problem with, we don't have aerostat protection, we have high yield monitoring that can feed in, but we need low level. The U.S. Customs, which is now your homeland security, wants to fly planes there in a 5 mile radius, like they do the rest of our border, but have not because it's an Air Force training range.

But the jets shouldn't be that close to the international border anyway, or we'd have a problem. We need to get this worked out. We have repeatedly been told, well, we're working on it, but we need a solution, because what's going to happen is, we squeeze other parts of the border, illegals, not to mention narcotics trafficking, is going to push into that range. And the first one that gets killed, you are going to endanger your entire training facility there. We have to secure that portion of the border, not only for other reasons in the United States, but for even keeping our range open. We really need your help on the Air Force range. But I thank you for raising the narcotics issue.

I want to mention a couple of other things, and then if the chairman indulges, maybe you can raise it. I have heard from the Guard and from the manufacturer that the Humvees that the Guard takes over to Iraq are being left there because of shortages of the Humvee, and I want to know if this is true, because it's going to long term impact our training with Guard people in the States if we're having to leave the Humvees in Iraq. If it's true, which we have heard from a number of different people in a number of different places, then are you requesting more Humvees for Guard and Reserve training?

Second, I was pleased to hear that you are trying to get better at communicating to our groups long term whether they're going to be deployed again, not only the first time. But I want to raise a couple of questions. My understanding is that 60 percent have not been utilized. A logical question would be, before others go back, will that 60 percent be utilized, or are we talking about some of these units didn't have, didn't get 100 percent utilized and the 60 percent of the Guard that hasn't been utilized in fact may be in

that unit, and if that unit's called up, they may not be utilized again.

In other words, I just had a group that's been forward deployed of 700 Army Guard in Fort Wayne, IN that was a specially trained battalion. Are we adequately communicating? Will that group be called up again because of its special training? I have a Reserve group that is going up over to Afghanistan, they may already be in flight, it's within the next day, that they haven't been forward deployed since Alayat Gulf. But they are the only artillery ammunition support group going into Afghanistan, in place of all the other units on the ground.

It seems to me, if our premise is correct, that many of us feel that the war on terrorism is not going away and we are going to use Guard and Reserve, certain specially trained units for short need may be facing some serious redeployment, even if you have 60 percent that aren't. Could you elaborate on that, because we need to be able to look at, should we have specially targeted benefits for those who are higher risk, how do we communicate this, if you join certain units? Because it doesn't seem to be an even deployment list in the combat zone.

Mr. HALL. I certainly would take a couple of them.

You hit upon the exact problem that we have. As we analyzed the force over the past 19 months that I've been there, we have discovered that we have used about 28,000 of our people over and over again, two, three and four times. And that's about 3.3 percent of our force. But they're in specialties like civil affairs, military police, air traffic control. So it is very clear to us that we need to rebalance.

And within that 60 percent that we mentioned are many of the specialties that are not required today. So we have an excess of artillery. So the services are all recommitted to balancing 100,000 billets and taking the specialties that were targeted toward the cold war that are not used in today's warfare, moving these over, building a bigger base so that we don't have to continually call up the same people all the time.

As of this year, we're about halfway there. We have 50,000 billets, 10,000 in 2003, 20,000 in 2004 and 20,000 in 2005. We have another 50,000 to go, and the services are moving as fast as they can to convert those kinds of specialties, and one of the areas is excess artillery. So we're concerned about that. We want to minimize the stress, and we certainly, every time we mobilize a unit, one of the things my office asks is, when were they mobilized before, how long ago and are there other alternatives we have other than remobilizing them, either through other services, through the joint solutions.

So that is always part of that equation. We want to reduce that stress on the force.

With respect to the Humvees, I think you are absolutely right, that there are ones that are being left there. I think it's a question that all the chiefs, including General Myers, have looked at. If there are not enough, do you want them where the actual combat was going on, rather than the training. The answer is, you'd like them both places. As you know, the industrial base is pushing as hard as it can to get the armored Humvees out. But right now they

are kept there, so that the people participating in combat can have them. We certainly would like to have them at the national training center and other places, and we're moving toward getting those for training.

Mr. SOUDER. I want to clarify something for the record there, because this is important to Members of Congress. If somebody, the AM General facility that makes the Humvees is at the edge of my district, it's not in my district, but my district is the biggest parts supplier. They can produce more. They can produce 150 more a month now, up-armored. The question is, are you going to allocate the funds to do that and is the administration going to request that.

Mr. HALL. I will certainly take that for the record, sir, that they have that capacity. And I don't know if General Blum has any comments on the Humvees or not.

General BLUM. My comments on the up-armored Humvees would be this. The National Guard has shipped overseas every single up-armored Humvee that we controlled in the United States of America, so that the soldiers in harm's way have the best protection to perform their mission. I don't want to see an up-armored Humvee in the United States of America until every single one that's required overseas in the warfight is delivered into the warfight.

I cannot speak to what AMC can produce or what the Congress wants to provide in the way of funds and who's going to request it. But I will tell you, with the assets that I control, I put the protection of soldiers No. 1, and I put that protection in theater where they need the protection. Thank you.

Chairman TOM DAVIS. Thank you very much. Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman.

D.C. National Guards, the Guardsmen trucking company where we lost one man, came home yesterday, we had a big ceremony, and I am one of their greatest supporters, have great appreciation for them. I'm going to ask Mr. McHale to help me to get for the District of Columbia what Mr. Pataki indicated in his testimony has been so helpful to him, and I quote from you, we need to ensure that troops activated under Title 32 status remain under the authority and control of the State's Governor to ensure maximum flexibility and effective deployment.

The D.C. National Guard comes totally under the President of the United States, it's as if this were 1800. It's really dangerous today to have a situation in the Nation's Capital where the kind of flexibility that Mr. Pataki testified to is not even possible here. I have a bill to put the National Guard under the mayor. At least this city, which must be target No. 1 in the world, ought to have the kind of flexibility as Mr. Pataki. I'm going to ask you to work with my office to try to get some of that flexibility here in the Nation's Capital, where more is at stake than the, not only the 600,000 people who live here, but the entire Federal presence as well. That flexibility is simply not available to us.

My question really goes, however, to the mix. I very much appreciate what you are trying to do with the National Guard. It's almost like zero budgeting. Gentleman, I think you may as well start over again. It's the old concept of the militia, which we are operating under, just lay aside, begin in the world of post-September 11,

particularly since I understand that within a few months you may have as many as 40 percent of the National Guard in Iraq. Nobody contemplated that, even a year ago.

In Mr. Pataki's testimony, by the way, the GAO graph showing this escalation of the Army National Guard—nobody believed that these men and women were prepared for this kind of escalation in combat. And in contrast to your testimony, the GAO, let me read from the GAO, it says, DOD has not fully defined requirements, readiness standards and readiness measures for the homeland security missions it will lead or support. The Guard's readiness, preparedness specifically for homeland mission is unknown.

Then it says, this is my concern, based on concern that continuing deployments reduce the Guard's preparedness and availability for all its homeland security and natural disaster missions. Now, Mr. Pataki was brought here this afternoon, he is totally unrepresentative of the Governors of the United States at this point, wonderful testimony. But there's no doubt he called General Blum's name over and over again, there is no doubt that following September 11 you were careful about what you did with the National Guard in the State of New York. And I hope that the next time we will have a more typical Governor here, so we can really find out what is happening with the Governors.

At least for example, in neighboring New Jersey, 70 percent of the National Guard has been deployed. In this city, 40 percent have been deployed. These folks are in Iraq. Now, the Governor testified proudly since he's been Governor, he's been Governor for 2 terms, 8 natural disasters, 4 plane crashes, 11 crippling blizzards, 2 major wildfires, etc. We just had a terrible hurricane, Hurricane Isabel. It is very hard for me to believe we had a representative Governor here. He would be able to say, particularly since there's no doubt he wouldn't have been given the special consideration that New York was entitled to, that he could handle any disaster that came forward.

I need to know, particularly in light of what the GAO has said, even about the definition of requirements. I need to know, I find a real contrast with you on the testimony. I need to know what we're supposed to do on the home front, when these are deployed in Iraq, we've got them deployed also for homeland security, and then they're supposed to deal with disasters as well. I still have no understanding of how this in fact is going to occur, how long it will take you to get to this rebalanced National Guard, or how a typical Governor is supposed to operate during this period when that Governor happens not to be of New York State.

Mr. MCHALE. Congresswoman, if I may, what I'll do is divide your question into a couple of different parts. A portion of your question falls within the area of responsibility that has been assigned to me, a portion of the question is really within the area of responsibility assigned to Secretary Hall and General Blum. But let me take the part for which I am accountable.

With regard to the command and control of the D.C. National Guard, the first part of the comment that you raised, in order to achieve a closer partnership between the Department of Defense and the operational requirements assigned to the D.C. National Guard, there is an ongoing review, not yet completed, within the

Department of Defense that would consider the possibility of transferring that responsibility from one individual to another.

You correctly noted that ultimately the President of the United States is responsible for the Federal missions assigned to the D.C. National Guard. And——

Ms. NORTON. And the President can nationalize any National Guard.

Mr. MCHALE. I'm sorry?

Ms. NORTON. And can nationalize any National Guard he wants to.

Chairman TOM DAVIS. The gentlelady's time has expired, so answer the question and we need to——

Mr. MCHALE. I'll make it very brief, Mr. Chairman. What's underway right now is the possibility of transferring the responsibility from the current executive agent, who is the Secretary of the Army, and who has had historically the same responsibility with regard to the D.C. National Guard that a Governor of a State would normally have with regard to his or her National Guard.

The person or the office that is being considered is a transfer from the Secretary of the Army to my office. My office was created by Congress last year. It has overall supervision of all the homeland defense responsibilities of the Department of Defense. And there is a possibility that responsibility would transfer from the Secretary of the Army to me or to my successors.

I have met with Mayor Williams, I have talked to him about the responsibilities in the D.C. Guard. We are eager to make that an effective partnership.

Second, with regard to homeland defense mission, we agree with the GAO assessment that those missions have not yet formally been defined within the necessary documents. However, that's because we're new. NORTHCOM is new capability, my office is brand new. What we have done operationally is define those missions, and pursuant to the strategic planning guidance that's been reviewed by the Department of Defense, by June of this year we must develop and publish a comprehensive strategy for homeland defense, which in turn will define the requirements that are necessary to support those missions.

Frankly, there won't be many surprises. The missions that we will be including are important missions that we have developed during the past 2 years. The air caps that protect our air space, critical infrastructure protection and the involvement of the National Guard in meeting that mission requirements, the CSTs, 32 of which we now have, an additional 23 I believe are scheduled over the next 2 years, including 12 within the next year.

The missions are well understood by NORTHCOM. Many of them are being executed today. And the document reflecting the development of those missions will be published by June of this year.

Chairman TOM DAVIS. Thank you very much. Let me——

Ms. NORTON. Could the other part of my——

Chairman TOM DAVIS. The chairman is going to make a comment. We asked a number of Governors to appear, including the Governor of New Jersey, Ms. Norton. We asked the Democratic Governor of Michigan to appear as well. We asked the Democratic

Governor of Virginia to appear. We would have had a panel had we had—I'm very grateful we had Governor Pataki, because not only did he have September 11, he's one of the longest serving Governors in the Nation, he's had blackouts, he's had transportation, weather issues and everything else. And I think we're—I take exception to that statement. He came here on his own accord, and I think sitting here and bashing him is really not appropriate.

Ms. NORTON. Mr. Chairman, I didn't bash——

Chairman TOM DAVIS. The gentleman from Virginia.

Ms. NORTON. You have made a personal attack on me——

Chairman TOM DAVIS. I was answering something, Ms. Norton. We gave you 5 extra minutes.

The gentlelady from Tennessee.

Mrs. BLACKBURN. Thank you, Mr. Chairman, and thank you to our panel. I appreciate your willingness to come and visit with us on these issues today.

The health of the National Guard, the strength of the National Guard is very important to all of us. I have two questions. My first question I am going to direct to Mr. Hall and General Blum and then, Mr. McHale, I will come to you with my second question. I do want to be brief in consideration of everyone's time.

One of the things I am very concerned about, Mr. Hall and General Blum, is the 168th out of Lebanon, TN, which is military police. We have talked a lot this morning about predictability, about readiness and the quality of life with the families. And Governor Pataki was very forthcoming with what he's doing to address those issues in New York.

The 168th out of Lebanon was activated in December 2002. They were deployed in June 2003, and they are the group that just got extended for another 90 to 100 days. And this is a great concern to us because of the families that are involved and the length of this deployment. We know that retention and readiness is important. But I think, I'm very concerned for the families of the 168th and how this lengthy deployment does affect them.

What I want to know is what you plan to do as you restructure that will keep that from happening again. Then Mr. McHale, for your answer, the question I would like for you to answer for me, as we look at this restructuring and we talk about having missions that are complementary, mutually reinforcing, the one thing we've not focused on a lot in this hearing is, going forward with the implementation, what is the estimated cost of stepping up the readiness. And as we talk about cost, are you looking at a 5-year frame or a 2-year frame? Have you given an estimate to the restructuring on the increased time and what that increased training time is going to cost us? The different units, the equipping of these and how, what that cost is going to be.

So backing it up, Mr. McHale, I'll ask you to speak to the cost, but first, Mr. Hall and General Blum, if you will address the restructuring, to keep from happening what is happening with the 168th.

Mr. HALL. We are all very concerned with having to have that extension. We worry about the families. I spent 34 years in the military, deployed all the time as an Active Duty person, and I

worried about my family at that point, and we are continuing to do that.

That decision was made because the combatant commander felt that he needed to have it, and as Secretary Rumsfeld and General Myers said, we have to provide him the force. So it was a very difficult decision. We have over 6,000 Guardsmen and reservists, including the ones you mentioned, who are involved in the 20,000, both the Guard and the Army Reserve are having town halls, meeting with the families, dedicated to every month reconnecting with the families, trying to help them and give them as much assistance as we possibly can.

What we're doing to prohibit this or to mitigate it for the future is what I mentioned earlier, we are restructuring, and in this case, building more military police, 18 provisional battalions, I'll let General Blum talk about it, from excess capacity and artillery and others. We want to build a larger base so that we don't have to go back and touch the same groups or extend them.

So we're accelerating that rebalancing and building more military police, because we know for sure, in conflicts in the future, military police are going to be needed and we need to build a larger base. So that's a major focus point, along with civil affairs. I'll ask General Blum if he will add something.

General BLUM. Congresswoman Blackburn, you're absolutely right. Nobody liked what happened to the 168th. Nobody wanted that to happen. Unfortunately, we're in a war where we don't control all of the conditions. Unfortunately, they have a special skill set that is in short supply and was needed a little bit longer in theater to keep the mission in theater from becoming at risk.

Those soldiers, because they are so superb, because they are so well trained, because they have such good situational awareness and have been conditioned to the environment, they are hugely effective and very valuable to the combatant commander on the ground. The combatant commander asked for a very small number. Now, if you're the one that is, that number is one too many. If you're the family member or the employer or the service member that's been extended, then even that one, that's one too many.

But it's a very small number of units and National Guardsmen that have been asked to extend beyond the already-extended 1 year boots-on-the-ground policy. They will be there as short as possible. I am in communication with the ground commander almost weekly to make sure that they are closely examining the absolute necessity and requirement for the 168th to stay in theater. They will be released as soon as they can possibly be released.

To answer your question directly, how do you keep that from happening again, I have to develop the right kind of capabilities in the right numbers of units distributed across the Nation so that Tennessee doesn't have to pay or bear an unfair burden in the defense of this Nation. And right now we're not set up exactly perfectly to optimize our "shelf stock," to use a civilian term. I need more "shelf stockage" of the right kinds of units and capabilities in the right modularity. We're attempting to develop as fast as we can.

We have converted 18 artillery units from around the country and this month they will be certified as military police units. Then

they will be available to go into the rotational base, so that I can get, when the 168th comes home, I can look those citizen-soldiers in the eye and tell them and their families and their employers they will probably not have to face another extended duration overseas call-up for about 5 or 6 years. That's the best I can do. I won't have that perfect probably for another 24 months. But we will be in a much better position by the end of this month to provide additional MPs into subsequent rotations, which means to the 168th they don't have to go back so soon.

Chairman TOM DAVIS. Thank you. The gentlelady's time has expired.

The gentleman from California, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman.

Before I raise my point, let me express my admiration for the work all you gentlemen are doing. You know we are fully supportive of what you're doing.

In the 24 years I've served in this body, I have been involved in many policy disputes. But I've never had an inexplicable dispute with an administration spokesperson that I have in this instance. So let me try to frame my question with great respect, but in the hope that I will get a straight answer.

The National Guard Association of the United States wrote me a letter signed by Richard Alexander, Major General retired, thanking me for introducing H.R. 1345. I will just read a paragraph from this. Thousands of Guardsmen and women are currently being called to Active Duty in support of the ongoing operations in Iraq, supporting the global war on terrorism, defense of the homeland in addition to the multitude of other State and Federal operations and missions normally performed.

Many members of the National Guard are experiencing financial hardships when they serve their country for extended periods of time, due to the difference of income between their civilian and military pay. H.R. 1345, which is my legislation, will help mitigate financial loss by making up the difference between a Guardsman, civilian and military salaries.

Mr. Hall, since you have been the most articulate and vociferous opponent of my legislation, let me ask you to explain something to me which despite my best effort, I'm incapable of comprehending. You and your superiors all the way up to Secretary Rumsfeld are full of praise for private companies when they do exactly what my legislation calls for by the Federal Government. I have a whole list of quotations from a very large number of important people like yourself, showering praise on private companies for doing exactly what my legislation calls for.

Yet, incomprehensibly and illogically, you are vehemently opposed to a legislation which is totally non-partisan in character and that would help enormously in recruitment, retention, morale, in every conceivable arena that you as a responsible officer are interested in. Now, please explain to me how can you praise a private company for voluntarily introducing the precise provision my legislation mandates the Federal Government to do?

Mr. HALL. I will try and be as careful in answering your question as you posed it to me. And I didn't realize I was the most vociferous opponent——

Mr. LANTOS. You are.

Mr. HALL [continuing]. Of yours. I didn't know I had that label.

What I tried to do is to look upon this issue in a very broad aspect. First of all, I think it's appropriate that we praise those civilian employers who do this. They do not have Active Duty people in the same foxhole with our Guard and Reserve that they have to worry about. All the Reserve chiefs, as Mr. McHugh has said, have come over and have worried about the comparability of an Active Duty E–4 in a foxhole with a Reserve E–4 and do they receive the same Federal pay. And they do.

I spent, as I said, 34 years of my life in uniform commanding young men and women on the Active Duty side. And we have to honestly worry about that in the Federal——

Mr. LANTOS. May I stop you for a second?

Mr. HALL. Yes, sir.

Mr. LANTOS. Your logic has already left you. Because you are applauding the private employer who pays the salary which makes two people in the same foxhole getting different salaries. So you can't have it both ways. You can't praise private employers for doing exactly what my legislation calls for. I mean, with a straight face you can't tell me this, because it makes no sense.

Mr. HALL. Well, I do applaud them and they have their own imperatives and their own system and they have chosen to do that.

Mr. LANTOS. Why don't you answer my question? You have two people in the same foxhole getting different salaries because General Electric chooses to maintain the salary while the person is on Active Duty. And you are praising General Electric for creating presumably a problem for you.

Mr. HALL. I have answered it in that the Federal pay for that Active Duty and that Reserve soldier needs to be the same and it is the same, and that is my area to worry about. And remember, one-third of our Guardsmen and reservists lose some amount of pay. Two-thirds have the same amount or more.

And the average loss, and I know we focus on what is in the newspaper, of tremendous bankruptcies, tremendous loss, that is not the case. It's between $3,000 and $4,000. Now, that's an amount of money, we worry about that, but it is not where each and every one of these soldiers are losing their homes and going bankrupt. We worry about that. And there are possible solutions, such as insurance.

But we need to worry about targeting the full range of compensation to those young men and women. The Guard and Reserve chiefs all together and the active chiefs have stated their position, that in considering the overall compensation, and I also do not believe this is the major recruiting and retention problem we have, this particular pay. There are others that, if we have limited funds, we need to look at. I think I've answered it the way I honestly feel based on my background service and my position now.

Mr. LANTOS. Well, let me just pursue it a bit.

Chairman TOM DAVIS. The gentleman's time has expired.

Mr. LANTOS. If you'll allow me, Mr. Chairman.

Chairman TOM DAVIS. You can ask unanimous consent to increase your time.

Mr. LANTOS. I do.

Chairman TOM DAVIS. Any objection to giving the gentleman a couple, 2 additional minutes? Without objection.

Mr. LANTOS. The notion that the current situation hurts only one-third of the people who are serving our country, and that can be dismissed so cavalierly, is absolutely preposterous. We are passing legislation here that helps 1 percent of our population. You're talking about one-third of your manpower or person power which is being hurt by this idiotic policy. It's an idiotic policy, and I'm using the term advisedly.

And for you to dismiss it, that it impacts only one-third of the people, you need to give me an answer. You don't give a damn about that one-third?

Mr. HALL. I don't dismiss it cavalierly. I've told you how seriously I view the compensation for our young men and women. And we look at it in a broad view. I understand yours, and I think I've answered it adequately about my concern for our young men and women.

Mr. LANTOS. Well, let me for the record state, I think your answer totally lacks logic and internal consistency and is totally unacceptable.

Mr. HALL. Yes, sir, I appreciate that. Thank you.

Chairman TOM DAVIS. I thank the gentleman. The gentleman from Virginia, Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman and Congressman, Admiral, General, General, thank you for being here today on what is a very difficult subject but a very important one.

I think that as a Nation we are probably at a crossroads where we must make a choice on what the role of the National Guard is going to be. That choice should be made in the context of the full spectrum of tests that we expect the men and women who serve this country in uniform. I've been to both Iraq and to Afghanistan, and I have always returned home and remarked how it was impossible to tell the difference between the reservists, the Guardsmen, the Guard and the Active Duty forces. They look the same and they face the same threat.

But as leaders charged with funding these troops, with equipping them, with training them and answering to them and to their families when we ask them to go into harm's way, we must not fool ourselves that they are the same. The Marines fighting outside Fallujah and Najaf right now knew from day one that they were being trained and equipped to some day go in harm's way for this country. They represent the finest combat force that this country has ever produced.

Before they went to Iraq, they were specifically trained and equipped for urban combat. They share a warrior mind set that comes from walking out the door each day in uniform and training for war. Unfortunately, we are not always able to give our Guardsmen that same level of training before we ask them to deploy to Iraq and other places around the world.

They do not receive that training day in and day out. If they receive the same equipment and training they receive it at the last minute and often hand me down equipment previously used by the active component. Their families do not see them walk out of the house each day in uniform and become accustomed to their pro-

longed absences and the chance that they may have to serve in environments such as Iraq.

As a Nation, we must decide what the role of the National Guard will be in meeting both our global military commitments and our homeland security needs. I believe that our National Guard is rightfully part of our first responder equation. If we are going to continue to rely on the Guard to comprise 40 percent of our Nation's military capability, we have to come to grips with our responsibility to train them, to equip them and to let them know that they are part of the team.

We must ensure that funding levels and that of the authorities and scope of Title 10 and Title 32 reflect the way that our world has changed in the last 3 years. We must reevaluate our own commitment as leaders responsible for this crucial homeland security force and critical military Reserve force.

That being said, I want to address several questions to you, Secretary McHale, if I might, and I hope the Chair will indulge me, because some of it's rather long. The Guard differs from the Reserve components in that it's under the command and control of the States. This positions the Guard for some unique opportunities with the States' Federal nexus. Question, does DOD see the National Guard's unique Title 32 activities, such as civil support teams, the counter-drug programs or the airport security missions, to be unhelpful distractions, or have these uses of Title 32 been meaningful contributors to the security of the Nation?

Mr. MCHALE. Congressman Schrock, let me emphasize in the strongest possible terms that Title 32 has been of enormous benefit, not only to the Department of Defense but to the Nation. There are three categories in which the Guard may be employed, in State status or at State expense under command and control of the Governor, the Guard executes the missions that are assigned to it by the Governor. At the other end of the spectrum, you've got Title 10 where the National Guard is brought to Federal service, paid for at Federal expense and under command and control of the President of the United States and Secretary of Defense.

Title 32 is an excellent, very flexible middle ground which produces tremendous utility. The expense of Title 32 is paid for by the Department of Defense, by the Federal Government. But in Title 32 status, National Guardsmen are exempt from posse comitatus, so they can engage in missions that are very close to law enforcement activities, missions that would be precluded for Title 10 forces. The expense, as I said, is carried by the Federal Government, but we have flexibility in terms of command and control by the Governor.

If anything, where we are at this point is the Department of Defense is actively reviewing the tremendous benefit of Title 32 to determine whether or not that training status needs to be expanded in the context of the global war on terrorism for an increased number of missions in that Title 32 status, because it has proven to be so beneficial.

Mr. SCHROCK. OK, then we go to the last question. How soon might we expect the DOD to send to Congress a proposal to review Title 32 and in particular, the language about training in Section 502(f), I think it is?

Mr. MCHALE. As you point out, Title 32 status involves National Guardsmen who are on Active Duty, performing specific missions that often have been statutorily assigned. We have 32 civil support teams, we'll have 12 more this year and presumably 11 more after that, based upon the assumption that the Congress will provide the funding for the final 11.

In Title 32 status, we have those forces immediately available at Federal expense, exempt from posse comitatus, under command and control by the Governor. I mentioned earlier in response to Congresswoman Norton that we are preparing a comprehensive, really I think a historic homeland defense strategy that will be completed by June 30, 2004. I don't want to assume that we will necessarily ask for a statutory revision of Title 32, but by the end of June we will know whether or not such a revision would be appropriate.

And frankly, because Title 32 is a training status in the context of the global war on terrorism, we need to take a very serious look at expanding Title 32 to cover additional missions.

Mr. SCHROCK. So sometime around?

Mr. MCHALE. I would think by the end of summer, if in fact we request a change in Title 32, we would know by the middle of summer whether such a change would be required. I don't want to preclude an ongoing review, but certainly at this point, it appears to me as if Title 32 would be appropriate for review to include in the future not only training missions but operational missions and specifically, the mission that I envision as being central to the future of the National Guard and homeland defense missions, and that is critical infrastructure protection. The use of National Guard potentially in Title 32 to defend critical infrastructure in an operational role within our own country.

Mr. SCHROCK. Mr. Chairman, do you mind if I continue for a minute?

Chairman TOM DAVIS. We will give the gentleman 2 additional minutes.

Mr. SCHROCK. Paul, this question is about the possibility of similar operations in the future. The airport security mission was performed under Title 32, the Federal Government provided the money, the States executed the mission. This seems to have been a success. But subsequently, there was a need to use the Guard for border security, and of course for that mission, the Guard was taken out of State control under Title 32 and mobilized to Federal duty under Title 10.

Does this reflect an intent by DOD to tend toward Federal mobilization as the best way to use the Guard for domestic requirements or might such future requirements be evaluated on a case by case basis for execution under Title 32 or Title 10, as the situation would demand at the time?

Mr. MCHALE. The Secretary of Defense has in the past indicated a preference for the use of National Guard forces, including in Title 32 status, rather than the necessary use, because of a lack of an alternative, of Title 10 forces for the same mission. In short, if there is a clear mission requirement, and we have the choice between using Title 10 forces or National Guard forces, particularly for the missions that are related to counter-narcotics and the sup-

port that we provide to civilian law enforcement along the borders, the preferred course of action is to use the National Guard while preserving our Title 10 capabilities for overseas warfighting.

And that's why as we look at the emerging mission requirement in the context of the global war on terrorism, there will be more, not less, for the Guard to do, including missions assigned in Title 32 status.

Mr. SCHROCK. Thank you, Mr. Chairman. I know my time is up. I'd like to submit two other questions to Secretary McHale for the record.

Chairman TOM DAVIS. I'd be happy to keep the record open for that. Thank you very much.

Mr. Ruppersberger.

Mr. RUPPERSBERGER. Well, you all have a very difficult job, and I think you've done a great job but we can always do better and that's what we're talking about here today.

In this country, when people feel that something is wrong, it's an issue. As Members of Congress, that's why, I think you're getting a lot of the questioning on how long someone's going to be in Iraq or Afghanistan or whatever.

What I would like to really discuss right now is the short term. General Blum, you said, and so far, from what I see I think your plan for a full spectrum force looks pretty good to me. But you said it would be about 24 months, I believe, before it's really implemented. And eventually this plan will reduce the burden on those already deployed and also give some sense of a plan and a commitment on how long they're going to be.

I think one of the worst things you can do for anybody is raise expectations and then take those expectations away. But if we're in a war, we have to do what we have to do. That's what's happening now.

Could you please tell us what you need now? Congress is in session now until next November or December, whatever. What would you like to see on the short term to help the troops on the ground and their families and their employers? What do we need? And really what we're talking about is resources, which means money, which means we have to encourage the administration to maybe reprioritize to do something in the short term. I'd like to hear the short term solutions based on what you've seen now as far as deployment, as far as dealing with families, all those issues that might help.

General BLUM. The first thing I'd like to tell you, Congressman Ruppersberger, is that there is continued strong, solid, unswerving support for the citizen soldiers and airmen, the young men and women in uniform. People are separating differences over what is going on, how it's being prosecuted, and the techniques that are being applied, separating that from the solid support to uniformed service members that are answering the call to colors, I'd like the Congress to continue that strong, solid support.

Now, it is absolutely critical in an all volunteer, all recruited force that a strong message of support from both parties, from both houses, from all elected officials be clearly understood that service to our Nation is something that is honorable, that is necessary and is something that we all should be very proud of and supportive of.

So that is the first thing that I would ask the Congress, to be very careful in their discussions and deliberations to consider the eroding effect that it has on the morale of soldiers that are deployed longer than they would like to be, away from their families longer than they would choose to be and put either career and education and lives, frankly, at risk.

Mr. RUPPERSBERGER. In that regard, when I was in Iraq, I had a conversation with a member of the Maryland National Guard, and he said, with all the political rhetoric we hear, people back home aren't mad at us, are they?

General BLUM. That's precisely the question that I don't want to have in their minds when they're walking the streets of Fallujah.

Mr. RUPPERSBERGER. I want to get some specifics——

General BLUM. The specifics are—I could get the specifics for you, and I'd be glad to leave them for you for the record. Because in the interest of time, it would probably be the better way to do it. I'll provide you that.

If you'll put up that chart that talks about the strategic Reserve moving to an operational force, everything on the left side of this chart that's about to go up there, that was listed under strategic Reserve, is what is wrong with the National Guard and Reserve components today. They are resourced wrong for today. They were resourced exactly right for the time before September 11th. But they're not right for today.

Mr. RUPPERSBERGER. Resourcing being?

General BLUM. Resourcing means money for training——

Mr. RUPPERSBERGER. Do you have a money figure base?

General BLUM. I'll provide that for you, sir, for the record. It's money for retraining soldiers to reclassify them from what they are now to what they need to be, retrain them for the skill sets we need for tomorrow, not what we needed for yesterday. It is money for equipment that we do not have, we were never equipped to be an operational force, so we have all this cross leveling. Each time you cross level, you lessen what's left in the pot and cross leveling becomes more and more difficult.

Last, the most important is, full-time manning. Because it is clearly a readiness issue. If you're going to use the Guard and Reserve as an operational force, you must have the right combination of full time soldiers matching up with part time soldiers. And that is clearly out of balance today and needs addressing.

Mr. RUPPERSBERGER. Mr. Chairman, could I have one more minute?

Chairman TOM DAVIS. Without objection.

Mr. RUPPERSBERGER. Very quickly. There's an article in the Sun paper today and I'm sure throughout the country about U.S. reservists accused of prisoner abuse. I'm quoting in the Sun paper an article written by Tom Bowman and Sabar, and this is one of the individuals who has been charged, or the allegations that they were abusing prisoners. Well, by the way, if it's criminal conduct we have to deal with it like we deal with anything else. We cannot tolerate it.

However, there are a lot of gray areas when you're at war. This, one of these individuals said that we had no support, no training whatsoever. They were in a prison camp. And I kept asking my

chain of command for certain things like rules and regulations. Another individual said, I understand they usually don't allow others to watch them interrogate, how to go about interrogation. So we had no rules, no training.

The attorney for one of the individuals told 60 Minutes II that the soldiers never have been charged because of the failure of commanders to provide proper training and standards. What I'm getting to really is that you have men and women in the National Guard who are being put in the same situation as career, we know that. And if they don't have the proper command structure and then they don't have the training, and they're in a situation where they make believe that they're at war and they are attempting to do what they need to do, I'd like you to address the issue as it relates to these men and women, not specifically, because you can't talk about the trial, but about that type of training, when you're put in that situation, when all of a sudden you're at home and you're doing your weekend duty, then all of a sudden you find yourself in a prison and now you have six individuals who are being charged that are saying they didn't know what to do, they didn't have the proper training.

General BLUM. I will not address that specific instance, because it's under investigation.

Mr. RUPPERSBERGER. I understand that.

General BLUM. But I will talk on the broad issue there, and I believe what I'm about to tell you to the core of my being. We have never as a Nation sent a force of citizen-soldiers overseas better trained, better prepared, better equipped, better led with better values and clearer established standards than we have sent these citizen-soldiers that are over there right now. I believe that deep in my heart, to the core of my being. I've gone and watched this training, I've participated in the training, I've been a product of the training, I have visited every single major unit that has been prepared before it was sent to Iraq and Afghanistan, and I have visited those same units in theater once they're there. And I stand on the record of that.

Now, will you find some soldier who may not live up to the standards and the training that they received? That's possible. And that may be happening or may not be happening in this case, and that's why it's being investigated.

Mr. RUPPERSBERGER. In this case and other cases, we have to evaluate to make sure it's not training, it is actually criminal conduct. But I think it's important, there are a lot of gray areas and we're at war. It's very, very important that we deal with the issue of training.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you, sir.

Mr. Shays.

Mr. SHAYS. Thank you.

I want to first say, I have tremendous admiration for all of you, and all of you have very excellent reputations. I would say to my colleague Mr. McHale that I considered him one of the finest Members of Congress to serve as I have served here. And I think it's a real blessing that you are working for the administration and for our country.

When I was last in Iraq, and this is my fifth visit with my staff, I recently, in my capacity as chairman of the National Security Subcommittee, which oversees Defense and State Department, I recently visited Bravo Co. first of 252nd Armor regiment commanded by Captain Sean Moser. This North Carolina National Guard unit is helping secure the city of Hannakin in northeast Iraq. I just want to say for the record that these soldiers at B Co. are doing a superb job.

But having said that, I want to say to you that the miliary has never made it easy for us to go and visit Iraq. When we go we learn things. I believe that Congress has not done the proper oversight job. If you had ever told me that we would send troops without proper body armament, I would have been amazed, but we did, General. If you had told me we would have sent them in Humvees that didn't have proper protection, I would have been amazed, but we did.

Because in that company, we saw one Humvee modified by a kid, one modified by the soldiers in country and one not even modified. And then we had the basic briefing that there were caches of weapons throughout the eastern part of Iraq, pre-deployed, they are constantly uncovering them. Then they had a 3-hour briefing in Baghdad showing us how they make these weapons.

And I just want to say to you as well, General Blum, I know these are the best trained military. But I also know first hand, and in the soul of my being, just as you would say, I had Army personnel tell us that they were being asked to do things they were never, ever trained for. And that's a fact. And it didn't happen once. It didn't happen twice. It happened continually.

And for me, I didn't even know about the inadequacy of our Humvees until I had a community meeting in Oxford, CT, and I had two moms show me letters from their National Guard sons showing us the Humvees that were not in any way, with a kit or improved or not. So I just want to put that on the record. We're doing the best we can do, but it is a surprise to me that when I sent our men and women off to war I sent them in some cases without the best equipment.

And I believe it's the National Guard and reservists who are the last in the food chain. I would like to think that in the future, it will never happen again. I know you make the best of what you can do, but for me, I thought my job was to make sure it was never a fair fight. I think that in some cases, I've put our men and women in jeopardy. And I think we have to just say it and then deal with it. Not to mention the pay problems and the benefit problems and the health care problems that exist for our reservists and National Guard.

I want to understand, and the other thing I want to say, and I'm sorry to press this for so long, but having visited bases all throughout the country in previous years, I praise God I did, because you all told us, the people you have to get to sign up is not the soldier, it's the spouse of the soldier. If we talk about having them be gone every 4 or 5 years, I am going to be very surprised if we aren't going to lose a lot of good men and women. And not to mention our soldiers being forced to take anthrax against their will, which affects the Air Force, General Love.

So having said that, show me why it isn't harder to be a National Guard and reservist, given that you've got to be trained to fight and hopefully do your job extraordinarily well and defend yourself and make sure you come home to your loved ones, tell me why this isn't a harder job than the active forces? Because you also have to be trained to do work under Title 32 for the States. I think it is a tougher job than the active forces. Tell me it's no different, or tell me in fact, is it harder?

General BLUM. It's harder, sir. It's been harder for 367 years. It hasn't gotten any easier. Nobody said it was going to be easy. Nobody said it was going to be fair.

Mr. SHAYS. We've made it harder, though.

General BLUM. That chart depicting our strategic to operational shift tells the story. It is not because of anybody's evil intent. Most of the policies, most of the laws that have caused the pay problems, lack of health care, the lack of properly equipping the U.S. Army and Air National Guard, properly resourcing them with full time training and enough money to train and operate——

Mr. SHAYS. Could I just have 2 more minutes, Mr. Chairman?

Chairman TOM DAVIS. Any objection? No objection.

Mr. SHAYS. Thank you. I'm sorry.

General BLUM. Absolutely. All those things are true. But they are not by accident. They were by design. We were supposed to be a strategic Reserve. We did a superb job as a strategic Reserve. We were a great deterrent force against the Russians in the Warsaw Pact. That's no longer a threat.

We now need to build an operational force, and we need, sir, Congress needs to reevaluate the benefits, the entitlements, the pay, the resourcing, the equipment and the full-time manning issues of the Guard, or we can't be an operational force the way you would like it to be.

Mr. SHAYS. But to say that they've always had a harder job, I think it is many times harder today because of September 11th and the response abilities they have to train for the terrorist attacks which we weren't really focused on in the past.

General BLUM. Mr. Shays, we're in agreement. I agree with you. It's a tough job, but it's an essential and necessary job if we're going to defined this Nation.

Mr. SHAYS. I know that. But a few years ago, we also decided they were going to be part of the force structure in a very primary way. I feel like in a way this is a debate we did not have before we sent them to Iraq. I have a bit of concern that it has not turned out quite the way we had hoped.

I just want to make my point, and General Love, I'd like for you to respond as well.

General BLUM. Before he does, I just want to finish my point, if I may. I personally and professionally feel this Nation should never go to war without the National Guard. When you call up the National Guard, you call up America. And we should never, ever send a force overseas that Congress and this Nation can walk away from.

Mr. SHAYS. I hear what you're saying, and I am not disagreeing. But what I'm saying is, they were the last in the food chain. I know

that for a fact. And yet they're being asked to do a harder job, in my judgment, than the active force. I just would love you——

General BLUM. But for the record, sir, they are not last in the food chain. The 81st that has just gone to Iraq were first in the food chain. They got body armor before the active army. They got up-armored Humvees before the active Army.

Mr. SHAYS. General, I'm going to say this as clearly as I can. I know this for a fact, when the hand-me-downs of aircraft and so on, they usually get some equipment that has already been used by the active forces. And that's a fact you and I know is true. General?

General LOVE. Congressman, thank you. And as a preface, if I may, I will say that I was invited here today to speak on behalf of NORTHCOM. So if I may, I will answer your questions from personal experience, rather than in my role as the Assistant Commander of NORTHCOM. I think a review of my personal experience in the Air National Guard would indicate that the Air National Guard was asked to become an operational Reserve immediately following the first Gulf war. It had the period of the 1990's in which to bring itself up to the status of a participant, an equal participant in the air expeditionary forces.

Yes, there were some equipment shortfalls, and yes, there may not have been the most modern, current equipment within the Air National Guard. But whether it was in the transportation business or in the fighter business, I'm proud to say that the Air National Guard carried its role and the Congress supported it when it asked for support to assist us in doing so.

Mr. SHAYS. Thank you, Mr. Chairman.

The men and women in the National Guard and Reserves are doing an awesome job. And I thank them for that.

Chairman TOM DAVIS. Thank you. I've just got a couple of questions. General Blum, nobody's really asked today what we can do here in Congress to help the Guard carry out its mission. Is there any legislation or authorization that would be helpful along the vision that you have given us?

General BLUM. Based on most of the comment that has gone on here today, and Governor Pataki's earlier comment, unambiguous, clear legislative authority for the operational use of Title 32 I think would be highly helpful for both the Department of Defense and the National Guard, so that we can know how we're going to respond to the Governors and the President in the myriad conditions that we're asked to respond.

Right now, the ambiguity of the current code leaves it much too subject to interpretation, and actually, that code was designated again, for strategic force, not an operational force to be combating the global war on terrorism. So sir, I would say that would be first and foremost.

Chairman TOM DAVIS. Thank you. General Love, let me just ask, I know NORTHCOM just conducted two very large scale annual training exercises called the Unified Defense that includes scenarios for protecting the homeland under simultaneous attacks. Can you tell us a little about the exercise, who participated and any lessons we learned?

General LOVE. You're right, sir, Unified Defense, the exercises perhaps you're referring to were Determined Promise 03, which occurred last August, and Unified Defense 04. And yes, sir, you're correct as well in saying that we engaged our forces in multiple places, responding as Secretary McHale pointed out earlier today, that we anticipated attack on this country by our enemies in a number of places at the same time.

The lessons we learned from that were very good and sometimes very painful. That is that we did not have command and control where we perhaps needed. We didn't have the exercising we perhaps needed. But that is examined in the light of the fact that we wouldn't exercise if we didn't want to warn those lessons. And NORTHCOM is just barely, not quite 18 months old. Is that responsive, sir?

Chairman TOM DAVIS. That's fine. Let me must thank this panel. There's always a tendency in the military and politics and everything else to fight the last war. And nobody does the last war better than we do. If you look at a conventional war, the war we did in Iraq, nobody does it better. You drive through Baghdad and there are heaps of rubble that were military installations, defense installations, and next to it residential buildings that weren't touched.

But it's the aftermath that obviously we weren't prepared for. No one envisioned this. General Blum, I'm glad to see your vision now is looking at these kinds of things. We need to continue looking outside the box, because it may be a little more complicated in our next era of operations. Who knows.

We just need to continue to have these conversations with us and the other appropriate committees. This hearing has been very helpful to all of us. We appreciate our taking the time. Paul, it's great to have you back here on the other side, have a lot of confidence in you and a lot of respect from your days in the House. Anything anybody else wants to add?

Mr. HALL. Mr. Chairman, might I have about 30 seconds?

Chairman TOM DAVIS. Yes, indeed.

Mr. HALL. The question you asked General Blum about things that you might do, we have a number of rules which don't cost a lot of money but are rules for our Guardsmen and reservists that go back to the cold war which does not contribute to a continuous service. And we passed those over, we would appreciate your looking at them, such as volunteer auxiliaries.

The single biggest source of manpower that we have not tapped are retirees. And I have a vast amount of retirees call and ask, can I serve. They are around our bases. We would like authority to form voluntary auxiliaries to use the retired population in the country which can relieve the stress on our Guard and Reserve. Many of our rules, which if you serve more than 179 days, we count you on Active Duty list for promotion, the strength accounting.

So there are a number of those rules which I think we need to take care of which are not costly but will make service easier for our Guardsmen and reservists. Those are submitted and we would ask, if they make sense, that the committee look at them and support them.

Chairman TOM DAVIS. Thank you. And we also will submit those to Duncan Hunter and his committee. We'll talk to them as well.

Mr. HALL. We think it will help our young men and women and not cost a lot of money.

Mr. MCHALE. Mr. Chairman, if I may, I would hope it was clear in my opening statement and perhaps in some of the answers to the questions raised by the Members that during the past 2 years since September 11th, we have very substantially reviewed and strengthened our homeland defense capabilities. That's not rhetoric, those are deliverable, operational capabilities on a daily basis. We fly air combat air patrols that were not being flown prior to September 11th. We have Army and Marine units on alert for deployment within our own country to defend against a ground attack.

And most importantly, we have and are developing at a higher level the ability to respond to multiple, near simultaneous WMD attacks within our own country. We have not had that capability historically. We have it now and it's getting better every day.

Chairman TOM DAVIS. Thank you very much. And let me associate myself with Mr. Lantos' remarks at the beginning when he said we've got to appreciate and respect the job you're doing, and of course the men and women in uniform that you represent.

Thank you very much. We'll take a 2-minute recess as we move to our next panel.

[Recess.]

Mr. SHAYS [assuming Chair]. We would like to welcome our third panel, Janet A. St. Laurent, Director of Defense Capabilities and Management, U.S. General Accounting Office; Lieutenant General Wayne D. Marty, State Adjutant General of Texas; Major General Timothy Lowenberg, State Adjutant General of Washington; Major General Bruce Tuxill, State Adjutant General of Maryland.

As you know, gentlemen and lady, it is the policy of our committee to swear in all our witnesses, and I would respectfully request you stand and raise your right hands.

[Witnesses sworn.]

Mr. SHAYS. Thank you very much. Note for the record that all our witnesses responded in the affirmative, and I appreciate others standing up in case we need to seek their testimony.

We will go in the order I called you. We do a 5 minute clock, we roll it over, but we'd like you to stay as close to the 5-minutes as you can. You also know that your testimony will be part of the record, and also feel free to respond to any question that was asked in the previous two panels. Thank you for being here, thank you for your testimony and thank you for your service to our country and to your State.

Ms. St. Laurent.

STATEMENTS OF JANET A. ST. LAURENT, DIRECTOR, DEFENSE CAPABILITIES AND MANAGEMENT, U.S. GENERAL ACCOUNTING OFFICE; LIEUTENANT GENERAL WAYNE D. MARTY, ADJUTANT GENERAL, STATE OF TEXAS; MAJOR GENERAL TIMOTHY J. LOWENBERG, ADJUTANT GENERAL, STATE OF WASHINGTON; AND MAJOR GENERAL BRUCE F. TUXILL, ADJUTANT GENERAL, STATE OF MARYLAND

Ms. ST. LAURENT. Mr. Chairman and members of the committee, I am pleased to be here today to discuss GAO's observations on challenges facing the National Guard. For the sake of time, I would like to quickly summarize our work in three areas. First, how and to what extent Guard forces have been used since September 11th; second, how the use of the Guard has affected readiness for future operations; and third, challenges that DOD, Congress and the States face in preparing the National Guard for the future.

First, let me turn to the use of the Guard. Since September 11th, over 51 percent of Army Guard personnel and 31 percent of Air Guard personnel have been activated or alerted for a wide range of Federal missions at home and abroad. The chart on the board to your left, and I believe you also have copies of these, shows that the Army Guard has experienced the largest demand for forces.

As of last month, the Army Guard had almost 95,000 soldiers, more than 25 percent of its forces, mobilized or on alert to support operations in Iraq, Afghanistan and at home. Moreover, DOD has recently placed thousands of additional soldiers on alert.

The Air Guard's usage has also been significant, but has declined in recent months. Currently, the Air Guard has about 7,500 personnel who are deployed overseas or conducting homeland security missions at home, such as flying combat air patrols over portions of the Nation.

Second, I would like to turn to readiness. Specifically, the readiness of Guard non-deployed units has declined steadily since September 11th. The decline in readiness is a more serious problem for the Army Guard, because it has not been funded to quickly deploy the number and types of units that have been needed within the past few years.

In the past, much of the Army Guard's role was to be a strategic Reserve force that would be maintained at lower readiness levels and given additional resources and time to train if needed in the event of war. Although real world demands on the Army Guard have changed, DOD's resourcing strategy has not. For example, the Army Guard's eight divisions are authorized 65 percent of the personnel they need, while the Guard's 150 enhanced brigades, which are intended to be maintained at a higher readiness level, are authorized about 85 percent of personnel.

However, theater commanders require that units deploy with 100 percent of required personnel, and that has been the case for Iraq. As a result, the Army Guard has had to transfer significant numbers of personnel and equipment from non-deploying to deploying units. For example, the Army Guard has had to initiate transfers of 71,000 soldiers since September 11th. To get two enhanced brigades ready to deploy to Iraq earlier this year, the Army Guard had to transfer about 2,000 soldiers, about a quarter of the total required for these brigades, worsening shortfalls elsewhere.

The readiness problem also affects equipment. To mobilize forces to Iraq, the Guard transferred about 22,000 pieces of equipment, such as night vision goggles, machine guns, trucks, and radios. This is an important point, because it further degrades the readiness of some units that may be needed in the near future. Moreover, some of this equipment is the same type of equipment that may be needed to deter a response to potential terrorist threats at home.

In addition, the Army and Air Guard's readiness for homeland security missions is uncertain because DOD has not fully established requirements or readiness measures for these missions. Officials in one State we visited were somewhat concerned that ongoing Guard deployment may lead to situations in which Guard units are not available when needed at home.

I would like to refer you to two charts that provide a snapshot of Army and Air National Guard personnel deployed in March 2004. The first chart, which refers to the Army National Guard, shows that 15 States had 40 percent or more of Army Guard soldiers alerted or activated in March and they're unavailable to the Governor. A couple of States had over 60 percent deployed.

The next chart shows that the Air Guard was less affected by high deployment. Only a few States have more than 20 percent of their Air Guard personnel deployed during March.

Finally, Mr. Chairman, we see three major challenges that DOD, Congress and the States will need to collectively address. First, DOD's current practice of transferring large numbers of personnel and equipment from non-deploying to deploying Army Guard units, in other words, robbing Peter to pay Paul, will not be sustainable if the high pace of operations continues. Although DOD is aware of this issue, it has not developed any comprehensive formula, plan or identified specific funds to address it.

Second, although the Army National Guard plans to restructure its forces for the long term and would like to meet a greater percentage of its full time manning requirements in the future, DOD has not yet fully budgeted for these initiatives or developed detailed implementation plans.

Finally, the Guard has taken some steps to identify the types of capabilities that each State should have for homeland security, such as aviation, transportation, engineers, security units, and to develop a rotation scheme that will try to keep 50 percent of the forces in each State at home. However, details have not yet been developed in coordination with the States that will be required to implement the plan.

In conclusion, Mr. Chairman, declining readiness, combined with the continuing high pace of operations, suggests that a comprehensive reassessment of the Army Guard structure and resourcing assumptions is needed. Moreover, once homeland security requirements are better defined, additional analysis will be needed to assess the impacts on both the Army and Air National Guard.

This completes my statement. Thank you, Mr. Chairman.

[The prepared statement of Ms. St. Laurent follows:]

United States General Accounting Office

GAO

Testimony
Before the Committee on Government Reform, House of Representatives

For Release on Delivery
Expected at 10:00 a.m. EDT
Thursday, April 29, 2004

RESERVE FORCES

Observations on Recent National Guard Use in Overseas and Homeland Missions and Future Challenges

Statement of Janet A. St. Laurent, Director
Defense Capabilities and Management

GAO-04-670T

April 29, 2004

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Highlights

Highlights of GAO-04-670T, a testimony before the Committee on Government Reform, House of Representatives

RESERVE FORCES

Observations on Recent National Guard Use in Overseas and Homeland Missions and Future Challenges

Why GAO Did This Study

As a result of the September 11, 2001, terrorist attacks and launch of the Global War on Terrorism, the National Guard has experienced the largest activation of its forces since World War II. The Guard consists of 350,000 Army Guard soldiers and 107,000 Air Guard members. With its unique dual status, it performs state missions under the governor and federal missions at home and overseas under the President. Since September 11, the Guard's missions have expanded, raising concerns about its ability to simultaneously perform all of these functions.

The Department of Defense (DOD) funds the Army Guard for partial readiness to accomplish mission requirements assuming that there will be time to supply additional personnel and equipment in an extended conflict. In contrast, the Air Guard is funded to be an operational reserve ready on short notice.

Today's testimony addresses GAO's observations on (1) the extent and purpose of the National Guard's use since September 11, (2) the effects of that use on Guard forces' readiness for future missions, and (3) the challenges that DOD, the states, and Congress face in organizing and equipping the Guard to support both overseas and homeland missions.

www.gao.gov/cgi-bin/getrpt?GAO-04-670T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Janet St. Laurent at (202) 512-4402 or stlaurentj@gao.gov.

What GAO Found

With the high pace of operations since September 11, more than 51 percent of Army Guard members and 31 percent of Air Guard members have been activated to meet new homeland and overseas demands. The Army Guard has experienced significant difficulties in responding to these extensive and ongoing requirements because much of it was funded and equipped as a later-deploying reserve force rather than an operational force designed for continued overseas deployments. Moreover, units with certain specialties—military police, transportation, and combat arms—have been in high demand, resulting in lengthy and repeated deployments. To ease critical shortages, 27 Army Guard units were retrained as military police from other specialties such as field artillery. The Air Guard, although less affected by the high pace because it is funded to deploy quickly, has also seen significant use for Iraq combat operations and homeland security missions. While the number of activated Air Guard personnel has decreased over the past year, some personnel were activated outside their normal rotational schedules and tour lengths have been extended. In addition, some units have been assigned new homeland missions such as flying combat air patrols and providing radar coverage over the United States.

While the high use of the National Guard since September 11 has led to declining war-fighting readiness of non-deployed Army and Air Guard units, the decline is most significant for the Army Guard. To meet wartime needs, the Army Guard has had to take personnel and equipment from units that had not been activated to ready others for deployment. For example, the Army Guard has initiated over 71,000 transfers to fill personnel shortages in deploying units and transferred about 22,000 pieces of equipment from non-deploying units to ready units deploying to Iraq. The Air Guard's readiness has also declined because the high pace of operations created maintenance challenges for its aging aircraft and limited training opportunities. Because DOD has not fully defined requirements, readiness standards, and readiness measures for the homeland security missions it will lead or support, the Guard's preparedness specifically for homeland security missions is unknown. However, states are concerned that continuing deployments reduce the Guard's preparedness and availability for all its homeland security and natural disaster missions.

DOD, the states, and Congress face near- and long-term challenges readying and funding National Guard units for overseas and domestic missions in the Global War on Terrorism. Enhancing the near-term readiness of Army Guard units will be difficult because the Army Guard is still operating with peacetime funding. In the long term, the Army Guard's ability to restructure its forces to meet the requirements of the new security environment will depend on whether it is given adequate resources and funding priority. Finally, DOD will need to consider how to balance Army and Air Guard forces needed for both homeland and overseas security requirements.

Mr. Chairman and Members of the Committee:

I am pleased to be here today to discuss our observations on the challenges the National Guard faces in activating over 213,000 members, the largest activation of its forces since World War II. National Guard members are supporting military operations around the world—they are fighting in Iraq and Afghanistan and maintaining the peace in the Balkans—side by side with their active duty counterparts, facing the same dangers and making the same sacrifices. As you know, the National Guard consists of the Army National Guard, with 350,000 soldiers, and the Air National Guard, with about 107,000 Air Guard personnel. With its unique dual status, the Guard performs state missions under the command of the state's governor and federal missions—at home and overseas—under command of the President. After the tragic events of September 11, 2001, the Guard's traditional role has been expanded to include new tasks, both domestically and overseas. This mission expansion has raised concerns about the Guard's ability to perform all of these missions successfully within its existing resources.

As you requested, my statement today focuses on the use of the National Guard since September 11 and on the Guard's preparedness to perform both overseas and domestic missions. We will publish a final report on these issues later this year. My remarks today are based on the work we have completed to date with respect to (1) the extent and purpose of the National Guard's use since the September 11 attacks, (2) the effects of that use on the Guard's readiness for future missions, and (3) the challenges that the Department of Defense (DOD), the states, and Congress face in organizing and equipping the Guard to be able to support both overseas and homeland security missions.

To assess these issues, we analyzed data on National Guard utilization and readiness since September 11. We interviewed officials in the Departments of Defense, the Army, the Air Force, and the National Guard Bureau and supplemented this information with visits to Army and Air Force commands and Army mobilization stations. We also developed case studies of recent federal and state National Guard operations in four states – Georgia, New Jersey, Oregon, and Texas. In each of these states, we visited the Adjutant General and the National Guard headquarters, as well as Army and Air National Guard units that had been or will be involved in domestic or overseas missions. We identified future challenges based on our analysis of the Guard's current status and discussions with National Guard officials. We conducted our review in accordance with generally

accepted government auditing standards between April 2003 and April 2004.

Summary

Since the September 11, 2001, terrorist attacks, almost half of the 457,000 members of the National Guard have been called to fulfill new requirements for homeland security and to support military operations overseas. Cumulatively, over 51 percent of Army Guard personnel and 31 percent of Air Guard personnel have been alerted or activated for federal homeland security missions or overseas missions related to the Global War on Terrorism. The Army Guard has had difficulty in responding to these needs because it was largely structured and funded as a later deploying follow-on force rather than a ready force for rapid deployment. In recent operations, Guard units were asked to take on more missions, in some cases with little time to prepare. Certain types of units have been in especially high demand, leading to extended and repeated deployments for soldiers with specialties such as military police, transportation, and combat arms. For example, 92 percent of the Army Guard's military police units have been deployed at least once and 18 percent more than once. To relieve demands on these forces, the Army has retrained some low-demand units, such as field artillery, for high-demand capabilities like security. The Air National Guard has also been used more extensively than expected before September 11 and was tasked with new homeland missions such as flying armed air patrols over U.S. cities, known as combat air patrols, and providing radar coverage for the United States. While the number of activated Air Guard personnel has fluctuated since September 11, it has declined over the past year to the current level of about 7,500.

The readiness of non-deployed Army and Air National Guard units for wartime missions has declined because of the high pace of operations since September 11. However, readiness for homeland security missions is unknown because DOD has not fully defined requirements for homeland security missions or established readiness standards and measures for them. Declining readiness is a more serious problem for the Army Guard because it is not funded to field the numbers and types of deployment-ready units that recent operations have demanded. Army Guard units are only funded to meet a portion of their personnel, equipment, and training requirements, even though theater commanders require the Guard to provide fully manned and equipped units when they deploy to actual military operations. For example, some units had only about three quarters of the personnel they needed when they were alerted. As a result, the Army National Guard has taken personnel and equipment from units

that were not activated but might be needed in the future to prepare deploying units. Since September 11, the Army Guard has initiated over 71,000 transfers to provide specific skills or fill shortages of qualified personnel and transferred at least 22,000 pieces of equipment to units deploying to Iraq from non-deploying units. As of March 2004, the remaining non-deployed Army National Guard units lacked over one-third of the critical equipment they need to be ready to execute their federal missions. Although the Air Guard is maintained at a higher level of readiness overall than the Army Guard, its readiness has also declined since September 2001. Some Air Guard units—such as those that conduct combat air patrols over U.S. cities, provide airlift capability, or conduct tanker refueling operations—have reported that high operational demands made it difficult to meet their training requirements. Some state officials we spoke with were concerned about the Guard's preparedness for homeland security missions as well as for state requirements such as natural disaster response because of the large numbers of personnel and equipment that have been alerted or deployed for federal missions.

Our work thus far has shown that DOD, the states, and Congress face three major challenges with regard to balancing the Guard's future role in overseas and domestic missions. These challenges include (1) the eroding readiness of Army Guard units that may be mobilized for overseas operations within the next few years; (2) the need to determine how the Army National Guard should be structured and funded to support federal missions in the longer term; and (3) how to balance homeland and overseas requirements. The Army and National Guard have a number of initiatives in most of these areas, such as reorganizing the Army Guard into modular units as part of the Army's reorganization and adjusting how forces are distributed among states to provide units with the skills needed for state and homeland security missions. However, funding and force adjustments needed to implement these changes for the Guard have not been identified and will require close coordination between the National Guard, DOD, the states, and Congress. In addition, the Army plans to reorganize its active and Guard combat units to make them more modular and responsive, but it has not identified funding to implement these changes for the Guard.

Background

The National Guard, comprised of the Army and Air National Guard, has a unique dual mission that consists of both federal and state roles. In their federal status, the Army and Air National Guard are part of the Army and Air Force's reserve components, along with the Army Reserve and the Air Force Reserve, respectively. In their federal status, Guard units are

deployed to Bosnia and Kosovo for stabilization operations and to Afghanistan and Iraq in the war on terrorism. The National Guard can be activated under a variety of legal authorities that differ in terms of duration, mission types, command structure, and funding source. The National Guard may be activated under state law to provide critical infrastructure protection or respond to state emergencies under control of the governor and paid for with state funds. The Guard can also be involuntarily activated under federal law for federal domestic or overseas missions. Title 10 of the United States Code, which is the section that prescribes the use of the Armed Services while in federal service, gives the President authority to activate reservists for various periods of time. Following the terrorist attacks, the President declared a national emergency on September 14, 2001, whereby reservists can be activated for up to 2 years. Title 10 provisions also enable Guard members to volunteer for service. In addition, the Guard can be activated under Title 32 U.S.C. by which Guard forces remain under the control of the state governor but receive federal funding.

The National Guard is composed primarily of Guard members who serve on a part-time basis, usually 1 weekend a month and 2 weeks a year for annual training. In addition, both the Army and Air National Guard have some full-time personnel who enhance readiness by assisting unit commanders in administrative, training, and maintenance tasks. Overall, the Army National Guard has about 350,000 members and makes up more than one-half of the total Army's ground combat forces and one-third of its support forces, such as military police and transportation units. The Army National Guard has units in more than 3,000 armories and bases in all 50 states and 4 U.S. territories. As a part of the Army, much of the Army National Guard has been organized, trained, and resourced as a strategic reserve that would receive personnel, training, and equipment as a follow-on force to augment active Army units in an extended conflict. The Air National Guard has about 107,000 Air Guard personnel that make up 20 percent of the total Air Force with 88 flying units and 579 mission support units located at more than 170 installations nationwide. The Air National Guard has been integrated with the Air Force's active and reserve component and resourced as a part of its operational force.

After September 11, 2001, the Guard's homeland missions were expanded to include activities that it had not previously undertaken, such as guarding airports and critical infrastructure, that are known as homeland

security missions. Homeland security is a broad term that encompasses efforts to reduce America's vulnerability to terrorism and prevent terrorist attacks as well as respond to an attack that might occur.[1] The Guard can be tasked with homeland security missions under the state governors or, when activated, by DOD under command of the president. DOD refers to its contributions to the overall homeland security effort as "homeland defense." Homeland defense activities include military missions conducted within the United States that DOD conducts under extraordinary circumstances with support, as needed, by other agencies. Flying combat air patrols over U.S. cities and guarding military installations are examples of these activities. DOD will also support civilian authorities to provide quick response or capabilities that other agencies do not have. The U.S. Northern Command provides command and control for DOD's homeland defense missions and coordinates DOD's support to civil authorities for homeland security missions. U.S. Northern Command would take a leading role in homeland defense missions including land, air, aerospace, and maritime defense operations.

Army and Air National Guard Have Participated in Multiple Missions and Experienced High Activations for Overseas and Homeland Security Operations

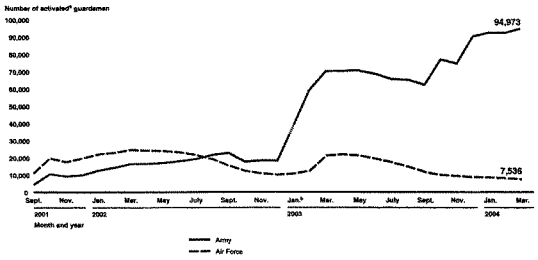
Since the September 11 terrorist attacks, nearly half of the National Guard's members have been alerted[2] or activated to meet the multiple federal requirements at home and abroad arising out of the Global War on Terrorism. Specifically, over 51 percent of Army Guard personnel and 31 percent of Air Guard personnel have been alerted or activated for homeland security or overseas missions. Although largely programmed and funded as a later deploying strategic reserve, the Army Guard has taken on extensive and ongoing overseas missions. Moreover, Army Guard units with high-demand specialties have faced extended and repeated deployments. To compensate, the Army Guard is retraining units to fill high-demand capabilities. The Army Guard has also taken on expanded homeland missions, such as providing security for critical infrastructure, Air Force installations, and U.S. borders. In addition, the Air Guard has taken on new homeland defense missions, notably combat air patrols over U.S. cities, and about one-third of its members were activated between September 2001 and March 2004. As figure 1 shows, about 102,500 Army and Air National Guard members—the vast majority of whom are Army

[1] *The National Strategy for Homeland Security* (Office of Homeland Security, Washington, D.C.: July 2002).

[2] DOD has established in policy a goal to provide reservists a minimum of 30 days written notification, referred to as "alert," before they are mobilized for active duty.

Guard members—were on active duty as of March 2004 to support the National Guard's ongoing participation in operations under federal authority.

Figure 1: Post-September 11 National Guard Federal Activity Under Title 10



Source: GAO analysis of Army and Air National Guard data.

[a]Army National Guard data represent the number of soldiers alerted and mobilized. Air National Guard data represent the number of airmen who are mobilized.

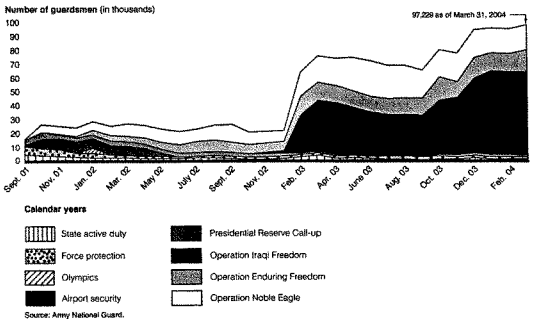
[b]Because Army National Guard data for January 2003 are not available, chart data point was estimated based on trend.

High Use and Expanded Missions of Army Guard Signify Change from Strategic Reserve Force to Operational Force

The high level of Army Guard forces needed for federal missions for the foreseeable future represents a fundamental change from the Guard's planned role as a strategic reserve force that would have additional time to train following the onset of war to an operational force that has had to respond quickly. The number of Army Guard members activated for federal missions more than quadrupled from about 5,500 in the days before the September 11 attacks to about 23,000 in the first month after the attacks because Army Guard forces were called on to perform an array of new federal homeland security missions. As figure 2 shows, by the end of March 2004, about 97,000 Army Guard members were activated for overseas warfighting operations in Afghanistan and Iraq, peacekeeping operations in Bosnia and Kosovo, or federally funded homeland defense missions such as guarding Air Force bases. This equates to more than one quarter of the Army Guard's force. In addition, Army Guard members have experienced lengthy deployments. For example, as of February 2004, over 57,000 soldiers (about 16 percent of the Army Guard) had been away from home for more than 220 days in the past year. DOD reports that the steady

state for the next 3 to 5 years will require a total of about 100,000 to 150,000 reserve personnel to support on-going operations, and that many of these personnel will come from the Army Guard and Reserve. DOD also expects that mobilizations of up to 1 year or more will be the norm for reserve component members during the next 3 to 5 years.[3]

Figure 2: Post-September 11 Army National Guard Activities under Federal and State Authorities



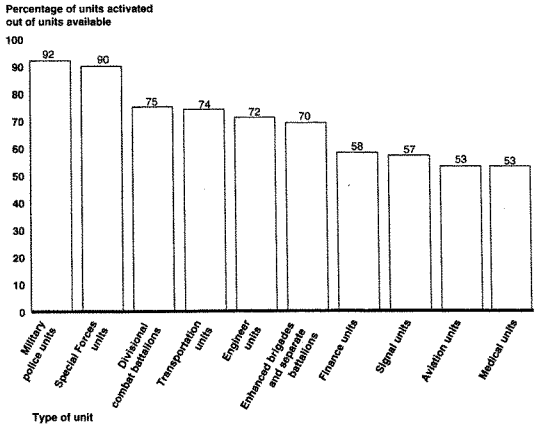
In addition to its overall high use, particular specialties within the Army National Guard have been used extensively and at rates that DOD reports[4] cannot be sustained for long durations. DOD has reported that using more than 17 percent of the personnel in a career field annually indicates an unsustainably high pace of operations in the career field and we believe could indicate a need for additional capability. However, as figure 3 shows, usage rates for personnel in some Army Guard career fields exceeded 50 percent in the last 2-1/2 years. Capabilities key to both overseas and homeland missions such as military police, transportation, and combat units are among those experiencing a high pace of operations.

[3] *Rebalancing Forces: Easing the Stress on the Guard and Reserve*, Office of the Deputy Assistant Secretary of Defense for Reserve Affairs (Readiness, Training, and Mobilization), 15 January 2004.

[4] *Rebalancing Forces: Easing the Stress on the Guard and Reserve.*

In particular, 92 percent of military police units have deployed during this time period, with 18 percent deployed more than once. Army Guard forces that are frequently called on by state governors to respond to state needs such as natural disasters have also been affected by current operational demands—about 70 percent of the enhanced brigades[6] and separate battalions and 75 percent of the Guard's divisional combat battalions have been deployed at some point since September 11 and, when deployed, were not available for state needs.

Figure 3: Types of Army National Guard Units with Highest Post-September 11 Use



Source: GAO analysis of Army National Guard data.

Note: Data through March 31, 2004.

[6] Enhanced brigades are the Army National Guard's highest priority combat units. These 15 brigades receive specialized training and higher priority than other National Guard units for personnel and resources during peacetime. Once called to active duty, they are expected to be ready to deploy overseas within 90 days.

The Army National Guard is being adapted for expanded missions both at home and overseas and has been used in different configurations than DOD war planners had anticipated. In all four of our case study states, Guard officials reported that their units were adapted and personnel were trained for previously unanticipated homeland tasks, such as guarding airports and Air Force bases in the United States. As of March 31, 2004, about 5,500 Army Guard soldiers were still guarding Air Force bases in the United States. In our case study states, Army Guard units reported responding to specific needs in support of governors and federal authorities. For example:

- The New Jersey Army Guard provided security for bridges, tunnels, and nuclear power plants for the state governor during 2003 and continues to provide security at two nuclear power plants.
- The Oregon Army Guard provided security at federal installations, such as the Umatilla Chemical Depot and Ft. Lewis, Washington, during 2002 and 2003.
- The Texas Army Guard performed border security assisting U.S. Customs agents from October 2001 to November 2002 and provided security at Air Force installations and state nuclear power plants from October 2001 to October 2002.
- In Georgia, Army Guard personnel provided airport security almost immediately after September 11 and were still guarding Army bases and Air Force facilities at the time of our visit in December 2003.

Army National Guard units were also adapted for overseas missions to increase the supply of high-demand specialties, meet new operational requirements, and fill personnel shortages in deploying units. For example, to avoid critical shortages of military police units, 27 Army National Guard units, containing over 7,000 personnel, were converted from other specialties such as field artillery to military police units, some of which have already deployed to Iraq to perform missions such as convoy security. In total, more than 34,000 soldiers deployed with new units that were tailored to provide specific capabilities needed as a result of the new security environment.

Significant Use of Air Guard Occurred for Iraq Combat Operations and Homeland Defense Missions, but Number of Activated Personnel Has Decreased

The Air National Guard has also faced expanded roles and high utilization since September 11, 2001. As figure 1 shows, Air Guard activations increased in the fall of 2001 to support both homeland security activities and operations in Afghanistan and declined in 2002. Air Guard activations increased again in the spring of 2003 at the beginning of operations in Iraq but have since declined to about 7,500 as of March 2004. The effects of the increased operations have not been as severe on the Air National Guard as on the Army Guard because the Air Guard is structured and funded to be a ready operational force. The Air Force, using an Air and Space Expeditionary Force concept, divides its forces into 10 groups, each containing a mix of active, Guard, and reserve forces, and operates on a standard 15-month rotational cycle. The Air Guard often uses volunteers to fill rotational requirements, rather than activating large units, for missions. Because the Air National Guard is structured to deploy in small units and is funded to achieve readiness levels comparable to the active Air Force, these small units can deploy within 72 hours after being alerted.

Since the terrorist attacks on the homeland, the Air National Guard has been called on to perform new missions such as flying combat air patrols and providing radar coverage for the continental United States. Units in the states we visited played key roles in homeland defense missions. For example:

- The 177th Fighter Wing in New Jersey, which is strategically located near major cities such as New York, Philadelphia, Boston, Baltimore, and Washington, D.C., took on the additional mission of flying combat air patrols over these cities. Through early November 2003, the 177th had flown 1,458 combat air patrol missions.

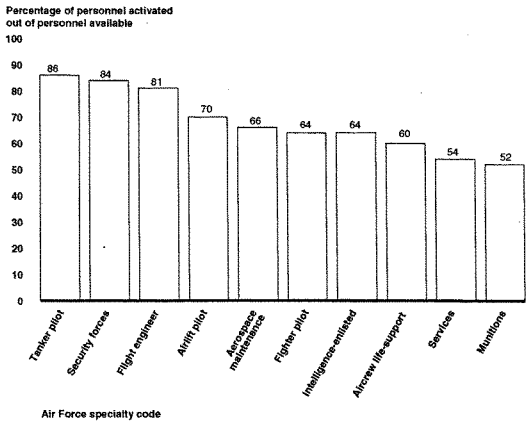
- The 147th Fighter Wing in Texas flew a total of 284 combat air patrol missions over New York City and Washington, D.C., between December 2001 and March 2002. Since September 11, the unit has also flown combat air patrols over Houston, the Gulf Coast, and in support of special events such as the Super Bowl and the Winter Olympics.

Like the Army Guard, the Air Guard is also experiencing a higher demand for particular specialties with some specialties used at rates DOD reports cannot be sustained over time.[6] As figure 4 shows, among career fields with more than 500 personnel, 86 percent of tanker pilots, 84 percent of

[6] *Rebalancing Forces: Easing the Stress on the Guard and Reserve.*

security personnel, and 81 percent of flight engineers have deployed at least once since September 2001. Further, about 10,000 Air Guard members have been deployed for more than 220 days in the past year and about 6,400 of those have been deployed for more than 401 days in the last 2 years.

Figure 4: Types of Air National Guard Specialties with Highest Post-September 11 Use



Source: Air National Guard analysis.

Note 1: Data through March 8, 2004.

Note 2: Chart contains career fields with more than 500 personnel and are more than 50 percent utilized.

To meet the requirements of both its domestic and overseas missions, Air Guard officials said they added personnel to planned rotation cycles by activating some units earlier than planned and extending their duty tours. And, except for some high-demand specialties, the Air Guard returned to its usual rotation schedule in March 2004.

Readiness of Non-deployed National Guard Units Has Declined, but Decline Is Most Significant for the Army Guard

Since September 11, 2001, the extensive use of both the Army and Air National Guard in recent operations has resulted in a steady decline in the warfighting readiness of non-deployed units. The greatest negative impact has been on the Army National Guard because it is not structured or funded to meet the demands of recent operations. The extensive transfers of personnel and equipment needed to prepare lower resourced Army Guard units to meet wartime deployment standards have eroded the readiness levels of the remaining Army Guard force. Certain Air Guard personnel specialties and equipment are also facing continued stress due to the ongoing pace of operations and aging aircraft. The effect of this readiness decline on the Guard's ability to perform homeland security missions is unknown because DOD has not completed its efforts to define requirements and readiness standards and measures for the homeland defense missions it would lead or the civil missions is would support. Some state officials we spoke with voiced concern about the preparedness of their Guard units for recurring state emergencies or new homeland security missions given the level of the Guard's ongoing support to overseas operations.

Extensive Personnel and Equipment Transfers to Deploying Units Erode Preparedness of Remaining Army Guard Units

Preparation of deploying Army Guard units to meet the theater commanders' requirements for recent overseas operations has resulted in extensive transfers of both personnel and equipment that degraded the readiness of remaining units. For the Army Guard, DOD provides units with varying levels of personnel, training, equipment, and full-time support based on how quickly they are expected to be used. For example, DOD aims to provide certain types of Guard units, such as early deploying support and Special Forces units, all the personnel and equipment they require to undertake their wartime missions. Other forces, such as most combat brigades and divisions which are expected to deploy later, are authorized fewer personnel and less equipment than they need to meet their wartime missions.

The Army's goal is to provide the Guard's enhanced brigades, the most ready of its combat forces, about 85 percent of the personnel and 90 percent of the equipment they need to deploy. However, we found that the two enhanced separate brigades activated in support of operations in Iraq needed 2,100 additional soldiers, about one-fourth of their required personnel, to meet deployment requirements. Combat divisions are authorized only 65 percent of the personnel and equipment they need, and it could take months before they are ready to deploy. Moreover, soldiers must be qualified in their military specialties by attending required training and meeting training standards to be ready to deploy, but as of March

2004, only 68 percent of the Guard's required personnel were qualified in their specialty. Guard members may not be qualified because they have not been able to attend training when it is scheduled. Since September 11, 2001, the Army National Guard has initiated over 71,000 transfers of personnel from one unit to another to enhance the readiness of deploying units.

In addition to personnel shortfalls, most Army Guard units are not provided all the equipment they need for their wartime requirements. Moreover, the equipment they have is often older than that of the active Army and in many cases does not meet the warfighting commander's requirements because it is not compatible with the active Army's newer equipment. For example, many Army Guard units have radios that cannot communicate with new communications systems and old trucks for which the active Army does not stock spare parts. Units deploying in support of operations in Iraq in 2003 and 2004 needed about 22,000 pieces of equipment—including night vision goggles, machine guns, trucks, decontamination apparel, and radios—to meet deployment requirements. The Army National Guard filled these shortages by transferring equipment from other units. In fact, between December 2002 and March 2004, Army Guard units in every state and territory supplied equipment to three deploying enhanced brigades. Initially the Guard managed transfers so that many units shared the burden of losing equipment and could remain at their planned readiness levels. For example, the enhanced separate brigade we visited in Georgia transferred machine guns, night vision goggles, and global positioning systems to deploying units, but officials said that the unit maintained its readiness rating because the equipment was not deemed critical or taken in quantities that degraded the unit's overall readiness level. However, in November 2003, the Director of the Army National Guard directed that personnel and equipment be transferred to deploying units, even if that meant degrading the readiness of remaining units, a strategy that may not be sustainable over the long term. By 2004, deployments and existing shortages left the remaining Army Guard units without about 33 percent of the critical equipment they need. In New Jersey, officials told us that some units had less than 65 percent of their wartime equipment requirements and reported critical shortages of spare parts, utility trucks, night vision goggles, and pistols.

High Usage and Aging Equipment Eroding Air National Guard Readiness

Air National Guard units have also experienced difficulty in maintaining their warfighting readiness while conducting overseas and homeland defense missions and reported overall declines in readiness. The Air Force

and Air Guard attribute these readiness declines to the high pace of operations and problems associated with aging aircraft.

Many Air Guard units use aging aircraft, and the high pace of operations has been a training and maintenance challenge. For example,

- An airlift wing we visited in Georgia operates aging C-130 transport planes. Although officials said that in peacetime the wing planned for 2,900 flying hours annually for training, it had flown over 13,000 hours for operations and training in 2003. This high pace of operations made it difficult for the unit to continue to perform its warfighting training requirements for tasks, such as tactical formation flying, thus lowering its readiness ratings. In addition, officials said that in recent deployments to Iraq, the unit's aging aircraft and the harsh operating environment presented a maintenance challenge, as evidenced by the need to replace 11 turbine engines and 20 propellers to keep the 8 aircraft operational.

- Since September 11, 2001, fighter wings that we visited in New Jersey, Texas, and Oregon have been directed to dedicate some aircraft to domestic combat air patrol missions. This has reduced the number of aircraft available for air crews to use for other warfighting mission training. To meet training requirements, the units have had to fly the remaining aircraft more hours than planned, which has created scheduling and maintenance problems. Officials were concerned about the long-term effects of the continued high pace of operations on their ability to support both missions.

DOD Has Not Fully Defined Mission Requirements or Readiness Standards and Measures for All Its Homeland Security Missions, and Some States Have Concerns about Preparedness and Availability of Guard Units

It is difficult to assess the Guard's preparedness for the full range of homeland security missions because requirements for these missions are not yet well defined. Moreover, DOD has not yet established readiness standards and measures for homeland defense or civil support missions. DOD generally organizes, trains, and equips the National Guard for only the federal missions it leads. DOD's U.S. Northern Command, which is charged with planning, organizing, and executing DOD-led homeland defense and with supporting homeland security missions led by civilian authorities, has not yet finalized its plans that would identify forces and resources for the homeland missions it may lead or support. In some cases, Northern Command is awaiting further guidance from the Office of the Secretary of Defense. As a result, National Guard forces that may have to take on homeland security missions are not organized, trained, or equipped specifically for these missions. Without specific requirements

and plans that clarify the types of skills and equipment needed for these missions, it is not possible to measure the readiness of forces specifically for these missions.

To address some potential homeland security needs, DOD began establishing weapons of mass destruction civil support teams as authorized by Presidential Directive and Congress in fiscal year 1999. These teams, which are comprised of 22 full-time personnel, are maintained at the highest readiness levels and can rapidly respond to support civil authorities in an event involving a weapon of mass destruction. Their role is to assist local officials in determining the nature of the attack, provide medical and technical advice, and help to identify follow-on federal and state assets that might be needed. Congress has now authorized at least one team for each state and territory. Currently, 32 teams are fully operational with the remaining 23 estimated to be operational by 2007.[7] These teams are unique because they are federally funded and trained but perform their mission under the command and control of the state governor.

Individual state Guards have also begun to develop plans and organize their Guard forces for some homeland security tasks that might be conducted under the authority of the governor. However, these efforts vary from state to state. For example, in our case study states,

- Georgia officials told us they were in the process of identifying critical infrastructure sites in the state and assigning quick reaction forces to protect them.
- New Jersey has assigned ready-reaction forces to protect key sites in each of 3 geographic regions.
- Oregon has identified some of the critical infrastructure that must be protected and annually identifies those National Guard units that will be assigned to perform rapid response force tasks.

Historically, Guard forces could perform state missions using the skills and equipment they were provided for their federal missions. However, mobilized and deployed personnel and their equipment are not available

[7] Congressional Budget Office Cost Estimate, Weapons of Mass Destruction Civil Support Teams, Implementation Act of 2003, April 10, 2003.

for states to use for either new homeland security missions, such as responding to increased terrorist threats, or recurring natural disasters, such as floods or forest fires. As figure 5 shows, 15 states currently have 40 percent or more of their Army Guard soldiers mobilized or deployed. While Air Guard units are not used as extensively for state missions as those of the Army Guard, as figure 6 shows, as many as one-third of Air Guard units were alerted or deployed from some states as of March 2004. None of the four states we visited had developed a state system for measuring the preparedness of its forces for homeland security missions, and officials in all four states we visited raised varying concerns about homeland security preparedness. For example:

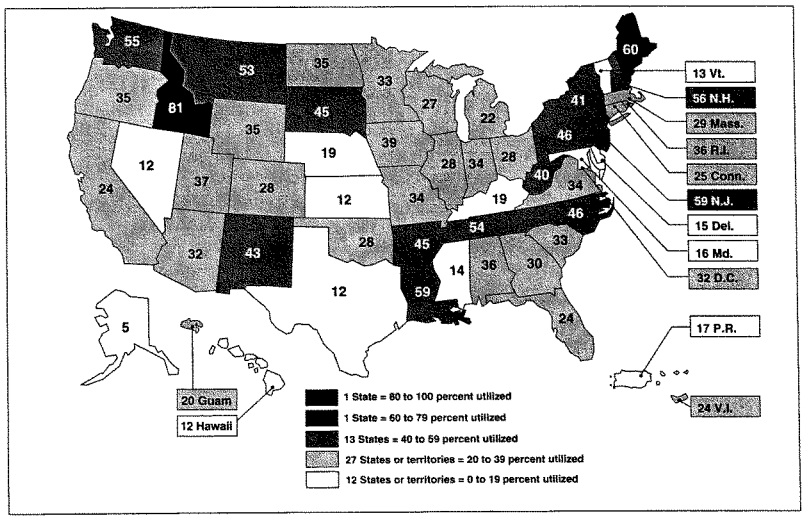
- New Jersey units that responded to a terrorist threat alert in December 2003 reported that they lacked some essential equipment such as humvees, night vision equipment, cold weather gear, chemical protective suits, and nerve agent antidote. The state paid for some essential equipment for its forces during this time on an emergency basis. In addition, at the time of our visit, New Jersey was preparing to deploy large numbers of its state Guard personnel overseas and was determining how it would respond to another such terrorist threat after almost 60 percent of its forces are deployed.

- Georgia officials told us that hosting the 2004 International Economic Summit of Eight Industrialized Nations in June 2004 will increase Georgia's requirements for security missions such as aerial reconnaissance and surveillance at a time when its Army Guard aviation units may be deployed overseas.

- In 2002 the state of Oregon called up more than 1,400 Army Guard soldiers to respond to one of the worst forest fire seasons in a century. Oregon officials stated that because many of its forces and equipment are currently deployed and the state has only limited engineering capability left, it would not be able to provide the same level of support as it did in the 2002 season.

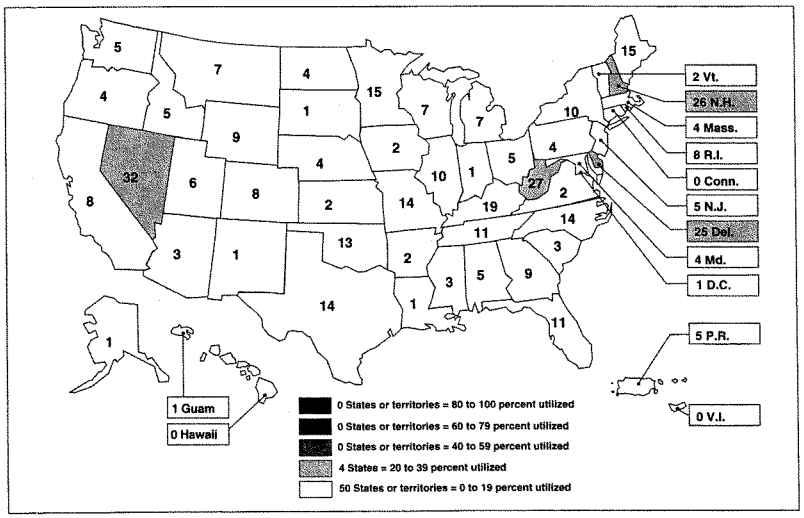
- All of the aviation assets Texas would need to fight fires and all of its military police were deployed at the time of our visit. However, Texas officials said that they were able to meet their homeland security needs, even at the height of its Guard's overseas deployments, because its largest Army Guard unit had not been fully deployed and, as a large state, it had ample state emergency response capability.

Figure 5: Percent of Army National Guard Soldiers Alerted, Mobilized, and Deployed for Title 10 as of March 31, 2004



Source: GAO analysis of Army National Guard data.

Figure 6: Percent of Air National Guardsmen Mobilized and Deployed for Title 10 as of March 8, 2004



Source: GAO analysis of Air National Guard data.

Some Guard officials noted that their states' Guards had not received additional federal funding to take on homeland security missions, even as personnel and equipment that could be needed for these missions are being deployed overseas. Guard officials also said that the states have limited budgets and that homeland security requirements compete with other needs, although the states have funded some homeland security activities, such as guarding critical infrastructure, and purchased some equipment. Further, state officials said the Guard is not generally eligible for funding from the Department of Homeland Security because its grants are limited to "first responders" such as police or firefighters.

Most states have entered into mutual assistance agreements that may provide access to another state's National Guard forces in times of need. These agreements are typically used to access additional forces for natural disaster response. However, states may withhold their forces if the forces are needed in their home state. For example, according to New Jersey officials, their state faces an elevated terrorist threat due to its proximity to New York City. However, they do not have a fully operational weapons of mass destruction civil support team in New Jersey. The officials said they requested access to another state's team on three occasions. On two occasions, the request was not granted because officials in the team's home state determined that it was needed at home. When New Jersey made a third request, in response to a specific and credible terrorist threat, access was approved.

Readying and Resourcing National Guard Units for Overseas and Domestic Missions Presents Significant Near- and Long-Term Challenges

Our work has shown that DOD, the states, and Congress face significant near- and long-term challenges to readying and resourcing National Guard units for overseas and domestic missions in the Global War on Terrorism. These challenges include first, enhancing the near-term preparedness of Army Guard units that may be mobilized for overseas operations within the next few years. These improvements may be difficult to realize because the Army National Guard is still operating at peacetime funding levels despite declining readiness. Second, in the longer term, the Guard's ability to successfully organize for its missions in the new strategic environment will depend on whether adequate resources are identified for these efforts and whether DOD's readiness and funding policies are consistent with the Army Guard's expected high utilization for the foreseeable future. However, the National Guard does not have complete control of all the restructuring and resourcing decisions that will affect its mission preparedness. Finally, in addition to restructuring and funding to be ready for the Guard's federal mission, DOD must consider how to balance homeland and overseas requirements.

The Guard Will Be Challenged in the Near-Term to Enhance the Readiness of Army Guard Units for Future Overseas Rotations

The high pace of recent operations has left Army National Guard units less prepared for future overseas operations and in need of additional trained personnel and essential equipment. In the near term, the National Guard must continue to provide units capable of performing challenging overseas missions. For example, the Army Guard has alerted 33,000 troops for deployment in support of operations in Iraq in 2005. Moreover, while future deployment figures for operations in Afghanistan had not been announced as of March 2004, 16,500 Army Guard soldiers are currently deployed to support these operations.

The National Guard has attempted, where possible, to activate units that have not been recently deployed to minimize the hardship on personnel. However, some of these units have supplied personnel and equipment to previously deploying units, exacerbating existing shortfalls and interfering with the units' ability to maintain their previous level of readiness. In addition, the continuing need for some skills may require the Guard to re-activate units that have only recently returned from deployment. Furthermore, the readiness of the equipment belonging to returning units is presently unknown. However, past experience with prolonged desert operations has shown that equipment may need extensive maintenance and not be available for training purposes. In addition, some redeployed units left equipment behind for other deploying units and will need replacement equipment. Because so many personnel and so much equipment have been taken from those units not yet deployed, improving their readiness may become increasingly difficult. In the long term, DOD's approach of transferring people and equipment does not appear to be sustainable.

The early alert of some units required for overseas operations may help identify readiness problems earlier and enable the Guard to take actions to improve unit readiness. For example, Guard officials indicated that certain actions, such as sending higher numbers of personnel to school to become qualified in their specialties, could improve readiness. However, complicating the Army Guard's efforts to improve the preparedness of its units is the fact that the Army has not provided the Guard additional funding for equipment and training to support its new operational missions. The Army Guard has not received any wartime supplemental funding in fiscal year 2004 to address the equipment shortfalls caused by the stress of recent operations in units that might be needed in future operations.

Long-Term Initiatives to Restructure Army National Guard Face Implementation Challenges

DOD has a number of efforts to restructure the National Guard to improve its ability to perform federal missions in the new strategic environment, although these are long-term efforts that have not been fully funded in DOD's budget and detailed implementation plans have not yet been developed. For example, DOD plans to alleviate the high pace of operations of reserve units by increasing the availability of certain high-demand units and rebalancing the skills in the active and reserve forces. Other DOD-wide initiatives to use its forces more efficiently include moving military personnel out of activities that can be performed by civilians or contractors and into high-demand specialties and taking advantage of technological advances to reduce personnel needs.

The Army plans to restructure its forces, including National Guard units, into modular units that can be tailored for specific needs. After restructuring, the Army Guard would have 34 fully manned brigades, instead of its current 15 enhanced brigades, 2 separate brigades, and 21 brigades in 8 divisions that are not fully manned. The Army plans to begin restructuring active units immediately, but, according to National Guard officials, it has not established the time frame and funding for the conversion of Army Guard units.

As the Army Guard is being restructured over the long-term, the Army's current resourcing policy, which provides most Guard units with fewer personnel and less equipment than they need for their wartime missions, may need to be reevaluated given the Army Guard's operational role at home and overseas in the Global War on Terrorism.

For example, one Army Guard initiative would address its long-standing problem of having insufficient full-time personnel to support its units. Full-time Guard members enhance unit readiness by performing tasks such as monitoring member readiness; recruiting and training personnel; and maintaining supplies, equipment, and aircraft. Without sufficient full-time personnel, these tasks, which are critical to unit readiness, suffer. The Army Guard was authorized only 59 percent of its full-time manning requirement in fiscal year 2003, as compared to the Air Guard's full-time manning of 100 percent of its requirement. The Army Guard plans to increase full-time manning gradually to an average of about 71 percent by 2012, if funding is provided. However, there are no plans to increase full-time manning to 100 percent of the Guard's requirements.

Restructuring Efforts Should Consider Balance between Overseas and Domestic Requirements

Efforts to restructure the National Guard are focused on its primary federal mission and do not address the individual state Guard's critical role in homeland security. As noted earlier, DOD planning and resourcing for National Guard units has assumed that homeland security tasks can be accomplished with the personnel and equipment supplied for the wartime mission. However, in the new security environment, the assumption that Guard units can perform their domestic missions with personnel and equipment trained for overseas missions needs is questionable. The U.S. Northern Command, which is responsible for DOD-led efforts to defend the homeland, has not completed its efforts to identify all the forces and capabilities needed for homeland defense or homeland security.

In the future, the National Guard would like to adopt a rotational deployment model that would maintain at least 50 percent of a state's

Guard force available for the use of state officials to perform domestic missions. In addition to assuring the ready availability of personnel, the Guard would like to be able to provide each state with capabilities that could be used for homeland security such as transportation, medical, aviation, engineering, and military police, among others. Although providing the variety of assets for state use has been a Guard goal, not every state has all these capabilities at this time. Further, DOD's plans to rebalance the active and reserve forces are based on the general goal of deploying individuals no more than 1 year over a 6-year period. However, overseas commitments may challenge the Guard's ability to meet these goals. Moreover, the Guard will have to work with state officials to balance the mix of capabilities among the state Guards.

As homeland security requirements are identified, DOD, the states, and Congress may also need to evaluate the need for some specialties or additional equipment or capabilities. The National Guard is providing some training and specialized equipment, such as decontamination equipment, for homeland security missions. At a total cost of about $9 million for equipment, the National Guard is creating 12 enhanced response forces to augment its civil support teams who are tasked and trained to respond if weapons of mass destruction are used. Each Guard team will have responsibility for 1 of 12 geographic regions in the United States. When fully implemented, these enhanced response forces will have the medical, decontamination, engineering, and security forces required to respond to a mass destruction event. However, these units will retain overseas missions and could be deployed overseas.

Conclusion

In conclusion, Mr. Chairman, while the high pace of operations has caused some difficulties for the Air Guard and the Army Guard, the Army Guard's efforts to ready units to deploy by taking trained personnel and critical equipment from other units has created urgent personnel and equipment shortages in units that have not yet been deployed. Unless replacement equipment and personnel are identified, the Army Guard will have to continue to take personnel and equipment from one unit to ready another, which means that the units called in the future will likely be even less ready. The extensive use of Guard forces and eroding readiness of the non-deployed units suggest a comprehensive reassessment of the Army Guard's current structure and resourcing assumptions may be needed. Furthermore, while homeland security requirements have not been defined, equipment and personnel may not be available to the states when they are needed because they have been deployed overseas. Moreover, the Guard may have difficulty ensuring that each state has access to units with

key specialized capabilities—such as engineering or medical assets—needed for homeland security and other domestic missions. The National Guard has a number of initiatives to address the mismatch between the Army Guard's tasks and the priority it has received for personnel, training, and equipment. Most initiatives are long-term in nature, such as reorganizing units, and face implementation challenges, including the need for funding. However, unless DOD, Congress, and the states work closely to address these challenges, Guard units may continue to experience a high pace of operations and declining readiness that could affect their ability to meet future requirements both at home and overseas.

Mr. Chairman, this concludes my statement. I would be pleased to respond to any questions you or other Members of the Committee may have.

GAO Contacts and Acknowledgments

For more information regarding this testimony, please call me, at (202) 512-4402. Individuals making key contributions to this testimony include: Margaret Morgan, Suzanne Wren, Jacquelyn Randolph, V. Malvern Saavedra, Daniel Omahen, Barbara Gannon, Tina Morgan, James Lewis, M. Jane Hunt, Jennifer Popovic, Jay Smale, and Kenneth Patton.

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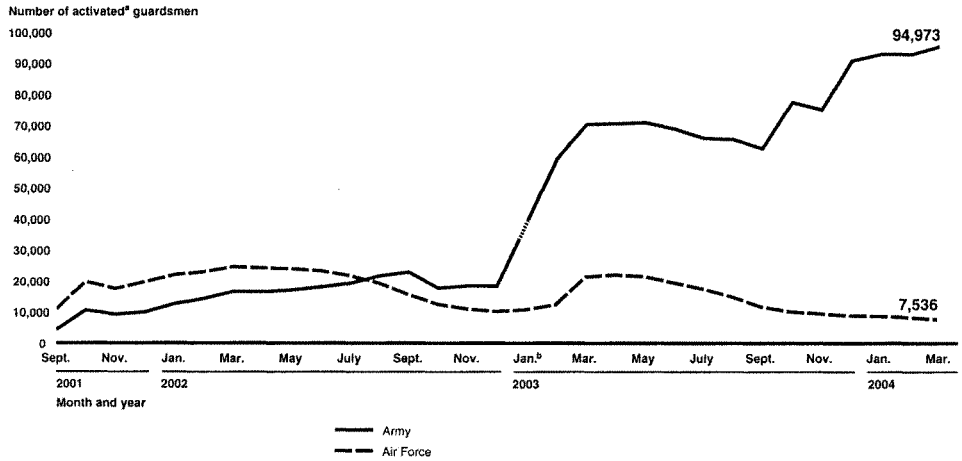
Figure 1: Post-September 11 National Guard Federal (Title 10) Activity



Source: GAO analysis of Army and Air National Guard data.

[a] Army National Guard data represent the number of soldiers alerted and mobilized. Air National Guard data represent the number of airmen who are mobilized.
[b] Because Army National Guard data for January 2003 are not available, chart data point was estimated based on trend.

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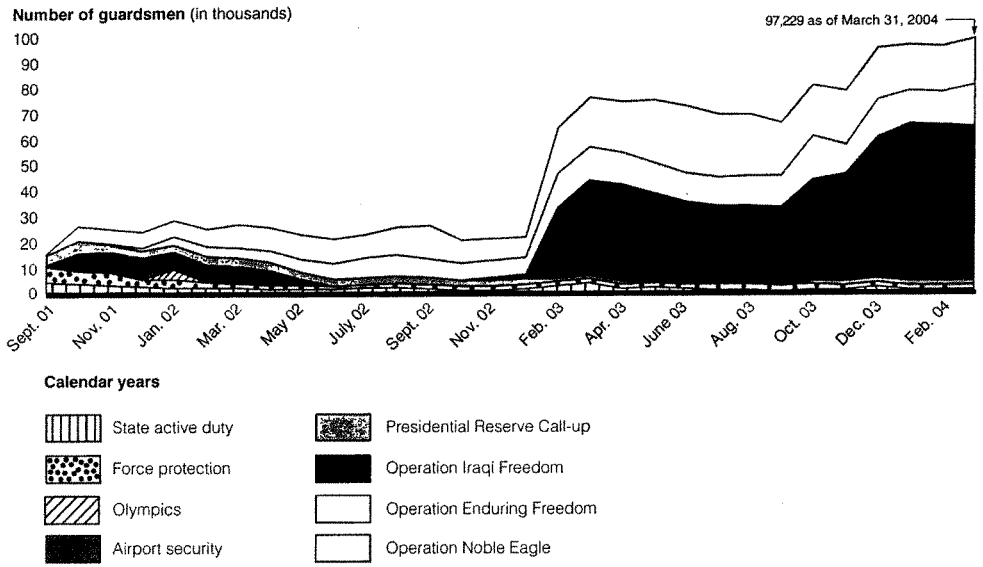
Figure 2: Post-September 11 Army National Guard Activities Under Federal and State Authorities



Source: Army National Guard.

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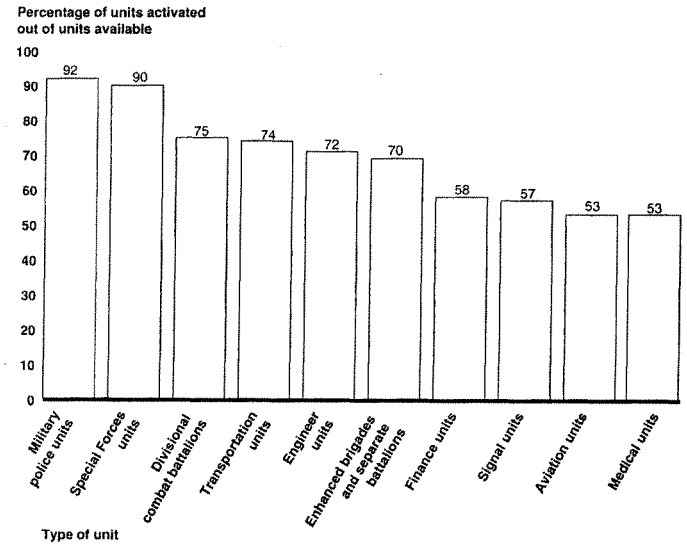
Figure 3: Types of Army National Guard Units with Highest Post-September 11 Use



Source: GAO analysis of Army National Guard data.

Note: Data through March 31, 2004.

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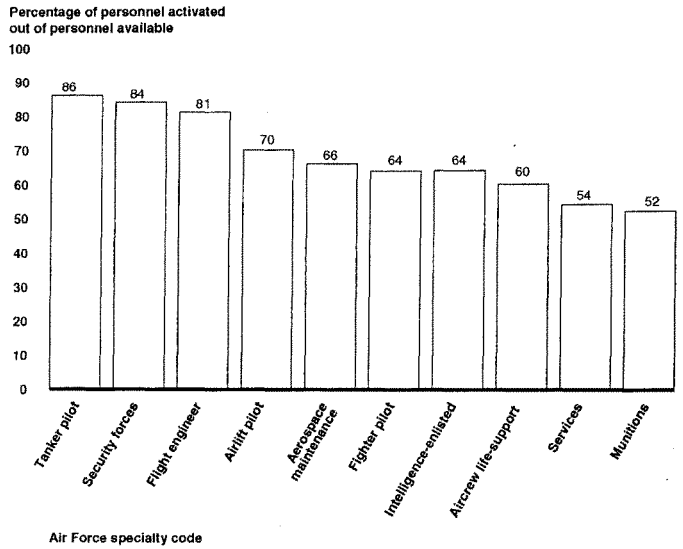
Figure 4: Types of Air National Guard Units with Highest Post-September 11 Use



Source: Air National Guard analysis.

Note: Data through March 8, 2004.

Note: Chart contains career fields with more than 500 personnel and more than 50 percent utilized.

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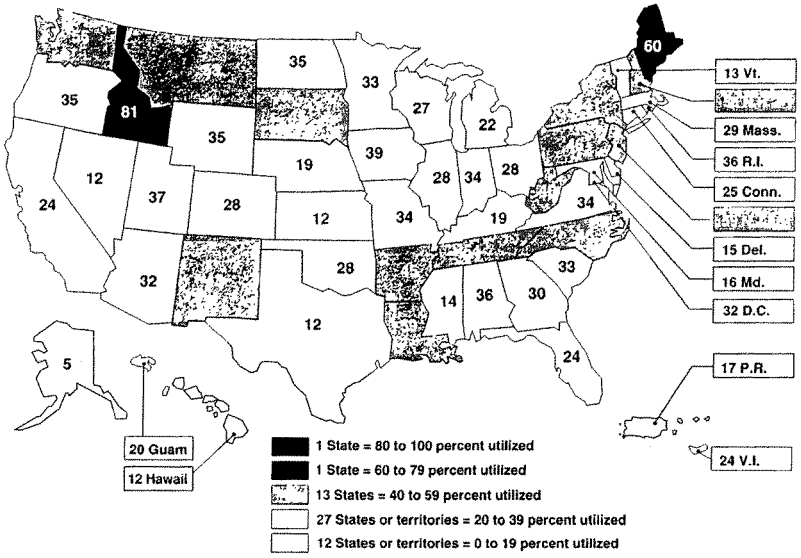
Figure 5: Percent of Army National Guard Soldiers Alerted, Mobilized, and Deployed for Title 10 as of March 31, 2004



Source: GAO analysis of Army National Guard data.

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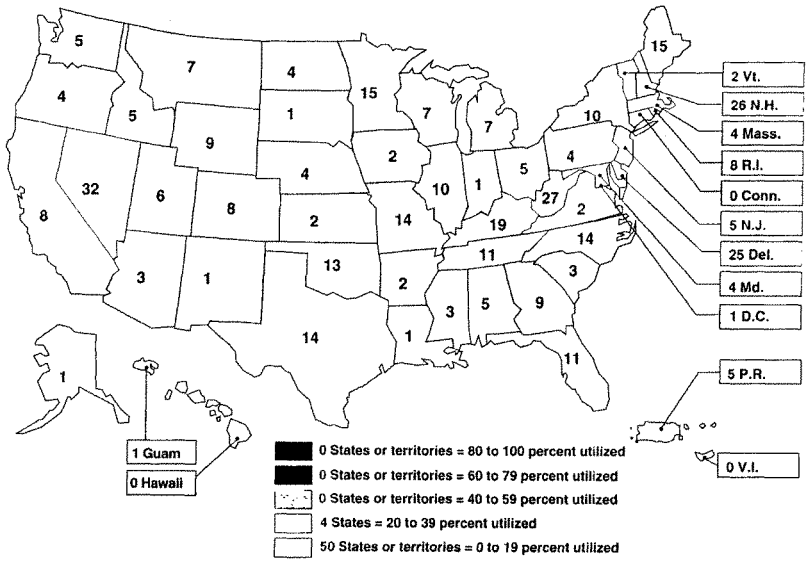
Figure 6: Percent of Air National Guardsmen Activated for Title 10 as of March 8, 2004



Source: GAO analysis of Air National Guard data.

Mr. SHAYS. Thank you very much. We appreciate your testimony. General Marty, welcome.

General MARTY. Good afternoon, Mr. Chairman and members of the committee. Let me just say that it's an honor for this Texas soldier to come before this committee to testify. Thank you very much.

Mr. SHAYS. General, you need to know it is an honor to have you come before us. Don't even wonder.

General MARTY. I'm pleased to have this opportunity to discuss the transformation of the Texas military forces. The Texas military forces include the Adjutant General's Department, the Texas National Guard, both the Army and the Air, and the Texas State Guard. We are a diverse team of approximately 21,000 Federal and State personnel in 106 installations in or near 86 cities and towns across Texas.

Since September 11th, the Texas military forces have responded to homeland security respondents and other public emergencies in a variety of ways that demonstrate the versatility of the force. These include the fighter escort of Air Force One immediately following the September 11 attacks, the security of 26 airports statewide, assisting the FBI in review of airline manifests, augmenting Immigration and Naturalization Service, the Border Patrol, the Customs Service along the Mexican Border and Gulf Coast line, conducting combat air patrols over Houston, the Gulf Coast, New York City and Washington, frequent interception missions against unidentified aircraft entering U.S. air space and security of critical national assets at at least 20 locations across the United States.

Additional activities include augmenting search, security and rescue forces at the World Trade Center and the 2002 Winter Olympics in Utah, both air and ground support of local, State and Federal law enforcement agencies along the Mexican border and throughout the State, assisting with the joint recovery of the space shuttle Columbia, medical and dental support to the needy in south Texas border region, and emergency response to hurricanes, tropical storms, tornadoes, snow storms, floods and wildfires.

Our ability to respond like this is based upon close working relationships with State homeland security and emergency management officials, and clear guidance from them on their requirements. The shuttle recovery operation in particular highlighted the value of Title 32 mobilizations, which provided Federal funds but allowed the Governor and me to continue to use the established system of command and control and the habitual relationships with the State emergency agencies and responders.

In addition, since September 11th, Texas military forces have developed on land and deployed on land, at sea and in the air in support of the global war on terrorism at 195 locations within the United States, on Coalition Naval vessels in the Mediterranean and in 38 countries. I must tell you that we could not have done this without the support of the U.S. Congress and the American people. For that, we are very grateful.

Our ability to meet the demands of this expanding roles is also greatly facilitated by the drive for the joint transformation by the Department of Defense and the National Guard Bureau. In Texas, we are pursuing transformation along five closely related lines. We have transformed the various headquarters into a single, joint

State headquarters. We are transforming the Texas Army National Guard into agile, versatile, modular, independent units of action.

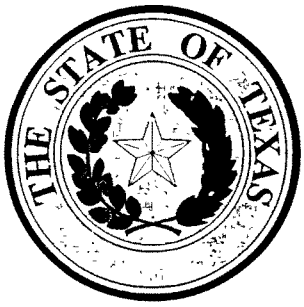
We are transforming the Air National Guard into a more relevant force, anchored in precision strike, fighter training and worldwide tactical airlift. We are transforming the Texas State Guard, a voluntary auxiliary for Texas National Guard, into a joint forces specialist to augment the medical infrastructure in Texas in public health emergencies, including terrorism.

We continue to serve both the global war on terrorism and homeland missions. As should be apparent, the preparation for one role has enhanced our preparation for the others. Because both missions require agility and the ability by diverse agencies and services to work closely together and effectively.

You have asked how you could help. I have some suggestions. Continue to support the Department of Defense and U.S. Government's drive for joint transformation. To assist the Department of Defense in adjusting incentive programs, retention incentives can be redirected for military and military occupational specialists bonuses to post-mobilization retention bonuses. To assist the Department of Defense in assuring that our soldiers and airmen have the equipment they need, including ammunition for training, aircraft upgrades and engineer equipment. Assist the Department of Defense in making various funding streams which began with Congress, less stovepiped and more flexible and more joint.

I'd like to thank you very much for having me here, and I appreciate your efforts on behalf of the National Guard soldiers and airmen, their families and employers, as well as the soldiers, the sailors, the airmen, Marines, members of the Coast Guard personnel who serve this great Nation. These are great young men and women and I am extremely proud of them. Thank you very much.

[The prepared statement of General Marty follows:]



TESTIMONY BY

MAJOR GENERAL WAYNE D. MARTY
ADJUTANT GENERAL OF TEXAS

BEFORE THE
HOUSE COMMITTEE ON GOVERNMENT REFORM
HOUSE OF REPRESENTATIVES
CONGRESS OF THE UNITED STATES

APRIL 29, 2004

**OPENING REMARKS BY MAJOR GENERAL WAYNE D. MARTY,
ADJUTANT GENERAL OF TEXAS,
BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM,
APRIL 29, 2004**

Good morning. I am pleased to have this opportunity to discuss the transformation of the Texas Military Forces.

The Texas Military Forces, including the Adjutant General's Department, Texas National Guard, and the Texas State Guard, are a diverse team of 21,000 Federal and State personnel in 106 installations in or near 86 cities and towns across Texas.

Since September 11th, 2001, the Texas Military Forces have responded to homeland security requirements and other public emergencies in a variety of ways that demonstrate the versatility of the force. These include the fighter escort of Air Force One immediately following the 9/11 attacks; security of 26 airports statewide; assisting the FBI in review of airline manifests; augmenting the Immigration & Naturalization Service, the Border Patrol and the Customs Service along the Mexican border and Gulf coastline; conducting combat air patrols over Houston, the Gulf

Coast, New York City and Washington DC; frequent interceptor missions against unidentified aircraft entering US airspace; and security of critical national assets at 20 locations across the United States.

Additional activities included augmenting search, security & rescue forces at the World Trade Center and the 2002 Winter Olympics in Utah; both air and ground support of local, state and Federal law enforcement agencies along the Mexican border and throughout the state; assisting with the joint recovery of the space shuttle Columbia; medical and dental support to the needy in the south Texas border region; and emergency response to hurricanes, tropical storms, tornadoes, snow storms, floods, and wildfires. Our ability to respond like this is based on close working relationships with state homeland security and emergency management officials and clear guidance from them on their requirements.

The shuttle recovery operation, in particular, highlighted the value of Title 32 mobilizations, which provided Federal funds but allowed the Governor and me to continue to use the established

system of command & control and the habitual relationships with state emergency agencies and responders.

In addition, since September 11th, 2001, the Texas Military Forces have deployed on land, at sea and in the air in support of the Global War on Terrorism at 195 locations within the United States, on coalition naval vessels in the Mediterranean, and in 38 countries.

I must tell you that we could not have done all this without the support of the United States Congress and the American people. For that, we are very grateful.

Our ability to meet the demands of these expanding roles is also greatly facilitated by the drive for joint transformation by the Department of Defense and the National Guard Bureau. In Texas, we are pursuing transformation along five distinct but closely related lines --

- **We have transformed the various headquarters into a single, joint, State Headquarters.**
- **We are transforming the Texas Army National Guard into agile, versatile, modular, independent units of action.**

- **We are transforming the Texas Air National Guard into a more relevant force anchored in precision strike, fighter pilot training, and worldwide tactical airlift.**

  We are transforming the Texas State Guard, a voluntary auxiliary to the Texas National Guard, into a joint force of specialists to augment the medical infrastructure in Texas in public health emergencies, including terrorism.

We continue to serve both the Global War on Terrorism and the homeland missions. As should be apparent, preparation for one role has enhanced our preparation for the other, because both missions require agility and the ability by diverse agencies and services to work closely and effectively together.

You have asked how you can help.

- **Continue to fully support the DOD and US Government drive for joint transformation.**
- **Assist DOD in adjusting incentive programs so (a) Title 32 educational incentives can continue for eligible soldiers and**

airmen when mobilized and (b) retention incentives can be redirected from MOS bonuses to post-mobilization retention bonuses.

Assist DOD in ensuring that our soldiers and airmen have the equipment they need, including ammunition for training, aircraft upgrades, and engineer equipment.

- **Assist DOD, in making the various funding streams, which begin with Congress, less stovepiped, more flexible, and more joint.**

Thank you for your attention, and I appreciate very much your efforts on behalf of National Guard soldiers, airmen, families and employers, as well as all Soldiers, Sailors, Airmen, Marines and Coast Guard personnel who serve our great nation. I am immensely proud of them, and I know you are as well.

**STATEMENT BY MAJOR GENERAL WAYNE D. MARTY,
ADJUTANT GENERAL OF TEXAS,
TO THE HOUSE COMMITTEE ON GOVERNMENT REFORM,
APRIL 29, 2004**

I am pleased to have this opportunity to discuss the transformation of the Texas Military Forces.

The Texas Military Forces, including the Adjutant General's Department, Texas National Guard, and the Texas State Guard, are a diverse team of 21,000 Federal and State personnel in 106 installations stationed in or near 86 cities and towns across Texas.

The reason the Texas Military Forces exist is to "provide mission-ready forces, responsive to community, State and nation." These assets represent a system of capabilities of direct and profound relevance not only to the citizens of Texas and the other 53 states and territories, but also, as we have demonstrated in recent years, to freedom-loving peoples throughout the world.

HOMELAND SECURITY

Since September 11th, 2001, the Texas Military Forces have responded within the State of Texas to homeland security requirements and other public emergencies in a variety of ways that demonstrate the versatility of the force. These include the continuous fighter escort of the President and Air Force One immediately following the 9/11 attacks along a route from Florida to Louisiana to Nebraska and finally to Washington, DC; security of 26 airports statewide for nine months until permanent federal security could be arranged; assisting the FBI in their review of airline manifests; augmentation of the Immigration & Naturalization Service, the Border Patrol and the Customs Service along the Mexican border and Gulf coastline; combat air patrols over Houston, the Gulf Coast, New York City and Washington DC; frequent interceptor missions against unidentified aircraft entering US airspace; and security of critical national assets at 20 locations across the United States.

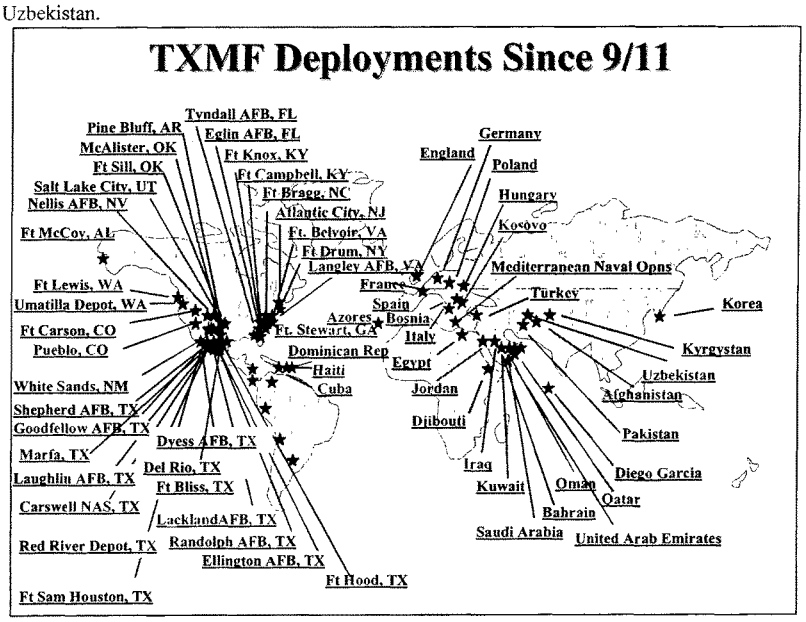
Additional activities included augmentation of search, security & rescue forces at the World Trade Center and the 2002 Winter Olympics in Utah; both air and ground support of local, state and Federal law enforcement agencies along the Mexican border and throughout the state, including demolition of crack houses; assisting with the joint recovery of the space shuttle Columbia; medical and dental support to the needy in the south Texas border region; mentoring programs for at-risk youth; a nationally recognized, award winning program to protect the environment on our facilities and lands; rabies suppression in south and west Texas; and emergency response to six hurricanes and tropical storms, including Isadore, Lilli, Grace, Fay, Claudette and Erika along the Gulf coast, tornadoes in north and south Texas, snow storms in north Texas, floods in central and south Texas, and numerous wildfires across Texas and Oklahoma. Our ability to respond like this is based on close working relationships with state homeland security and emergency management officials and clear guidance from them on their requirements.

The shuttle recovery operation, in particular, highlighted the value of Title 32 mobilizations, which provided Federal funds but allowed the Governor and me to continue to use the

established system of command & control and the habitual relationships with state emergency agencies and responders.

GLOBAL WAR ON TERROR

In addition, since September 11th, 2001, the Texas Military Forces have mobilized and deployed on land, at sea and in the air in support of the Global War on Terrorism at 195 locations within the United States, on coalition naval vessels in the Mediterranean, and in 38 countries, including Afghanistan, the Azores, Bosnia, Bahrain, Chile, Columbia, Cuba, the Czech Republic, Diego Garcia, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, England, France, Germany, Haiti, Honduras, Hungary, Iraq, Italy, Jordan, Korea, Kosovo, Kuwait, Kyrgystan, Oman, Qatar, Pakistan, Peru, Poland, Saudi Arabia, Singapore, Spain, Turkey, United Arab Emirates, and Uzbekistan.



I have watched members of the Texas Military Forces depart for the training that prepares them for duty in the Iraqi area of operations, including artillery and armored cavalry soldiers retraining as military police. I am proud that Texas Military Forces personnel are assisting in the training of the Royal Singapore Air Force, the Czech Armed Forces, and the new Afghan National Army. And, frankly, I was amazed to watch the Texas Information Operations Group conduct 75% of the US Army's Information Operations missions last year, primarily in Afghanistan, Iraq and the Balkans.

Our 136th Airlift Wing, being one of the few 100% qualified night operational C-130 units at the time of Operation Iraq Freedom, flew the first night C-130 mission into Baghdad international. They have maintained aircrews in the theater since the beginning the war. Most significant to this prolonged operational mission is that the squadron achieved a major safety milestone this year when they reached 150,000 flown with no Class A accidents. In addition, the 272d Engineering and Installation Squadron conducted the communication evaluation of the Baghdad Airport immediately after it was secured.

Oversees deployments currently projected for the Texas Military Forces include the Sinai Peacekeeping Force, as well as additional deployments to Iraq and the Balkans.

I must tell you that we could not have done all this without the support of the United States Congress and the American people. For that, we are very grateful.

TRANSFORMATION

Our ability to meet the demands of these expanding roles, both Homeland Security and the Global War on Terrorism, is also greatly facilitated by the drive for joint transformation by the Department of Defense and the National Guard Bureau. The Texas Military Forces have been working hard to make General Blum's joint transformation vision a reality -- what I call a joint culture of performance excellence. The basic aim is to work together better and smarter to ensure we remain a reliable, ready, relevant and accessible force in the 21st century. In short, we must continually change. The current structure of the National Guard has served us well for half a century, but it is time to eliminate some dead wood, reorganize an outdated force structure, and retool old processes.

Transformation is, first of all, a state of mind. Changing mindsets is a major challenge and a continuing process. Texas already laid the groundwork when we began referring to ourselves as the Texas Military Forces – not just Texas Army National Guard or the Texas Air National Guard or the Texas State Guard, but the Texas Military Forces.

In Texas, we are pursuing transformation along five distinct but closely related lines that directly and jointly support both the homeland security mission and the Global War on Terrorism:

Firstly, we have transformed the various headquarters into a single, joint, State Headquarters, to help fuse people and property across service lines into interdependent structures with consolidated functions and processes. This will include dual-hatting my Assistant Adjutants General as joint force component commanders for our army and air forces; creation of a joint staff with joint procedures, establishment of a Joint Emergency Operations Center (EOC), including liaison officers from the Army, Air and Navy Reserves; and creation of a joint automation network to replace five separate and distinct networks, allowing for information sharing and electronic collaboration across the joint organization, and at lower cost.

Secondly, we are transforming the Texas Army National Guard into agile, versatile, deployable units of execution and units of action, including the reflagging of the 49th Armored Division as the 36th Infantry Division and, ultimately, the 36th Division (or Unit of Execution), the restructuring of our maneuver brigades into modular, deployable, independent units of action, and the addition of a military police brigade. This will equip us for service throughout the

spectrum of conflict and emergencies, war, post-war stability operations, peacekeeping, homeland security, and natural and man-made disasters.

Thirdly, we are transforming the Texas Air National Guard into a more ready, reliable and relevant force anchored in the three primary missions of precision strike, fighter pilot training, and worldwide tactical airlift, but with new emphasis on information operations and eventual transition to follow-on aircraft, including unmanned aerial vehicles.

Fourthly, we are transforming the Texas State Guard, a voluntary auxiliary to the Texas Army and Air National Guard, into a robust, trained joint force of volunteer specialists focused on homeland security, including a Medical Reserve Corps to augment the medical infrastructure in Texas in response to public health emergencies and terrorist use of weapons of mass destruction.

And finally, we continue to develop and expand our Joint Operating Forces that fuse these various elements together to meet the demands of both Federal and State missions. Currently, these include the Counterdrug Task Force, the 6th Civil Support Team, the Texas State Guard, and our growing support to US Army South and its southern focus with the US Southern Command. Activities of these joint forces have included the following:

- Exercise UNIFIED DEFENSE 04 , or UD04, a joint, NORTHCOM-sponsored homeland security exercise involving TXMF, local, state and Federal agencies;

- Joint contingency units and emergency operations centers for the 2002 Winter Olympics and the 2004 Super Bowl, including coordination and collaboration with local, state, Federal, US Army, US Air force, US Navy and Coast Guard forces.

- Integration of Texas Army and Air National Guard members in the 6th Civil Support Team, a unit focused on assisting first responders to a chemical, biological, nuclear or other hazardous material incident – and this unit has been conducting joint operations with the Coast Guard and local, state and Federal agencies for the past three years. It continues routine liaison to assure these agencies know how to both request 6th CST support and provide essential information about hazardous materials stored or transported in and around the Texas ports and our long coastline.

- Operation Lone Star, an annual, two-week medical exercise that focuses needed medical and dental support to the local populace in the Rio Grande Valley and includes medical specialists from the Navy Reserve, Marine Reserve, Texas Army National Guard, Texas Air National Guard, Texas State Guard, and state and Federal agencies.

- Establishment of a joint, Army & Air Guard, Chemical, Biological, Radiological, Nuclear & Explosives (CBRNE) Emergency Response Force Package for reconnaissance and recovery, mass casualty decontamination, and emergency medical assistance in support of local and state responders in the wake of a WMD event.

- Establishment of a joint operating base at Ellington ANG Base in Houston by collocating Texas Army and Air National Guard units with a Coast Guard unit.

- Integration of Texas Army and Air National personnel in our Counterdrug Task Force to augment local, state and Federal law enforcement agencies. A recent example of this in action occurred just two months ago, when a Texas Air National Guardsman intercepted and identified a raw cryptologic transmission. Within 30 minutes of the intercept, he prepared a concise, tactical intelligence report and disseminated it to the Joint Interagency South Task Force (JIATF-South). This report provided JIATF-S the location of a surface drug transfer scheduled to take place 14 hours from the time of the intercept. Thirteen hours later, a U.S. Coast Guard Cutter visually sighted the fishing vessel in the eastern Pacific Ocean near the location reported by our airman. Eight foreign nationals were arrested and 195 bales of cocaine weighing 4.7 metric tons and the fishing vessel were seized. The cocaine had a street value of $77 million. Just in the last eighteen months alone, we have assisted in the seizure of over a $1 billion of cash, drugs, and property.

We continue to serve both the Global War on Terrorism and the homeland missions. As should be apparent, preparation for one role has enhanced our preparation for the other, because both missions, homeland security and GWOT, require (a) a high degree of agility and (b) the ability by diverse agencies and services to work closely and effectively together, and these are two key objectives of joint transformation.

In an earlier time, because the Army Guard has always been substantially larger than the Air Guard, we would think of fulfilling a mission by considering only Army Guard resources. Now, however, we try to pull from both sides of the house. We no longer think in terms of green or blue, but of one, purple organization with one mission, one voice, one fight. Jointness requires sharing not only people but also information and resources. Situations in the Iraqi and Afghani areas of operations demand jointness. Active duty forces operate in a joint environment already. Essentially what we are doing now with the Texas Military Forces is aligning ourselves with the rest of the Department of Defense. Jointness allows various elements to work together more closely and learn from one another, which assists in preparing units for a joint operating environment when deployed. It aligns us with DOD priorities, such as "Strengthening Combined & Joint Warfighting Capabilities" and "Transforming the Joint Force." It helps us understand the combatant commands better and, conversely, as we become more joint, they will understand us better. It will allow us to realize efficiencies and greater effectiveness in manpower and resources that can be pushed to subordinate land and air component commanders and below. At a more fundamental level, joint transformation forces us out of "the way things have always been" to creating a future in which capabilities are greatly enhanced in both homeland security and Global War on Terrorism. It has both allowed us and forced us to be imaginative and innovative. It has helped us to move beyond developing leaders to developing leaders of change, and it has helped us to understand that the whole really can be greater than the sum of its parts.

Our Texas Airmen and Soldiers, whether deployed overseas in units or small teams, have found themselves in joint environments, and they have performed well -- and learned much. As one sergeant stated, she learned the importance of "US" in "U.S."

CARING FOR THOSE WHO SERVE

I have told our departing soldiers how proud I am of what they have done and of what they will do. I have also welcomed home members who have served in countless places around the world. I have presented numerous awards, and have awarded the first Purple Heart to a member of the Texas Military Forces in the current conflict. It is the first Purple Heart presented to a member of the Texas Military Forces since World War II. It is important that we properly recognize our Soldiers and Airmen when they return home. Our Freedom Salute Campaign is a new program that aims to ensure every individual mobilized overseas receives appropriate recognition for his or her service. As an example, the welcome-home for members of Battery B, 2nd Battalion, 131st Field Artillery Regiment -- featured a parade through Wichita Falls, Texas. Of course, we must do more than say, "Welcome back." We know that some soldiers and airmen will have family issues – some which may not develop immediately. We need to be sensitive to what these issues may be. We need to listen.

Our Family Readiness Program has made great strides in helping the families of deployed soldiers and airmen get through the difficult times of deployment. We let them know that they are not alone. We want our men and women deployed throughout the state, nation and the world to be able to concentrate on the jobs they are sent to accomplish. Those who deploy with the satisfaction that their families will be cared for have a level of confidence not measured in our readiness conditions. I also salute the families themselves, who have shown incredible strength and courage.

In the Texas Military Forces, recruiting and retention remains strong. We have met the National Guard Bureau's personnel strength goals for the last four consecutive years. Minority recruiting has increased, and we have not seen a significant amount of personnel losses as a result of the numerous deployments. However, it is my assessment that frequent, repetitive mobilizations will eventually have a negative impact on retention. A post-mobilization bonus for soldiers and airmen who reenlist upon return from mobilization would help counteract this.

EQUIPPING THOSE WHO SERVE

Equipment of the Texas Military Forces is maintained by Citizen Soldiers and by a full-time force Federal Civil Service Technicians. We have met the demands of a wartime operational tempo by implementing stricter control measures on unit commanders and full-time maintenance managers. Our ground equipment, made up largely of "legacy systems", is still maintained above Fully Mission Capable (FMC) standards (Technical Manual 10/20). However, there are concerns I must address here.

The future maintenance vision of the Army is based on modern, modular equipment that can be repaired with the assistance of On-Board Diagnostics (OBD) and component replacement. We endorse this concept and are making great strides toward implementation. However, the legacy equipment currently fielded will not be able to maintain the modern, modular fleet, nor will the new test equipment be able to sustain our old legacy equipment. If we are to be a relevant future force, we must be fielded with the most modern equipment. This is from the smallest individual weapon to the largest combat system.

Our transportation and engineer equipment is comprised largely of an aging fleet of trucks, trailers, bulldozers and mobile bridges -- many over 30 years old. The ability to procure repair parts for an aging fleet has become difficult at best. Many of these parts are not supported by the supply system and local purchase parts are scarce. When mobilized it is next to impossible for our old equipment to integrate into the modern task force.

After Action Reviews from Operation Iraqi Freedom have identified severe shortcomings in communications. Combat Service Support units are not authorized by Tables of Organization and Equipment (TOE) the number of radios needed to maintain command and control within the unit. Additionally, we have a shortage of required mounting kits for our SINCGAR radios, and we need F-16 targeting pods and engine upgrades, as well as C-130 infrared countermeasures. This directly affects our readiness. As leaders, it is our duty to ensure that our soldiers have the best, most modern equipment as we send them to defend our country.

Due to a shortage of small arms ammunition we cannot complete basic weapons qualification this year. This directly affects individual soldier readiness, increases post mobilization training time, and is also of great concern to many commanders who must send our men and women into harms way.

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Our Air National Guard F-16 fighters, which protect our skies all across our homeland, are some of the oldest in the Air Force fleet. Since 9-11, more hours have been flown on these aging aircraft annually than ever before. If homeland security is a priority, we must supply our homeland air sovereignty alert units with newer aircraft with upgraded engines and targeting pods that would allow for adequate protection of American skies while also providing combat forces for deployment overseas as required.

CONTINUING THE MISSION

I constantly think about the brave men and women of all our armed forces who are on duty throughout the world, seeing to it that the liberties we all cherish will ***not*** be taken away by those who would do harm to us. I think about our National Guard soldiers and airmen going about their duties wearing Kevlar helmets and flak jackets in temperatures that frequently exceed 120 degrees. They do it day after day, knowing that they are going in harm's way. But they still go out and do what they must do. They do it because they cherish freedom, and because they love our great country. Let us remember them and hope they come home safely. And let us never forget those who have made the supreme sacrifice in defense of our freedom.

Given the growing requirements of both homeland defense and the Global War on Terrorism, it is my assessment that the Texas Military Forces will continue to be in high demand, must be prepared to sustain a high level of activity in the coming months and years, and will continue to accomplish a variety of community, state, national and international missions. As such, we will continue to be indebted to the families and employers of deployed soldiers and airmen, and will maintain a high level of support and consideration for them.

WHAT YOU CAN DO

You have asked how you can help. What you can do for the Texas Military Forces, as well as the entire National Guard of the 54 states and territories, is to assist in the following ways:

1. Understand that the primary national treasure being used in this effort are the soldiers, sailors, airmen, marines, coast guard personnel, and their families. When it comes to Army and Air National Guardsmen and Reservists, this includes their employers as well.

2. Continue to fully support the DOD and US Government drive for joint transformation, because to do otherwise is to expend that national treasure in inefficient and ineffective ways.

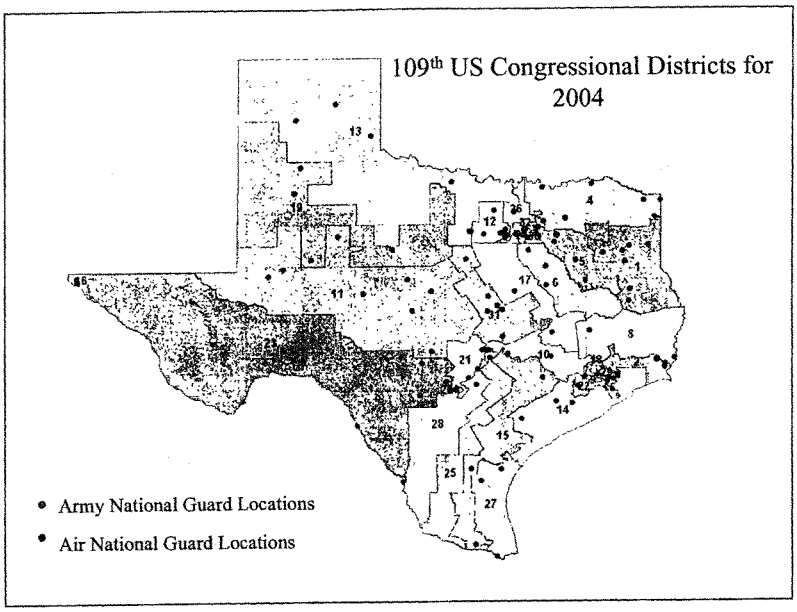
3. Assist DOD in adjusting incentive programs so (a) Title 32 educational incentives can continue for eligible soldiers and airmen when mobilized and (b) retention incentives can be redirected from MOS bonuses to post-mobilization retention bonuses.

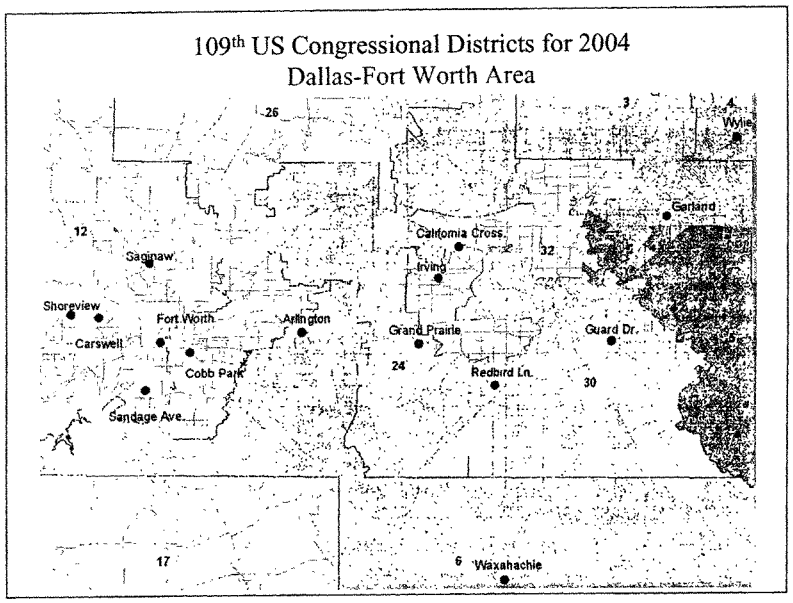
4. Assist DOD in ensuring that our soldiers and airmen have the equipment they need to do the jobs we are asking them to do in both homeland security and the Global War on Terrorism, including ammunition for training, aircraft upgrades, trucks and engineer equipment

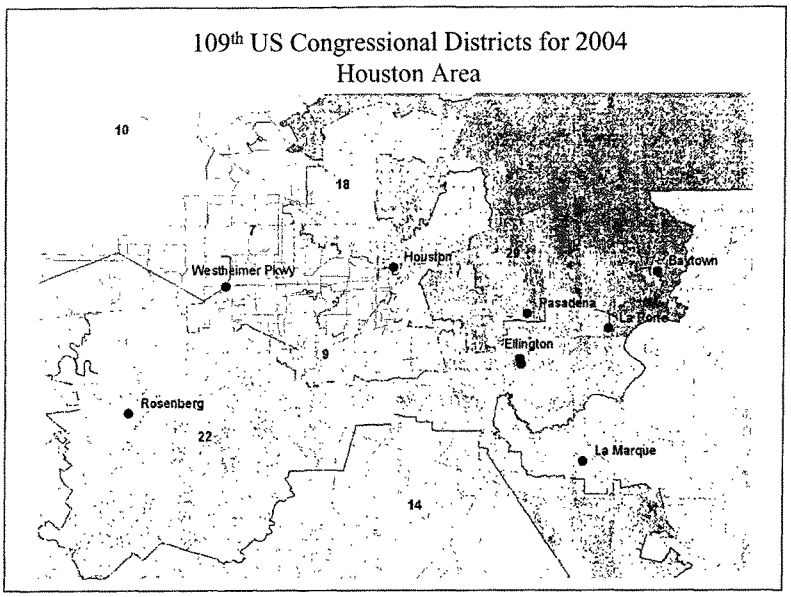
5. Assist DOD, including the National Guard Bureau, in making the various funding streams, which begin with Congress, less stovepiped, more flexible, and more joint.

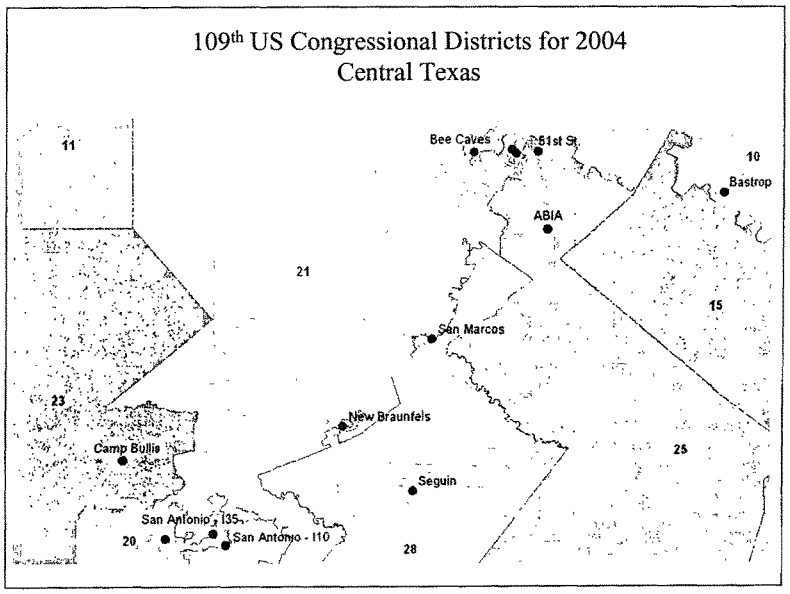
Thank you for your attention, and I appreciate very much your efforts on behalf of the National Guard soldiers, airmen, families and employers, as well as all the Soldiers, Sailors, Airmen, Marines and Coast Guard personnel who serve our great nation. I am immensely proud of them, and I know you are as well.

Enclosure:
Texas Military Forces locations by Congressional District


109th US Congressional Districts for 2004
Army National Guard Locations
Air National Guard Locations


109th US Congressional Districts for 2004
Dallas-Fort Worth Area
Wylie
Garland
California Cross
Irving
Saginaw
Shoreview
Fort Worth
Arlington
Carswell
Cobb Park
Sandage Ave.
Grand Prairie
Guard Dr.
Redbird Ln.
Waxahachie


109th US Congressional Districts for 2004
Houston Area
10
18
Westheimer Pkwy
Houston
29
Baytown
Pasadena
La Porte
Ellington
9
Rosenberg
22
La Marque
14


109th US Congressional Districts for 2004
Central Texas
11
Bee Caves
51st St
10
Bastrop
ABIA
21
15
San Marcos
23
New Braunfels
Camp Bullis
25
Seguin
San Antonio - I35
20
San Antonio - I10
28

Mr. SHAYS. Thank you very much. We are extremely grateful for your work and proud of the men and women who you work with, General. Let me introduce and recognize General Lowenberg, and just say, General, my staff has wanted me to just know, so I want to put it on the record that your statement, which is 73 plus pages, my staff, excuse me, the chairman's staff's view is that it is almost a bible of what should be done, and are very grateful for your very significant effort to try to accommodate this committee and its work. We're grateful as well that you have summarized your statement. [Laughter.]

I want very much to put on the record that your entire statement is going to be very helpful to this committee and we may not plagiarize, but we'll come close.

General LOWENBERG. I thank the Chair for those kind words. Members of the committee, it's an honor to be with you today in my capacity as the Adjutant General for the State of Washington and as chair of homeland security for the Adjutant General's Association of the United States.

Like the Adjutants General of all States, I have military and civilian responsibilities that are unique throughout the military services and, for that matter, unique throughout the remainder of State and Federal Government. In addition to my joint Army and Air National Guard command responsibilities, I am the State's senior emergency management official. I'm charged with administering the comprehensive emergency management plan for the State of Washington. I oversee our Statewide enhanced 911 telecommunications system and serve on the State interoperability executive committee.

I serve as the State's homeland security advisor, in that respect for every week since the attack of September 11, 2001, I have chaired a weekly meeting of the Governor's chief of staff, senior cabinet officials and policy advisors and the State attorney general. As the State cabinet level official for homeland security, I deal directly with my Federal counterpart, Secretary Tom Ridge. I also serve as the Homeland Security Grant Administrator for our State, and therefore lease with other States, interface with senior officials in other Federal agencies such as the Department of Defense, Health and Human Services, Energy and others.

I mention these interwoven civil and military responsibilities, because they are not unique to me. Portions of my own portfolio are reflected in the central roles of General Tuxill and others, and other National Guard adjutants general throughout all the States and territories. We are a fusion point that assures a unity of effort within our States, between the States and the Federal Government and perhaps most significantly, between the Department of Defense and other Federal agencies where the risks and vulnerabilities are the greatest at the State and local level.

Just as our responsibilities are unique, so too the military forces that we command have a unique legal status. It's that unique legal status that is our biggest strength and offers extraordinary flexibility to State and Federal authorities on how our forces can be used to enhance homeland security. That strength should be leveraged by using the National Guard in Title 32 status to the maximum extent possible for all domestic operations, not just for training as is

currently and unambiguously authorized in 32 U.S. 502, but also for the full scope of domestic operations. The practical, fiscal and legal advantages of using the Guard in Title 32 status are well documented in the Defense Science Board study which will soon be released, and a resolution adopted by the National Governors Association last year and in my formal testimony.

This country needs bold, visionary leaders at the national level to revise Title 32 for the 21st century. To remove bureaucratic obstacles, I encourage the Congress to take strong action to make it unambiguously clear that Title 32 may be used for domestic operational missions in addition to training. If properly authorized and resourced with civil authorities in addition to preparing for our overseas combat missions, the Guard can make a wealth of experience and expertise available to State and local authorities for planning, training and exercising for synchronized and complex responses.

Our experience in intelligence fusion and analysis can and should be made available to State and local authorities. This integration would contribute greatly to the operation picture needed by NORTHCOM. As has been previously noted, the Guard has provided counter-drug support to State, Federal and local law enforcement agencies for more than a decade and a half. The nexus between drug trafficking and terrorism is clear. Congress should expand the existing National Guard counter-drug program to enlarge the focus that authorizes and funds a Governor's narco-terrorism plan in each State. And just as we do with the current counter-drug program, that narco-terrorism plan should be fully vetted and approved by the Department of Defense.

Taking a successful program like the current counter-drug program and updating it to combat the 21st century narco-terrorism threats confronting our Nation will be transformational indeed. To effectively rebalance the force in consort with everything General Blum and the other speakers have outlined for you, the Army National Guard must be resourced at a similar level of readiness that exceeds what it is now—in contrast to the Army, which is fully resourced, and the Air National Guard, which is at 100 percent of its requirement.

We can build an Army National Guard force with an equal state of readiness, but only if the Department of Defense and Army choose to fund the Army National Guard to a similar level as the Air National Guard. These are policy choices with operational and national security consequences. DOD has a number of high demand, low density mission areas that are currently in short supply, and it should be recognized that some capabilities are also desperately needed by the States for domestic homeland security. These mission areas should be expanded and resourced as quickly as possible.

Secretary McHale's presence here underscores how dramatically the Department of Defense itself has reshaped and reformed to meet the challenges of the global war on terrorism. The purpose and charter of the National Guard needs to be similarly updated to give the Chief of the National Guard Bureau clear statutory authority to deal directly with Secretary McHale and with

NORTHCOM, and with all the other players in this newly reorganized Department of Defense Homeland Security architecture.

Mr. Chairman and members of the committee, I look forward to answering your questions. Thank you for your kind attention.

[The prepared statement of General Lowenberg follows:]

TESTIMONY OF

MAJOR GENERAL TIMOTHY J. LOWENBERG
THE ADJUTANT GENERAL, WASHINGTON NATIONAL GUARD
and
DIRECTOR, WASHINGTON MILITARY DEPARTMENT

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES

ON

TRANSFORMING THE NATIONAL GUARD; RESOURCING FOR READINESS

APRIL 29, 2004

NOT FOR PUBLICATION
UNTIL RELEASED BY THE
COMMITTEE ON GOVERNMENT REFORM

TESTIMONY BY

MAJOR GENERAL TIMOTHY J. LOWENBERG
THE ADJUTANT GENERAL, WA NATIONAL GUARD

Good morning, Mr. Chairman and distinguished members of the Committee. For the record, my name is Major General Tim Lowenberg. I am the Adjutant General of the State of Washington and Chair of Homeland Security for the Adjutants General Association of the United States (AGAUS). In addition to my Army and Air National Guard command responsibilities, state law designates the Adjutant General to be the state's senior emergency management official and vests in me the responsibility to "administer the comprehensive emergency management program of the state of Washington". See RCW 38.52.005. The Adjutant General is also responsible for managing our statewide Enhanced 911 system and for serving as a voting member of the State Interoperability Executive Committee. The Adjutants General of twenty-four (24) other states and territories have been similarly vested with dual military force provider-civilian emergency management responsibilities. In all other states in which National Guard and state emergency management functions are not

merged under the operational control of The Adjutant General, my General Officer counterparts and their respective state emergency management directors have fashioned very close relationships to assure a heightened level of civil-military emergency preparedness and domestic response capabilities.

In addition to the foregoing statutory duties, I am the Homeland Security Advisor for the State of Washington. In this additional capacity, I coordinate and serve as the Governor's primary agent with respect to all matters pertaining to state homeland defense and homeland security. I therefore deal directly with Department of Homeland Security (DHS) Secretary Tom Ridge and senior members of his Department and with Assistant Secretary of Defense for Homeland Defense, the Honorable Paul McHale (who testified on the previous panel) and other principal members of the Department of Defense. Fourteen of my fellow Adjutants General also serve as their state's Homeland Security Advisor.

I mention these complex and tightly interwoven civil-military responsibilities because they are unique to the Adjutants General of the fifty-four (54) states, territories and the District of Columbia and because they result in a powerful fusion and unity of effort across the entire spectrum of homeland defense and homeland security missions in the

several states and territories. These domestic security responsibilities also give Adjutants General a unique perspective on the topics you have asked each of us to address at this Committee hearing.

In particular, you have asked me to testify about (1) the growing operational role of the National Guard in the homeland defense and homeland security needs of the several states, and especially the State of Washington, (2) my recommendations on rebalancing and resourcing the National Guard, especially in light of my participation in the Defense Science Board (DSB) 2003 Summer Study on DoD Roles and Missions in Homeland Security, and (3) the effects deployments of Washington National Guard forces in the global war on terrorism have had on training and equipment readiness and what might be done to better equip and train the Guard for the future. Thank you for the invitation to address each of these important topics.

The Growing Operational Role of the National Guard in Homeland Defense and Homeland Security.

The National Guard has secured the American homeland since 1636. Homeland defense and homeland security missions are therefore rooted in the very fiber of the Guard. From the founding of our nation through the end of WWII, the Guard has been the primary military force through which

America has surged and responded to national security threats at home and abroad. Following WWII, we departed from that pattern and sustained a large standing military force for the first time in our nation's history. We did so as part of our strategy for containing communism. Our standing forces were positioned at hundreds of installations throughout the homeland and in strategic locations throughout the world. Under this early Cold War construct, National Guard forces, for the first time, became a strategic reserve that was resourced to respond principally in the event of a cataclysmic confrontation with the Soviet Union or another near peer aggressor state. America's standing force was so large that we were able to sustain this strategy of containment and still fight the Korean War and the Viet Nam conflict without mobilizing or deploying substantial numbers of Guard forces.

As a result principally of the Viet Nam experience, the Department of Defense later adopted a construct known as the "Total Force" policy in which combat, combat support and combat service support force structure was redistributed and reapportioned throughout the active, Guard and Reserve forces. The intent was to make the Guard more of an *operational* reserve so that military engagements like Korea and Viet Nam could not be undertaken or sustained without mobilizing the Guard and thereby

awakening the conscience and assuring the support of the American people.

Today, the force-on-force threats of the Cold War have given way, in the main, to new and more menacing threats of chemical, biological, radiological, nuclear and conventional high yield explosive (CBRNE) threats posed by international terrorist organizations. Our homeland is no longer secure. Even our CONUS-based military forces are no longer as secure as they were once thought to be. Our homeland has, in fact, become an integral part of the 21st Century battlefield, part of the field of combat for those who seek to attack and destroy our people, our property, our economy, our environment, and, ultimately, our way of life. Our enemies' objectives are perhaps best summed up in the warning of Sheik Omar Abdel Rahman who is serving a life sentence for masterminding the 1993 bombing of the World Trade Tower and who declared at his sentencing, "God will make America disappear from the surface of the earth, as He has made the Soviet Union disappear".

As we ponder our nation's security requirements in this new threat environment, it is important to recognize, as the Defense Science Board will do in Volume II of its 2003 Summer Study, that the Guard's traditional OCONUS combat roles and missions are essential to our national security

and to our ability to project global reach and global influence within the relatively small percentage of GDP the United States expends on our national security. The Army and Air National Guard contributed nearly a million man-days to US Combatant Commander operations in FY00, more than two (2) million man-days in FY01, and more than twenty (20) million man-days in FY03. The Guard is an effective *homeland* defense and *homeland* security force precisely because of our experience executing these complex overseas missions. Equally demanding domestic security responsibilities can best be accomplished as a dual mission that compliments, enhances and draw its essential strength from the Guard's continued combat force structure, training and overseas deployment experience.

The Adjutants General Association of the United States joins the Defense Science Board in stressing the importance of continued dual-missioning of the Guard. Although the National Guard is a key military component of our national domestic security strategy, homeland security is not and must not become the sole or primary mission of the National Guard.

Without additional resources, equipment, training authority and training dollars, the Guard could easily become overextended as it takes on new

homeland defense and homeland security missions. The Army National Guard, in particular, is so thinly resourced it cannot take on new missions "out of hide". Properly resourcing the Guard for domestic threat and vulnerability assessments, contingency planning, training, exercising and employment of force functions is essential. It is also the most fiscally and operationally efficient way to export the DoD culture to other federal, state and local agencies and thereby elevate overall domestic preparedness.

The growing operational role of the National Guard in the State of Washington is perhaps best illustrated by the two diagrams I've attached to this transcript, each of which depicts our state domestic security infrastructure. Appendix 1 illustrates the manner in which the Governor and/or the legislature have directed the Adjutant General and the State Military Department to play an increasingly central role in assuring the preparedness of civil and military emergency responders in our state. The state Emergency Management Council (EMC), established by the legislature, advises the Adjutant General and the Governor on matters pertaining to the state's preparedness for natural and man-made emergencies. The EMC meets in plenary session not less than once every 60 days. The Committee on Homeland Security (CHS) (originally called the Committee on Terrorism) was formed by the Governor in November

1999 specifically to focus on the growing threat of terrorism. Since January 2000, the CHS has met in plenary session not less than once every 30 days. The E-911 Advisory Committee and the State Interoperability Executive Committee, also formed by the legislature, meet in plenary sessions not less than once every 60 days. Immediately following the attacks of September 11, 2001, the Governor also directed formation of the Domestic Security Executive Group (DSEG) comprised of his most senior cabinet directors and policy advisors and our separately elected Attorney General. The purpose of the DSEG is to assure unity of effort across all executive branch agencies in meeting the security needs of the State of Washington. I have chaired the DSEG from its inception. We have met every Monday since September 17, 2001. Each of these domestic security bodies (EMC, CHS, E-911 Advisory Committee, and DSEG) advises the Governor through the Adjutant General. The State Interoperability Executive Committee (SIEC) is charged with radio spectrum allocation and resolving statewide interoperable communications problems. Although the SIEC does not report to me, I serve as a voting member of the SIEC and administer federal grants in support of its activities through my role as the Department of Homeland Security State Administrative Agent (SAA). Finally, in my role as the state Homeland Security Advisor, I liaise

with my counterparts and with senior federal officials not less than bi-weekly through a series of teleconferences hosted by the Department of Homeland Security and by the National Governors Association.

Appendix 2 perhaps best describes what is depicted on Appendix 1, namely, that the state Homeland Security strategy is based on a system of systems, with the Adjutant General and the National Guard at its epicenter. This system of systems strategy assures a constant fusion of information and a unity of effort among all federal, state, local and tribal governments and other public and private sector stakeholders.

I've taken the liberty of emphasizing the Military Department's role in our state homeland security strategy for several reasons: first, because these multiple roles are not unique to me or to our state – a majority of the nation's Adjutants General have similar dual civil-military roles and responsibilities; second, these duties do not conform to the position description or range of homeland security responsibilities of any senior military leaders outside the National Guard – no other active duty or reserve component general officers deal so extensively and habitually with senior federal, state, local and private sector civilian emergency responders; and third, these duties underscore the unique capabilities of

Adjutants General as forward deployed military commanders for purposes of executing federal and state emergency response plans

State needs and National Guard homeland security capabilities.

Planning, Training and Exercising for Complex Domestic Emergencies – Washington State's experience with the World Trade Organization (WTO) riots in 1999 demonstrated how quickly the law enforcement resources of even a major city such as Seattle and its mutual aid jurisdictions can become overwhelmed. The mobilization and deployment of National Guard soldiers to the streets of Seattle was pivotal to the restoration of safety and order. The National Guard is perfectly poised to perform such missions because in state active duty (SAD) status [e.g., the status in which we responded to the WTO riots] or in federal Title 32 status (32 USC 501) [e.g., the status in which we enhanced security at our nation's airports in 2001-2002] Guard forces remain under the control of the Adjutant General and ultimately the Governor and are therefore not subject to the Posse Comitatus Act (18 USC 1385) restrictions on use of military forces to enforce the laws. In fact, the Militia Clause of the U.S. Constitution (Article 1, Section 8) explicitly preserves to right to use the states' militias (i.e. the National Guard) "to execute the laws of the union, suppress insurrections and repel invasions".

All states have an immediate and pressing need to plan for National Guard assistance for state and local authorities in the event of mass humanitarian disasters such as the terrorist attacks on New York City and the Pentagon on September 11, 2001. Our recent experience as a primary jurisdiction in the May 2003 national Top Officials (TOPOFF2) exercise underscored how quickly the need for National Guard assistance will arise in the event of any chemical or biological attack necessitating the enforcement of public evacuation, shelter in place or quarantine orders. TOPOFF2 dealt with detonation of a radiological dispersal devise (a so-called "dirty bomb") in the city of Seattle which resulted in the immediate release of a radioactive plume and contamination of people, property and food supplies in an area measuring hundreds of miles. Even if there is no need for assistance in quelling mass public panic or civil disobedience, the National Guard will be relied upon heavily for medical and logistical support in dealing with the mass casualty and public assistance needs of any large scale disaster. No matter what the emergency, no matter what scale the disaster, the National Guard will always be the first military responder. We therefore need to partner with civil authorities to assess vulnerabilities, identify gaps and seams in preparedness and capabilities, and develop

contingency plans for chemical, biological, radiological, nuclear and conventional high yield explosive attacks and other complex disasters.

Accustomed as we are to the logistical challenges of moving thousands of soldiers and airmen and sustaining operations at remote locations throughout the world, the National Guard is capable of adding considerable value and a unique degree of professional judgment to the states' homeland security planning efforts.

Protection of Key Assets and Critical Infrastructure -- All states have collaborated with the Information Analysis and Infrastructure Protection (IAIP) Directorate of the Department of Homeland Security to identify key assets and critical infrastructure that need to be protected from the risks of the global war on terrorism. The unique training and experience of our National Guard units could be of immense value in developing site protection plans for vulnerable public and private sector infrastructure such as communications and utility nodes, water supply systems, mass transit systems, oil refineries and other key assets.

Intelligence Fusion and Analysis -- Access to Intelligence information and intelligence-based risk analysis is key to successful homeland security prevention, deterrence, dissuasion, and disaster mitigation and recovery strategies. The National Guard of each state should be authorized and

funded to contribute at least one full-time intelligence specialist to the staff of the state's FBI Joint Terrorism Task Force JTTF) and it's Joint Analytical Center (JAC). In most states, the Adjutant General and other senior National Guard officers and non-commissioned officers are the only officials who routinely possess Secret, Top Secret or SCI compartmentalized clearances as well as the secure voice, data and video equipment necessary to communicate such information. As the Governor's senior domestic security advisor and as the senior forward-deployed military commander, the Adjutant General and his or her subordinate commanders would be able to make more timely and appropriate planning and operational decisions if the National Guard was a formal participant in the FBI intelligence collection and analysis processes. Active duty military intelligence agents are assigned to some of the JTTFs; National Guard intelligence agents should similarly be assigned, especially in the growing number of states in which there is no active duty military presence. If the National Guard were more directly involved in the intelligence analysis centers in each state, Governors would be able to make more informed decisions about their state's homeland security risks and counter-measures.

Federal authorization and funding for National Guard Counter-Terrorism Missions – To this point, Congress and the Department of Homeland Security have focused primarily on accelerating the acquisition of equipment for emergency responders. Equipment is being purchased without a rigorous and systematic baseline assessment of state and local vulnerabilities or capabilities, without consistent and disciplined gap analysis, without developing an integrated list of key assets and critical infrastructures and plans for protecting them, and without fully integrated local, state and federal strategic planning for maximizing homeland security within the limitations of available funds. Now, after three consecutive federal fiscal cycles of buying more "things", we're finally beginning to undertake these critical capacity-building steps. The National Guard, because of its forward deployment and its unique civil-military nature, needs to be part of this national security process.

Unfortunately, at present, we are neither authorized nor funded to engage in such activities. It's true that we are authorized, equipped and funded to engage in one additional training assembly each year to train a prescribed number of soldiers to engage in crowd control and civil disturbance missions. For more than thirteen (13) years, we have also been authorized, equipped and funded to provide on-going drug interdiction

and counter-drug assistance to federal, state and local law enforcement agencies and law enforcement task forces in all states, territories and the District of Columbia (See, generally, 32 USC 112). We are not currently authorized, equipped or funded, however, to expand our support to civil authorities beyond the narrow confines of these prescribed programs.

Under the National Guard Counter-Drug program, each state determines its own unique needs and priorities for military support to civilian law enforcement authorities and develops an annual Governor's Plan for Guard assistance in the state's war on drugs. The Chief, National Guard Bureau is the DoD action agent for reviewing and approving each Governor's Plan and for enforcing prescribed DoD program requirements.

The connection between international drug operations and international terrorism is becoming increasingly well documented. The Adjutants General Association of the United States therefore believes there is an obvious overlap between National Guard counter-drug operations and potential Guard counter-terrorism operations. The Defense Science Board's Volume II report will strongly concur with this assessment and with the recommended assignment of Guard intelligence analysts to FBI Joint Terrorism Task Forces (JTTFs), newly formed state and federal intelligence fusion centers, and similar operations which fall within the core military

competencies and DMOSQ and AFSC functions of the assigned Guard personnel. Such integration could also be a valuable situational awareness tool for NORTHCOM. For these reasons, the Defense Science Board will recommend in its Volume II report that serious consideration be given to transforming the National Guard Counter-Drug program into a single, integrated National Guard Counter-Drug/Counter-Terrorism program. Whether Congress expands the current 32 USC 112 authorization or authorizes an expanded scope of National Guard Homeland Security missions through a separate statute patterned or modeled after 32 USC 112, the important thing is for Congress to empower the National Guard to be used in Title 32 status to meet the growing homeland defense and homeland security needs of the several states and of the federal government itself.

My recommendations on rebalancing and resourcing the National Guard, especially in light of my participation in the Defense Science Board (DSB) 2003 Summer Study on DoD Roles and Missions in Homeland Security

"The National Guard should be used in title 32 status to the maximum extent possible for all domestic operations." (Defense Science Board 2003 Summer Study Report, Volume 1, page 78) -- The Committee on

Government Reform is encouraged consider, as did the Defense Science Board, that the National Guard is a legally unique multi-status military component with roles and responsibilities defined by federal and state law. Understanding the flexible and multi-faceted role of the Guard therefore requires an understanding of the Militia and War Powers clauses of the U.S. Constitution, the provisions of Title 32 and Title 10 of the United States Code and the Constitutions and statutes of the several states, territories and the District of Columbia (hereafter referred to collectively as the "states" or "the several states"). State constitutions and state law define the role and status of the National Guard when performing state active duty under state control for state purposes and at state expense. The federal constitution and federal laws define the role and status of the National Guard when performing federal duty under either state or federal control for federal purposes and at federal expense.

Article 1, Section 8 of the U.S. Constitution expressly authorizes the Army and Air National Guard, under the continuing control of the several states, to be used for federal purposes and at federal expense to execute the laws of the union, suppress insurrections and repel invasions. Sections 3062(c) and 8062(d) of Title 10 United States Code (USC) underscore this Constitutional authorization by recognizing that when the National Guard is

used for federal purposes and at federal expense (what the United States Code refers to as the National Guard "while in the service of the United States") it is part of the Army or Air Force even though Guard forces remain under continuing state command and control (state C2). Various provisions of Title 32 USC elaborate on use of the National Guard "while in the service of the United States", thereby giving rise to the short-hand reference to this status as "Title 32 duty".

When used in Title 32 duty status, the National Guard is not subject to the Posse Comitatus Act and can be used to enforce all federal, state and local laws. President Bush requested use of the National Guard "in the service of the United States" (under continuing state control in Title 32 duty status for a federal purpose and at federal expense) to secure the nation's airports following the attacks of September 11, 2001. Title 32 duty is also the status in which the Guard has long performed counter-drug operations and Homeland Security-Military Assistance to Civil Authorities (HLS-MACA) missions such as Weapons of Mass Destruction Civil Support Team (CST) operations. DoD determines which missions can be undertaken in Title 32 duty status and prescribes the tasks, standards and conditions by which the Guard performs such missions, thereby assuring prescribed federal

objectives are achieved, albeit by Guard forces acting "in the service of the United States".

The National Guard can also be used under Title 10 federal duty status (see 10 USC Sections 3062(c) and 8062(d)) for a federal purpose, at federal expense and under federal command and control. The Guard must be in Title 10 duty status for all OCONUS missions since the Militia Clause of the U.S. Constitution (which authorizes the Guard to be used in the service of the United States to execute the laws of the union, suppress insurrections and repel invasions) applies only in a CONUS context. When used in Title 10 status, the National Guard becomes part of the Army or Air Force as the National Guard "of the United States". When used in Title 10 status for domestic missions, the Guard is therefore subject to the restrictions and prohibitions of the Posse Comitatus Act and all other operational restrictions attendant to the domestic employment of federal military forces.

Unlike state active duty and Title 32 duty, Governors and Adjutants General have no command or control over National Guard Forces that have been ordered to Title 10 federal duty; National Guardsmen/women become indistinguishable members of the federal armed forces upon being placed on Title 10 orders.

The various Guard statuses and the expansive range of potential Title 32 duty are depicted in the three diagrams which are attached to these formal remarks as Appendix 3.

As a result of these distinct legal statuses, all National Guard members are commissioned or enlisted in each of two separate and legally distinct military organizations: the National Guard of the individual state and the National Guard of the United States. The Supreme Court recognized these important status distinctions in Perpich v. Department of Defense, 496 U.S. 334 (1990), a case in which the Court analogized that National Guard members have three hats in their closet: a civilian hat, a state militia hat and a federal reserve of the Army or Air Force hat, only one of which can be worn at any given time.

It has been my experience that most active duty military leaders and many supposedly knowledgeable commentators don't understand these distinctions and therefore adopt the simplistic view that the National Guard is available only in state active duty status or as a Title 10, federally-controlled force. This overlooks the broad range of Title 32 duty status options in which the National Guard can be used under state control but at federal expense and for federal purposes. In truth, as I will explain

momentarily, use of the National Guard in Title 32 status offers federal authorities an operationally and fiscally superior range of options for undertaking homeland defense and homeland security missions.

For ease of reference, I have been using the term "National Guard" throughout my testimony to mean the National Guard under state control in either State Active Duty or Title 32 status. When referring to the National Guard of the United States (the Guard's Title 10 reserve component status), I will call attention to that special context.

The National Guard Bureau

The Adjutant General is the commander of all Army and Air National Guard units in his state, regardless of his branch of service. The Adjutant General therefore exercises joint command. What then is the Chief of the National Guard Bureau (CNGB)? It might surprise you to learn that he is not the commander of the National Guard "of the United States", the federal component of the National Guard; in fact, the National Guard of the United States does not have a national command structure. Rather, the National Guard Bureau is a "channel of communications" between the Departments of the Army and Air Force and the several states (10 USC 10501) and the Chief is the head of the Bureau, not a commander. The responsibilities of the CNGB are articulated in 10 USC Sections 10501-10507, the National

Guard Bureau Charter from the Secretaries of the Army and the Air Force, and other DoD directives and regulations. Foremost among these is the Chief's role as senior spokesman between the Army and Air Force and the states on all matters pertaining to the National Guard. In addition, the CNGB is responsible for insuring that the National Guard of the several states is prepared to respond to Military Support to Civil Authorities (MSCA) and other state mission requirements while concurrently training and otherwise preparing for mobilization as the primary reserve of the Army and Air Force (i.e. as the National Guard of the United States) [see the National Guard Bureau Charter and DoD 3025.1]

The National Guard of the Several States and Territories

The governors of the several states and territories routinely employ the National Guard in a traditional Military Support to Civil Authorities (MSCA) role and in concert with other state resources when responding to state and local emergencies. They employ their National Guard forces in state active duty status and at state expense before requesting federal assistance through their state emergency management functions to DHS/FEMA. They can also obtain assets, including other National Guard forces, from other states using one of several emergency assistance compacts (for example, the Emergency Management Assistance Compact [EMAC] which now has

48 state members) or by direct, ad hoc agreement with other states. When state-to-state mutual assistance is provided in response to an emergency for which there has been a Presidential Disaster Declaration, the expenses of the supported state, including the costs of assistance from supporting states, are reimbursable under the Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et. seq. This highlights an important new dimension in the war on terrorism. As part of our national homeland security planning, we need to recognize that National Guard military assistance for civil authorities and other National Guard functions (both intra and interstate assistance) can be funded through FEMA and need not be funded solely through the Department of Defense.

Governors and Adjutants General have a great deal of experience dealing with major disasters. The State of Washington, for example, has averaged at least one Presidential Disaster Declaration each year for the past forty (40) years. Many of these disasters have required activation of the National Guard. For us, Military Support to Civil Authorities is not a theoretical mission possibility that might occur once during a 2 or 3 year military assignment; it is the kind of bread and butter emergency response mission to which we devote a substantial portion of our careers.

Utilizing this Title 32 flexibility, National Guard Weapons of Mass Destruction Civil Support Teams (CSTs) were deployed from supporting states to assist supported states in recovering potentially dangerous debris when the NASA Space Shuttle burned and came apart on reentry. In furnishing this Title 32 assistance, the supporting states continued to exercise command and control over the deployed CSTs, with tactical supervision being extended to the supported state(s). The supporting Civil Support Teams were also deployed under the Emergency Management Assistance Compact, rather than through normal DoD channels. This illustrates the flexibility of using existing state National Guard command channels to furnish Title 32 National Guard assistance to states struck by major disasters.

Adjutants General manage the readiness and operations of their state Army and Air National Guard forces pursuant to guidance from their Governor and from the CNGB acting on behalf of the Office of the Secretary of Defense (OSD) and the Army and Air Force. They do so through a state command element called the standing state Joint Forces Headquarters (JFHQ). The JFHQ is commanded by the Adjutant General and is staffed by Army National Guard soldiers, Air National Guard airmen and Title 10 emergency preparedness liaison officers from each of the

military services and, in maritime states, from the US Coast Guard. The standing state JFHQ, which can itself be mobilized under Title 10 USC, can be used to execute state active duty, Title 32 and/or Title 10 USC functions in carrying out MSCA missions and wartime readiness and mobilization missions. The JFHQ provides mature, cost-efficient state command and control of National Guard forces regardless of the nature or purpose of their mission.

I used this headquarters to mobilize, deploy and oversee the operations of soldiers and airmen in state active duty status when quelling the World Trade Organization Conference riots in Seattle in 1999. I used it to mobilize, deploy and oversee the operations of soldiers and airmen in Title 32 federal status when rushing to augment airport security following the attacks of September 11, 2001. I am also using the JFHQ to mobilize and deploy soldiers for Title 10 active duty in support of Operations Noble Eagle, Enduring Freedom, Iraqi Freedom and other operations in support of OCONUS combatant commanders.

The operational and fiscal advantages of using the Guard in Title 32 status and in fully utilizing the existing state JFHQ command structure are best illustrated by two post-9/11 missions. Shortly after the attacks of 9/11/01, President Bush called upon governors to make National Guard

forces available to guard the nation's airports. His request came without forewarning during a presidential press conference. Notwithstanding these unusual circumstances, within 24 hours of the President's request approximately 1,000 Guardsmen deployed to key airports. The FAA and NGB developed a five-day training program. Over 6,000 Guardsmen were then trained and deployed to 440 airports. During the peak holiday season in 2001, over 8,000 Guardsmen were deployed to our nation's airports in Title 32 status and they performed flawlessly and with great distinction.

The airport security mission was a classic case of the National Guard being used "in the service of the United States" for a federal purpose and at federal expense. Although the terms of the Title 32 deployment and rules of engagement were specified by the federal government (the supported jurisdiction), command and control of the uniformed forces remained with state military authorities (the supporting jurisdictions). The states used their existing STARC and subordinate command headquarters to mobilize and manage the deployed forces. No new command structures had to be created. No extraordinary mobilization expenses were incurred. Because the soldiers and airmen remained under state command and control, they trained at home station and soldier and employer hardships could be accommodated by rotating personnel in and out of the Title 32 mission.

Work schedules were carefully managed so that soldiers and airmen continued to drill with their units. They thereby maintained individual and unit war-fighting proficiencies, assuring their continued readiness for OCONUS combat missions. Most importantly, if the soldiers' primary unit had been needed for an OCONUS combat, combat support or combat service support mission, we could have rotated other soldiers into the airports and returned the affected soldiers to their units for OCONUS deployment.

By contrast, when Border Patrol, Customs and INS needed augmentation to assure the security of our nation's land borders, federal authorities insisted that National Guard members be federalized in Title 10 status. This required costly and cumbersome federal command structures to be created from scratch. Instead of training at home station, all soldiers had to ship out to one of two federal mobilization stations. Instead of operating under familiar state command structures, command was exercised by an active duty Army headquarters on the opposite coast. Once on Title 10 orders, the soldiers could no longer train with their units. Over the course of their six month border deployment, they were no longer available for OCONUS combat duty, individual soldier skills eroded and the combat readiness of their original units of assignment was irreversibly

compromised. Moreover, in contrast to the speedy deployment of National Guard forces to the nation's airports (3 to 6 days), imposition of these cumbersome and costly federal control procedures delayed deployment to the borders for more than six (6) months. To add insult to injury, National Guard soldiers had to be deployed unarmed in order to comply with the Posse Comitatus Act restrictions on Title 10 forces, thereby minimizing their effectiveness as border security augmentees. As a result, at the border crossing at Blaine, Washington armed Title 32 Washington National Guard soldiers assisted Border Patrol, Customs and INS agents with counter-drug operations as we have done for more than thirteen (13 years) while unarmed, federalized National Guard soldiers from many of the same units had to be protected by Border Patrol, Customs and INS agents at the same border while they performed marginally effective counter-terrorism duties.

The enhanced legal flexibility of using the Guard in Title 32 status is all the more important because of the Guard's presence as America's most forward deployed domestic military force. Unlike active duty components that are confined to a limited number of CONUS installations in a limited number of states, the Guard has an organized presence in nearly every

population center (3,300 locations and in more than 2700 communities) in every state, territory and the District of Columbia.

As a true community-based force, the Guard is the first military responder in virtually all domestic emergencies and can respond to most disasters without external logistical support. Equally important, federal, state and local law enforcement authorities, emergency response professionals, elected officials and community leaders trust the Guard and enjoy a stable and mature working relationship with the Guard. The Guard's status as a "trusted", forward-deployed force is an important "ground truth" that must be considered in rebalancing and resourcing the National Guard for greater homeland defense and homeland security responsibilities.

The Adjutants General of the United States and the nation's Governors are adamant that when National Guard forces are used domestically they should remain under state control, whether operating for a state purpose (at state expense and under state control) or for a federal purpose (at federal expense but under continued state control under Title 32, USC). The Governors, by formal resolution adopted at their mid-winter conference on February 25, 2003, have called upon federal authorities to use the National Guard in Title 32 status instead of Title 10 for all domestic

missions. For the same reasons the Defense Science Board has also concluded "the National Guard should be used in title 32 status to the maximum extent possible for *all* domestic operations." (DSB 2003 Summer Study Report, Volume 1, page 78 – emphasis added).

The Army National Guard must be resourced at C1, not, as at present, at C3 – As a joint force commander I can vouch that the Air Force resources its Air National Guard (ANG) component to attain the highest level of peacetime readiness (what we call C1 status) and to sustain the force at that level as a steady state. The Air National Guard typically funds the Air National Guard at 95% or more of the Air Force's validated full time manning (FTM) requirements. By stark contrast, the Army resources its Army National Guard (ARNG) component to no more than a C3 peacetime level of readiness (C1 is the highest level of readiness, C4 is the lowest rating that can be reported – total inability to perform the assigned mission). This means the Army National Guard of the several states is typically funded at less than 60 percent of the Army's validated FTM requirements. To illustrate the impact of this under-funding on the Washington Army National Guard, the validated FTM requirement is 25-30 percent of the authorized end-strength. We have approximately 6000 Soldiers, which means that by the Army's validated requirements we need 1800 full time

(FTM) ARNG positions. Our authorization, however, is only for 1080 positions and the Army actually funds us for only 480 of the authorized positions. While 60 percent of validated FTM requirements may not sound so bad, by the time the Army's resourcing formulas are applied our full time manning shortfall significantly impacts readiness of the force. We're able to resource some of our most heavily tasked units at 55 or 56% of their FTM requirements only by resourcing other units at substantially lower levels.

The Adjutants General have repeatedly addressed Full-Time Manning as our most pressing issue. Congress has responded with some annual increases but it is imperative that we adopt a more aggressive "ramp" in order to resource the operational requirements of the present threat and operations environments. to achieve the validation requirements. Without adequate Full-Time Manning our intentions will remain hollow promises and we will be unable to substantially improve our national defense and homeland security

Expand Weapons of Mass Destruction Civil Support Team (CST) capabilities and form new CBIRF-equivalent units in the National Guard –

The Secretary of Defense has certified 33 currently authorized and funded Civil Support Teams as being fully mission ready. The teams are composed of 22 full-time Army and Air National Guard subject matter

experts. They are funded by the federal government and operate in Title 32 status under standards and rules of engagement prescribed by DoD. Since they are in Title 32 status at all times, they fall under the command and control of the Adjutants General, which ensures a streamlined and highly efficient training and employment of force authority. Title 32 status also assures that any evidence they acquire in the course of their field operations or laboratory analysis is fully admissible in any civil or criminal proceeding.

The 107th Congress authorized a total of 55 teams but did not provide funding for the additional teams. The Hart-Rudman report for the Council on Foreign Relations urged Congress to authorize and fund 66 teams. The National Emergency Management Association (NEMA), the International Association of Emergency Managers (IAEM), the Council of State Governments (CSG), the National Governors Association (NGA) and the National Guard Association of the United States (NGAUS) have joined the Adjutants General Association of the United States (AGAUS) in urging Congress to authorize and fund at least one (1) National Guard Civil Support Team in every state and territory. To do any less is to treat every man, woman and child in the states and territories without a CST as acceptable casualty risks.

I am pleased to acknowledge that an additional 12 teams are in the training and equipping pipeline and OSD has announced plans to field a total of 55 teams by 2008.

As the Adjutant General of the first CST to be certified to Congress as fully mission ready, I am intimately familiar with the operational capabilities and limitations of these teams. Their capabilities are truly unique. They provide a critical margin of safety for emergency responders and citizens in general. They also provide an on-scene source of scientific information for officials charged with protecting the public's safety. Our teams provide invaluable training and exercise support to civilian emergency responders, routinely integrating civilian partners into our training scenarios. We have even deployed civilian responders with our CST to such national special security events as the 2002 Winter Olympics. The limitations of the teams are largely confined to time and distance factors over which we have little control. Although our entire team can deploy on a single C-17 and we regularly practice such deployments, there is no dedicated tactical airlift for any of the CSTs. The only sure method of employment is to drive to the disaster scene. Our teams are on a 2-hour 24/7 response line, but the harsh reality is that weather and traffic conditions make it impossible to provide timely support to remote areas in several states or to the states and

regions that don't yet have their own CST. On more than one occasion, we have had to decline requests for deployment of our team to sensitive out-of-state events because we could not get military airlift.

The CST program needs three things: first, every state and territory needs at least one Civil Support Team; second, the teams need to be slightly expanded in size to absorb the impact of unexpected illness and injuries and to accommodate periodic personal leave and training cycles; and third, we need a plan for the military airlift of the teams. This latter need is especially critical in the event of asymmetric domestic terrorist attacks.

The Defense Science Board has also encouraged the Secretary of Defense to task the Chief, National Guard Bureau to report to him on the feasibility of expanding ten (10) of the CSTs so that each of the ten specially-designated Title 32 units has a full, single-unit capability equivalent to that of the Marine Corps' Title 10 Chemical, Biological Incident Response Force (CBIRF). This would result in the strategic positioning of ten (10) additional CBIRF-equivalents throughout the CONUS, while leveraging the Guard's C2 and operational integration with civilian emergency responders and assuring CST coverage for the states and geographic regions in which the CBIRF-equivalent Title 32 Guard units

are located. Implementation of any such plan will require additional funding and manpower authorizations and/or a significant rebalancing of the National Guard force.

In addition, the DSB urged the National Guard Bureau to explore the feasibility of enhancing existing Army and Air National Guard engineering, medical and security police units with additional equipment, training and other resources to assure their ability to perform core urban search and rescue (USAR), mass medical decontamination, and tactical site security functions, respectively. The enhancement of these existing drill-status Guard units, in combination with the mission capabilities of the full-time 22-member CST, would assure each state has a collective CBIRF-like response capability – albeit, not in a single unit. The National Guard Bureau has identified twelve (12) states to pilot this project and is working with the states affected to develop a common operating plan. The Washington National Guard is one of the participants in this initiative.

Although each CST is capable of deploying with its own wheeled vehicles, there are also circumstances in which a CST must be deployed by airlift. Recognizing that military airlift is often unavailable due to restricted resources and competing priorities, the DSB has also recommended that OSD explore the feasibility of renegotiating the Civil

Reserve Air Fleet (CRAF) agreement to meet the emergency airlift requirements of CSTs and other critical HLD-HLS/MACA assets.

Other new and expanding homeland defense and homeland security mission areas – The global war on terrorism has revealed a number of low-density, high-operations tempo mission areas in which there is an inadequate force for current and projected force requirements. Many of these missions have tremendous potential for meeting dual state and federal needs and involve skills for which the Guard has a proven record of being able to recruit, train and retain qualified personnel. These expanding mission areas include, but are not limited to, the need for increased numbers of Military Police, Transportation, Bio-Chemical, Petroleum/Water Purification, Civil Affairs and Psychological Operations, Intelligence, and Cyber and Information Operations units. Each of these military specialties has obvious and immediate application to domestic security strategies if the units are not needed for support of OCONUS operations. It would be prudent, therefore, to rebalance the force and place such missions in the National Guard. The National Guard is also poised to assume significant responsibilities in ground based missile defense, a modern variant of missions the Guard performed during a critical phase of the Cold War. I speak specifically of the Guard's highly successful experience in manning

Nike missile batteries in the 1960s and 1970s. Throughout those decades, traditional and full-time Guardsmen served together in units under State control, with self-activating orders that automatically brought them into a Title 10 federal status in the event of any live fire response.

In addition, as we put more reliance on space there are a number of space missions that could be very effectively and efficiently performed by National Guard units in Title 32 status.

In like fashion, the Guard has field artillery units and other units that have been sparsely tasked but have been retained by the Army to support its legacy force. These units and the force structure associated with them could be re-missioned and reallocated in order to cover the costs of the expanding mission areas mentioned above.

New and Empowering Employment of Force Constructs -- The creation of the Joint Forces Headquarters (JFQ) in each state has given the Governor and the Adjutant General a more streamlined force deployment capability and provides NORTHCOM a meaningful forward deployed command structure in each of the several states. Governors have extraordinary constitutional and statutory emergency powers and they exercise those powers principally through the Adjutants General for both civil and military exigencies and prior to requesting federal assistance. The Guard is the

first military force to respond to domestic emergencies, nearly always in state active duty status. When state and federal interests converge or overlap in a domestic emergency situation, however, and whenever national command authorities determine it is in the national interest to utilize the Guard for federal domestic purposes, the Guard should be used in Title 32 status to the maximum extent possible.

I've previously noted the legal advantages of using the Guard in Title 32 status instead of federalizing the Guard under Title 10, but there are also numerous fiscal and operational advantages to Title 32 service. As previously noted, the Guard can be employed in Title 32 status using existing state command structure and without the need for a time consuming and costly stand-up of a special federal command structure. Use of the Guard in Title 32 status also allows most domestic missions to be accomplished jointly, through Army and Air Guard volunteers, without having to involuntarily mobilize Guard units. As an example, post-9/11/01 airport security missions were accomplished principally through the mobilization of individual Army and Air Guard volunteers, thereby diffusing the impact throughout the entire Guard force rather than a singe service element (by contrast, the subsequent federalization of the Army Guard for border security assistance impacted only the Army Guard and had a

disproportionate negative impact on the readiness of Army Guard units to perform their OCONUS war-trace missions). Staffing a mission with volunteers from the entire Guard force also avoids impacting members for whom mobilization would be a personal or employer hardship as well as those for whom a domestic mobilization would conflict with their primary employment as civilian emergency responders.

Adjutants General can also manage an activated Title 32 force so that individual soldier and airman training and unit training requirements continue to be met (i.e. soldiers and airmen are scheduled so that days off coincide with scheduled individual soldier training and unit training assemblies in which the Title 32 soldiers and airmen are required to participate) while simultaneously meeting the federal Title 32 mission objectives.

The continued state management of the activated Title 32 force assures that combat readiness is not degraded in the units from which the volunteers have been drawn. If and when other combatant commanders require Title 10 forces, Adjutants General can order personnel from Title 32 status to Title 10 status (backfilling with other personnel on voluntary or involuntary Title 32 orders for the domestic mission) to deploy OCONUS with their combat units, thereby meeting the needs of both NORTHCOM

and other OCONUS combatant commanders. The DSB Summer study notes that OSD has traditionally used Title 32 duty primarily for training purposes, since military training obviously satisfies federal as well as state objectives. The DSB believes the better course is to use the Guard to the maximum extent possible in Title 32 status for all federal-purpose domestic operations, as was done in executing the airport security mission in the immediate aftermath of the September 11 terrorist attacks. The DSB 2003 Summer Study report (Volume II) will specifically urge support of legislation that enhances the flexibility of employing the Guard in Title 32 status for domestic operational purposes, to include training and exercising with civilian emergency responders and deploying in support of lead civilian agencies.

The National Response Plan (NRP) prescribes the process by which DoD and Title 10 forces can be tasked to support a lead federal agency which is itself supporting the lead state agency in charge of a given state's emergency management operations. In many instances, the supported lead state agency will be under the statutory control of the Adjutant General. Even when that is not the case, the Adjutant General will have a close working relationship with the head of the supported lead state agency. Since all disasters and all emergencies are local, Guard forces will

already have been deployed pursuant to the Governor's emergency orders and will have been fully integrated into the mature and ongoing state and local emergency response. The DSB report therefore concludes that maximum unity of effort can be achieved by having the later arriving Title 10 forces operate under the "supervisory authority" of the Adjutant General or his subordinate Joint Forces Headquarters commander or Joint Forces Task Force commander. "Supervisory authority" is a well established joint doctrine that results in Title 10 forces taking their operational direction from a designated entity outside their chain of command. Full command and control (COCON, TACON, OPCON and ADCON) remains with the Title 10 authorities and is not relinquished to the Adjutant General or anyone else in state active duty status or Title 32 duty status; the deployed Title 10 forces are merely directed to operate under the "supervisory authority" of the state's senior military commander, the Adjutant General. This force employment policy would insure the priorities and operational objectives established by the Governor's emergency proclamations are accomplished by a true unity of effort under the operational oversight of the Governor's senior military commander. This force employment recommendation is consistent with existing doctrine and does not require any statutory, regulatory or doctrinal change.

Recognizing that these force status issues are poorly understood by many military officials, including commanders at senior levels, the DSB has recommended that NORTHCOM, in collaboration with each of the 54 Adjutants General, should develop a "Guide to Legal Authority and Rules of Engagement in the States and Territories".

Reforming Liaison Between DoD Elements -- The Adjutants General strongly recommend that the Title 10 and Title 14 drill status reserve component Emergency Preparedness Liaison Officers (EPLOS) each of the military services have assigned to the states' Joint Forces Headquarters (JFHQ) be reorganized as a single, horizontally-integrated unit within the JFHQ. The EPLOs should work together as an integrated joint unit, should continue to support the Adjutant General and the JFHQ in preparing for and responding to domestic emergencies, and should report to and operate under the overall direction of NORTHCOM. Drill status reserve component Regional Emergency Preparedness Liaison Officers (REPLOs) currently assigned by each of the military services to FEMA region headquarters should also be reorganized as a single, horizontally-integrated unit in each FEMA region and should also report to and operate under the overall direction of NORTHCOM.

In addition, the National Guard should be authorized and resourced to create a Joint Reserve Augmentation Detachment (JRAD) at each state Joint Forces Headquarters. The JRADs should be a traditional mix of full time and part time personnel. JRAD members should conduct their drill status duty at the state JFHQ and their annual training at NORTHCOM, thereby assuring each command echelon a cadre of experienced personnel that can be employed at either or both of these command echelons during contingency operations.

The Adjutants General further recommend that the full-time Title 10 Senior Army Advisor - Guard (SRAAG) in each state be trained and dual-hatted as the Defense Coordinating Officer (DCO) for that state, reporting to and operating under the direction of NORTHCOM. Designating the SRAAG as the DCO would give NORTHCOM a senior full-time Title 10 officer in each state who already routinely and habitually works with and supports the Adjutant General. In his dual role as Senior Army Advisor, the SRAAG would continue to report to the Commander, CONUSA on traditional combat-readiness issues unrelated to the NORTHCOM mission.

Finally, NORTHCOM planners, with the assistance of the newly reorganized and reconstituted EPLOs, REPLOs, JRADs and DCOs, should develop a complete data base of CONUS reserve components and

facilities. The data should include unit and facility capabilities and availability for HLS/MACA taskings. The data bases should be kept up-to-date and should be shared with the Adjutants General and Joint Forces Headquarters in each of the several states.

The Defense Science Board's 2003 Summer Study, Volume II, strongly endorses each of these recommendations.

Transformational Information Operations Proposals -- The Defense Science Board 2003 Summer Study devotes a significant amount of attention to the need for a transformational information operations architecture and recommends a prominent role for the National Guard in partnering with NORTHCOM and the Joint Chiefs of Staff to create and field such a system. At the JFHQ command level and below, the National Guard's information systems are key to NORTHCOM and other DoD elements having a complete and accurate operating picture, especially in the aftermath of domestic terrorist attacks or other large scale humanitarian disasters.

Given its front-line role, the National Guard must be able to effectively communicate within both a joint and inter-agency framework. Additionally, the trusted information environment and supporting infrastructure design must support vertical and horizontal information exchange, anytime-

anywhere information access, and joint and inter-agency collaboration capabilities that extend from the national level to the state level and, ultimately, to the incident command site.

Because of its community-based presence, the National Guard will be a critical and early contributor to the trusted information sharing environment. The Guard will also have a need for timely access to information and collaboration tools in order to effectively carry out the its HLS/MACA responsibilities. The DSB and DoD have also recognized that the Army and Air National Guard also have IT capabilities that can be leveraged to extend the trusted information environment from the DoD enterprise level to the state level and down to the incident scene.

At the urging of the Defense Science Board, and as a result of being briefed on this aspect of the DSB 2003 Summer Study, DoD is currently establishing a Joint CONUS Communications Support Enterprise (JCCSE) to support these requirements. The National Guard is part of this JCCSE process. Capabilities managed by the JCCSE will support military HLS/MACA requirements, but can also be leveraged to provide information sharing capabilities to the Department of Homeland Security (DHS) and other lead federal agencies (LFA) in support of the National Response Plan (NRP) and National Incident Management System (NIMS).

National Guard Bureau Statutory Reformation -- As noted in the prior testimony of Lieutenant General Steve Blum, Chief of the National Guard Bureau, the NGB fundamentally transformed into a Joint Bureau effective 1 July 2003. *To complete this Guard-initiated transformation, legislation is needed to align the statutory authority of the National Guard Bureau with the transformational reorganization of the Office of the Secretary of Defense and the Joint Staff.* The Bureau is an essential and highly efficient channel of communications between the several states and the Departments of the Army and Air Force (Title 10 USC 10501(b)); in light of the reorganization of the Office of the Secretary of Defense and the Joint Staff, however, the Bureau's statutory role should be clarified to also recognize NGB as a military channel of communications on homeland security and MACA matters between the states and the new DoD MACA executive agent (the Assistant Secretary of Defense for Homeland Defense; ASD-HD) and the new DoD MACA agent (the Joint Staff DOMS, J-DOMS). With this legislative clarification, NGB will be able to enhance mission coordination and information sharing capabilities, facilitate evolution of state-federal operational concepts, and support the operational needs of ASD-HD, the Joint Staff, JFCOM, NORTHCOM, and other key

stakeholders. This will also enhance flexibility and the ability to quickly and efficiently leverage National Guard resources locally, regionally, and/or nationally, as appropriate to each situation.

Title 10 USC 10501-10503 and DoD Directives 3025.1 (Military Support to Civil Authorities) and 3025.15 (Military Assistance to Civil Authorities) should also be amended to reflect these new relationships and operational concepts. These amendments will facilitate transition to effective command relationships, operational processes and supportive infrastructure capabilities.

The Defense Science Board concurs with and strongly endorses these recommendations for statutory reformation.

The effects deployments of Washington National Guard forces in the global war on terrorism have had on training and equipment readiness and what might be done to better equip and train the Guard for the future.

The several states, territories and the District of Columbia invest capital construction, training and equipment dollars in their National Guard forces, just as the federal government does. As a dual missioned force, the

National Guard receives general fund state dollars to help train and equip our forces for disasters and emergencies in which the state's interests are paramount. In the State of Washington and in many other states, for example, state funds pay for training National Guard members for wild land firefighting certification and for other specialized training that requires the development of skills beyond those acquired in the course of military training for standard military occupational specialties.

In most years, our state experiences wild land fires throughout the summer and early fall that threaten lives and property. These fires can quickly grow to thousands of acres and surround and threaten entire communities. When all available fire mobilization resources have been exhausted and the fires are still not contained, the Governor has to use his emergency powers to activate the Guard for firefighting duty. For a host of reasons, all of which are patently obvious, this is dangerous, life-threatening duty. Guardsmen cannot be placed on the fire lines without completing life safety and fire survival training.

For the past several fire seasons, we have relied upon our 81st Armored Brigade (now called the 81st Brigade Combat Team) to fight wildfires and have trained them at considerable state expense and maintained their readiness in compliance with nationally recognized Level 2 wild land

firefighter certification standards. This requires each soldier to be trained and to be certified as competent for such duty. The training is undertaken in roughly five year cycles. The most recent large group training was completed two (2) years ago. Individual Level 2 certificates issued as a result of that training are good for five (5) years. In November, 2003, however, the 81st Brigade was activated and was subsequently mobilized and deployed for duty in Iraq. We currently have 3,600 soldiers (63% of our entire Washington Army National Guard force) serving in Iraq and a dozen other countries. Other units that were to have been de-mobilized prior to this year's fire season have now had their tours of duty extended in Iraq.

As a result of these federal mobilizations, the state legislature had to pass a special $200,000 appropriation in February to train soldiers in remaining units to Level 2 firefighting standards. Even these expenses may be for naught, as we continue to receive Alert orders for the mobilization of additional units. As much as we would like to train soldiers who are not likely to be mobilized, the Alert and mobilization process to date has had little predictability.

This is just one among many state examples of the impact of mobilizing large percentages of a state's National Guard force. State and local

communities often pay a very large cost, both direct and indirect, for frequent and lengthy deployments.

Other ramifications of the mobilization and deployment process are directly felt within the National Guard structure itself. I'll therefore respond to the balance of the Committee's inquiry by describing our experience mobilizing soldiers in a variety of statuses (Title 32 / Active Duty for Special Support / Work (ADSW) / Title 10). I'll present these "lessons learned" in a three-part construct that focuses on how the Army currently performs or proposes to perform this function, the challenges and difficulties encountered as a result of current Army policies and processes, and opportunities for positively improving and transforming the Alert-Mobilization-Deployment-Demobilization process.

It should be noted at the outset that the mobilization process is unique to National Guard and Reserve components. The active duty Army, by its very nature, is in a constant "mobilized" status.

It should also be noted that the mobilization and deployment processes of the Army and Air National Guard differ greatly. My fellow Adjutants General would readily affirm that while the Air National Guard mobilization and deployment processes are largely streamlined and efficient, the Army

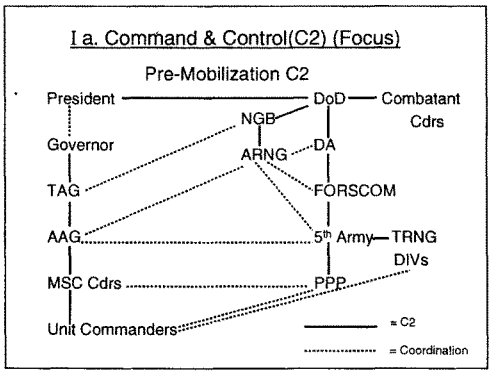
National Guard processes are exceedingly cumbersome, time-consuming and fiscally and operationally inefficient.

The problems we have encountered mobilizing and deploying Army National Guard soldiers are systemic problems experienced by all of the states and territories. Due, however, to execution of the Mobilization / Deployment process via the Forces Command Mobilization & Deployment Planning System at various Mobilization Stations [also known as Power Projection Platforms (PPP)] and their non-standard application of tasks and station-unique requirements, all items represented are not constant for all mobilizations. From this then, I present the following areas of concern:

I. Mobilization

a. Command and Control (C2)
b. Resourcing
c. Predictability
d. Readiness

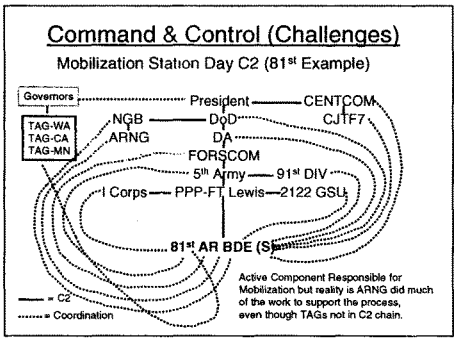
Within each of these areas my comments will follow the previously described construct of current practices, challenges, and opportunities.



Pre-Mobilization Command and Control is based on standard hierarchical modeling with lateral command and control functions, augmented by lines of communication that attempt to synchronize information flow throughout the model. In part, these lines of communication are necessary because of the previously discussed composition and constitutional status of the Army and Air National Guard

The left side of this model depicts the command and control chain for the National Guard in state active duty (SAD) and Title 32 status. Unlike state active duty and Title 32 duty, however, Governors and Adjutants General have no command or control over National Guard forces that have been ordered to Title 10 federal duty. Upon activation under Title 10, National Guardsmen/women become indistinguishable members of the federal armed forces. These command relationships are depicted on the right side of model. The coordination that occurs in the middle of the model

is a function of the Chief, National Guard Bureau performing his statutory role as the channel of communication between the several states and the Secretaries and Chiefs of Staff of the Army and Air Force.



This diagram shows the Chains-of-Command/ Communication on Mobilization Day for the 81st Brigade Combat Team (hereafter referred to as the 81st Brigade).

Immediately upon mobilization, the 81st Brigade was inundated with direct coordination from elements and command echelons above their level of organization. In reality, this direct coordination began at certain higher levels from the earlier Notice of Alert for mobilization and the volume and intensity of requests for information and subtle and not-so-subtle directives and guidance from multiple sources increased over time through mobilization and into post-mobilization training.

An additional mobilization and deployment challenge was raised when US Central Command (CENTCOM), Combined Joint Task Force 7 (CJTF7) requested that the 81st Brigade (a Heavy force equipped primarily with M1A1 Abrams Tanks, Bradley Fighting Vehicles and a variety of other tracked and wheeled vehicles) mobilize and deploy as a wheel-mounted rifle organization (company level units of action). This fundamental organizational reconfiguration presented new and unique training challenges and a complex Operational Needs Statement (ONS) for the new and fundamentally different type of combat organization requested. The lack of an approved, provisional MTOE and vetted mission guidance further complicated the mobilization process. During the post-mobilization training period analysis, the 81st Brigade had to develop its own Table of Organization and a complimentary ONS. Late arrival of mission guidance and in-theater deployment plans also required changing the Mission Rehearsal Exercise (MRE) at the National Training Center (NTC), even during execution of the MRE.

The most important impressions you should take from the foregoing slide are:

- A Brigade is not staffed or equipped to process direct, persistent, simultaneous coordination from multiple, increasingly higher levels of the chain-of-command, up to and including echelons above the level organized.
- A Brigade cannot adequately fill the communication gap by pushing information up the chain-of-command/coordination to elements that were bypassed when the information was pushed down to the Brigade.
- The Army National Guard of the United States (the Title 10 organization that has been created as a result of the mobilization) and the Army National Guard of the several states (the remaining non-federalized ARNG structure in each state) are still full participants in much of what occurs immediately subsequent to mobilization, while the Title 10 unit is at the mobilization station/Power Projection Platform (PPP), up to the point of Validation (which occurs once the PPP Commander validates individual soldiers

and unit equipment as being deployable, and validates the unit as having met established training standards).

- Current tactical configurations (i.e. the need for a motorized, lighter force) created by operational needs in Theater are outpacing the transformation process. National Guard commanders understand the need to reconstitute and reorganize their units "on the fly" in order to meet Theater needs, but the fact remains that longer alerts and post-mobilization training periods may be needed to transform the force correctly.

Command & Control (Opportunities)

- Flatten the Mobilization Day C2
- ARNG Commanders train and certify their Units up through company level
- TAGs as Force Providers vice Continental United States Army (CONUSA)
- Mobilize "Pusher" Units for Large Units thru Deployment
- Modularize the Army National Guard Brigades
- Improve Unit Status Reporting Regulation Army Regulation (AR) 220-1
- Improve Forces Command Mobilization and Deployment Planning System (FORMDEPS)
- Integrated Division Headquarters (Active Component/ Reserve Component (AC/RC)) are a Good Idea

Based on our Lessons Learned, we believe the following opportunities for improvement exist:

- Flatten Mobilization Day Command-and-Control/Coordination (C2):

In addition to the mission any specific level of organization is required to perform, there is an inherent need for information. Those needs

are both internal (local information/specialized reporting and statistical requirements) and external (information requested by a higher headquarters, which must be pulled from the subordinate unit and then passed higher). The need for internal and external information frequently results in "information creep", by which I mean the phenomenon in which higher echelon units bypass subordinate units because the information is not coming fast enough to satisfy the higher echelon units. This frequently results in an operational unit reporting the same information several times in response to repeated and uncoordinated requests for information.

- ARNG Commanders train and certify: The active Army should allow National Guard commander certification of individual training and collective training up to and including company level. A new method of certifying training at the Battalion and Brigade level must also be developed in order to support the mobilization and deployment needs of NORTHCOM and other combatant commanders.

- Consider revising the role of CONUSAs to designate The Adjutant General as the "Force Provider" for their respective Army National Guard forces and to designate the Senior Army Advisor-Guard (SRAAG) in each state as FORSCOM's coordination link.
- Mobilize "Pusher" Units: The demands of mobilizing and deploying a large unit frequently exceed the capabilities of the Active Component Sponsor unit, resulting in internal mobilization/deployment distraction. Use of a "Pusher" unit would ensure mobilizing/deploying unit focus stays on preparation. The most critical elements a "Pusher" unit could provide would be:
    - A "surrogate" equipment set for training use by the mobilizing unit. This is sorely needed because the mobilizing unit's equipment set must be maintained and moved for shipment to the Theater prior to the unit's completion of training,
    - Full development, support to and execution of the mobilizing unit's lanes training. This would include items such as ammunition management, range operations, and feeding and transportation, all of which draw the mobilizing unit's personnel,

equipment and attention away form completion of other requirements.

- Support mobilizing unit equipment preparation for onward movement. Again, while certain elements of maintenance and preparation are an essential part of the mobilizing unit's training requirement, intensive maintenance and preparation activities draw the unit's focus away from other requirements.

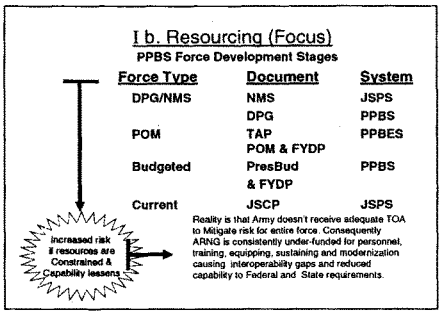
- Modularize Army National Guard Brigades: This will result in improved interoperability with the Active Component. A case in point is our Separate Brigade structure. Separate brigades such as our 81st Brigade are unique to the Army National Guard and present "plug-and-play," command and control and support challenges for Combatant Commanders.

- Improve Unit Status Reporting (USR) Regulation (AR 220-1). The USR does not capture the essential, holistic assessment required for the post-Cold War Army. Consideration should be given to replacing the USR with a Strategic Readiness System (SRS) for all components/services. The Army National Guard's SRS was developed pursuant to the Chief of Staff of the Army's guidance for

this holistic assessment of readiness information. The Army Scorecard is the tool used to measure progress toward stated goals and objectives. This tool enables the Army National Guard leadership to see the resource and readiness linkages throughout the system and better predict a modeling capability that improves the allocation of resources to achieve the highest degree of readiness. The Strategic Readiness System is an integrated strategic management and measurement system that ensures that all levels of the Army, including the National Guard Bureau and the Army National Guard, recognize and align their operations to the vision, objectives, and initiatives of the Army Plan.

- Improve FORMDEPS: While serving as a point-of-departure for mobilization and deployment, the inherent problem with FORMDEPS is there is no Army Mobilization Station (Power Projection Platform) standard for mobilization and deployment. When this non-standardization is coupled with the Personnel Planning Guidance published by ODCSPER for every mission/mission area, the overall utility of FORMDEPS is largely negated. Additionally, the following units (Information Operations, Special Operations, Aviation and

Military Intelligence) are nearly always an exception to both FORMDEPS and the non-standard criterion applied by a given mobilization station for other types of units.



The Force Development Process, over time, has consistently resulted in two situations:

- Table of Organization Inconsistencies. Due to modernization occurring at different rates between the active Army and the National Guard, as well as different modernization rates between like units within the National Guard itself, the Army National Guard faces significant interoperability and operational challenges. Critical modernization challenges in High-Mobility Multi-Purpose Wheeled Vehicles (HMMWVs), Single-Channel Ground and Airborne Radios (SINGARS), Chemical and Biological Detection Equipment and Night Vision Devices are examples of capabilities constraints that are inherent in the Force Development Process. The essence of this

issue is summed up in an excerpt from U.S. Army General George Casey's presentation to the Senate Armed Services Committee on16 March 2004. Senator (R-N.C) Elizabeth Dole voiced concern about whether "the Guard is transforming in step with the Active Component and whether the Army's transformation plans support simultaneous transformation with the Guard." She went on to express concern that "there might be a lack of modularity between the active and reserve components in the field without concurrent transformation." General Casey stated that "the Army was "working on inclusion" of the Guard as part of the transformation program," but that "defining details on the impact of transformation of the Guard and Reserve" would not be available "for at least another three months or so."

- Funding Inconsistencies. Funding shortfalls passed on to the Army National Guard of the several states are further distorted by Tiered Readiness Resourcing Requirements based on a given unit's priority (based on the unit's perceived likelihood of being mobilized and deployed, which, in turn, is based on inclusion in a Combatant Commander's Force Package Requirements list). The brunt of the funding shortfall is borne by lower priority units that until recently have

actually been mobilized and deployed more frequently than many of the higher priority units. Resource constraints have a significant impact on our ability to staff, equip, train, sustain and modernize our units, which impacts mobilization and deployment timelines as well as interoperability with the active force.

Resourcing (Challenges)

- **DA Resourced to Combined Readiness Level 3 (C3)**
  - FORSCOM required Combat Arms (CA) at Personnel Level 1 (P1) and Combat Support (CS)/Combat Service Support (CSS) Personnel Level 2 (P2) on Mob Day
  - Vice Chief of Staff of the Army (VCSA) wanted 81st Armor (AR) Brigade (BDE) at 100% Personnel Strength/Duty Military Occupation a Skill Qualification (DMOSQ)
  - Numerous Modified Table of Organization and Equipment (MTOE) Line Item Numbers (LINs) not at 100% fill due to C3 resourcing strategy
- **Ammunition-** small arms/crew served quantities not adequate for proficiency
- **60% Funding of Full Time Manning (FTM) Requirement**
  - Not adequate for Operational Reserve Force sustainment pre-mobilization
  - Woefully inadequate for move to an Operational Force
  - Career progression needs force "dual-hatting" to lessen the impact of mobilization of the full-time force when resourcing is already low

Resourcing (Challenges) (Continued)

- **Operations Tempo (OPTEMPO) Mileage for Sustainment-** doesn't support Reserve Component (RC) training strategy as dictated by DA and FORSCOM regulations
- **Family Support-** $35K for a deployed force of 3337 doesn't work
- **Equipment Modernization-** Just in Time modernization poor strategy
- **Employer Support of the Guard and Reserve (ESGR)-** One half time position does not ensure support to soldiers
- **Dental**
  - Timing of money was a month before Mob so no way to leverage to improve Available (A)DMOSQ prior to Mobilization Day.
  - Money withdrawn after mobilization day for 81st AR BDE

Resourcing challenges, as alluded to in the previous slide, are a result of the Force Development Process. The following issues caused us specific concern

- DA Resourced at C3.

The difference between 65 percent, 90 percent and 100 percent personnel and/or equipment resourcing

cannot be easily reconciled in the 30 days between Department of Army (DA) Alert notification and mobilization at home station. Guidance must establish a consistent requirement, while allowing the Adjutant's General broader resource reallocation authority when operational requirements require mobilization at a higher level of resourcing than what was established/authorized during pre-mobilization. When ARNG end-strength and other resources are set at C3 and deployment is required to be executed at C1, Adjutants General are forced to cross-level soldiers and equipment and decrease the readiness of "bill-payer" units in order to provide the necessary resources for the earlier deploying unit(s).

- Ammunition. As part of the active component strategy to increase the "warrior ethos" of Soldiers, increased weapons qualification has been mandated (for example biannual qualification). Our National Guard soldiers cannot be left behind in this critical area. While we are generally resourced with sufficient ammunition to meet current STRAC standards these allocation will be insufficient in the future. We project sufficient quantities of ammunition will not be available to

re-train soldiers who fail to qualify or to raise the proficiency level of all of our soldiers. Additionally, the Rapid Fielding Initiative is increasing the availability of modern sights (such as the laser-dot) and night vision capabilities. These are great marksmanship enhancers, but require extensive qualification and practice in order to sustain soldier skills. Training with these new devises also increases ammunition requirements.

- 60 percent Funding of Full-Time Manning Requirements. As previously noted, the Army National Guard is not funded for even 60 percent of what the Army has validated as our full-time staffing needs. This is our Number 1 readiness shortfall.
- OPTEMPO Mileage for Sustainment. The Reserve Component Training Strategy is intended to deliver units to the mobilization station at a given level of proficiency. It assumes a given amount of post-mobilization training and implies a known period of time from mobilization to employment in Theatre. Issues like under-resourced OPTEMPO mileage directly impact overall readiness
- Family Support/Employer Support of the Guard and Reserve (ESGR). Family Support is not unique to the National Guard, but while the

active component Family Support programs are funded to support the families of a fully mobilized force, the National Guard Family support programs are funded to conduct annual family readiness training and limited plus-ups for support for mobilized soldier's families. ESGR is unique to the Reserve Components. On 16 May 2003, LTG Blum gave a presentation to a Department of Defense audience regarding the Transforming Roles of the National Guard. When asked how many deployments National Guard personnel could handle, he answered as follows [...] "If you think of the Minuteman with his hand on the plow and the [other] hand on the musket [...], now don't think of him like that. Think of him as a three-legged stool. One leg is the service member, the woman or man that is in the Army or the Air National Guard. The other leg is their families, because most of our members are married and have families, and they have a lot to do with how many answers to the call will be tolerated. But there's a third leg on there that I am most concerned about, more so than I am the Soldier and their families, because I think they have greater elasticity, because they understand the need for it—it's the employer, the civilian employer." So the question is how to favorably impact

Soldier/employer relations to ensure future family and employer support for the service member.

- Equipment Modernization. Just-in-time modernization places our soldiers and equipment at risk. Modernization is necessary for interoperability, but compressed fielding and training time results in post-mobilization training delays and increases the likelihood of units deploying without full competency during mission execution. As an example, the 81st Brigade received "just in time" fielding of the AN/PQ-2 and AN/PAC-4 sight and sight illumination system (which give soldiers a reliable aiming sight and night-fire rifle capability) and the Army Battle Command System (Blue Force Tracker). Late receipt of systems like the AN/PQ-2 and AN/PAC-4 place significant training stress on the unit. Other systems like the Blue Force Tracker are very complex and cannot be adequately fielded in time to assure necessary individual and unit training prior to arrival in Theatre.
- Dental. While dental deployability is a pre-mobilization requirement, many soldiers lack the resources to meet deployment standards at their own expense. Resolution of dental deployability issues at the Mobilization Station over-taxes the capacity of the Mobilization

Stations and slows the Soldier/Unit validation process. Efforts were made to fund dental care prior to mobilization and thereby reduce the impact at the mobilization station, but we received the funds too late to contract for pre-mobilization dental care. Another problem is created by withdrawal of spending authority upon mobilization. Such authority needs to be preserved. The unit is required to complete individual Soldier readiness, to the best of its ability, upon mobilization at home station, and prior to arrival at the mobilization station. In addition, some soldiers are "late-deployers," who must still complete dental requirements. The timing of the authority to use dental funds from the Federal Strategic Health Alliance Program (FED-HEAL) and withdrawal of spending authority require careful reconsideration.

Resourcing (Opportunities)

- **Execute the NGB Resourcing Strategy of 50/25/25**
  - Requires some TOA growth to avoid risk
  - Buys time to move from Strategic to Operational Force
  - Numerous MTOE LINs not at 100% fill due to C3 resourcing strategy
  - Strategy funds training at C1, not later than FY06
- **Families and Employer Investment**
  - Need to retain returning soldiers with their lessons learned
    - Families and Employers are the key enabler to retention
    - Dedicate CONOPS funding to surge requirement to support
- **100% Funding/Manning of FTM Requirement**
  - Option1: Use Pay and Allowances (P&A) offsets from inactivating CONUSAs and Training Divisions
  - Option 2: Reassign Congressional Mandated 5000 AC/RC support to RC slots

- Execution of the NGB Resourcing Strategy of 50/25/25. LTG Blum has proposed a resourcing model in which 50 percent of the National Guard force is

Resourcing (Opportunities) (Continued)

- **OPTEMPO Mileage for Sustainment-** based upon events not mileage
- **Equipment Modernization-**
  - Army Transformation to BDE based force must be fully funded or we lose.
    - AC bill FY04 thru FY11 is $20.1B which Army is working to POM
    - ARNG Bill is unknown and not being POM'd
- **Dental-** Invest in people fund to P-1 level needs
- **Recruiting/Retention Incentives-** Must be flexible across the force.
- **Review/Change Title 32/10 Funding Laws/Regulations-** Barriers between funding does not allow efficient use of funds. Doesn't contribute to "One Army".

involved in normal training (and thereby available to the Governor for state emergenciés), 25% of the force in involved in intensive mobilization/deployment train-up (yet still available to the Governor for state emergency surge requirements) and 25 percent of the force is either mobilized/deployed or subject to such mobilization and deployment for the duration of a defined period of actual or anticipated federal service. While I support this construct and believe most other Adjutants General do as well, it must be noted that these balancing of force and stabilization objectives are not a strategy for resourcing the personnel and materiel requirements necessary to achieve such an end state.

- 100 percent Funding and Manning of FTM Requirement. In addition to the realignment of the National Guard Bureau and the joint force realignments in each of the states' Joint Forces Headquarters, we should examine whether the Army's CONUSAs and Training Divisions could be eliminated or reconfigured in order to create

efficiencies and free up money to fund the National Guard's full-time manning shortfall. The Adjutants General support LTG Blum's vision concerning the mobilization and deployment of Army National Guard units.

"We must change the Army's go-to-war protocols. It is no longer practical to follow cold war regimens of train, alert, mobilize, train, certify and deploy. We must move to train, certify, alert and deploy. Training must produce enhanced readiness, immediate accessibility and individual and unit capability to conduct operations at home and abroad. Under current guidelines, it can take several weeks to months to prepare an Army National Guard unit to mobilize and deploy – compared to the Air Guard model, where units deploy in a matter of hours or days. We need to study and adapt the Air Guard model where possible. By updating home station facilities, taking advantage of new technologies, and funding units at level of readiness, we hope to create a new 21st century minuteman who must and will continue to operate across the full spectrum of national and state missions." I would point out that execution of LTG Blum's vision requires a reassessment of the role of the CONUSAs and the Training Support Divisions' roles in mobilization and deployment of

the Army National Guard.

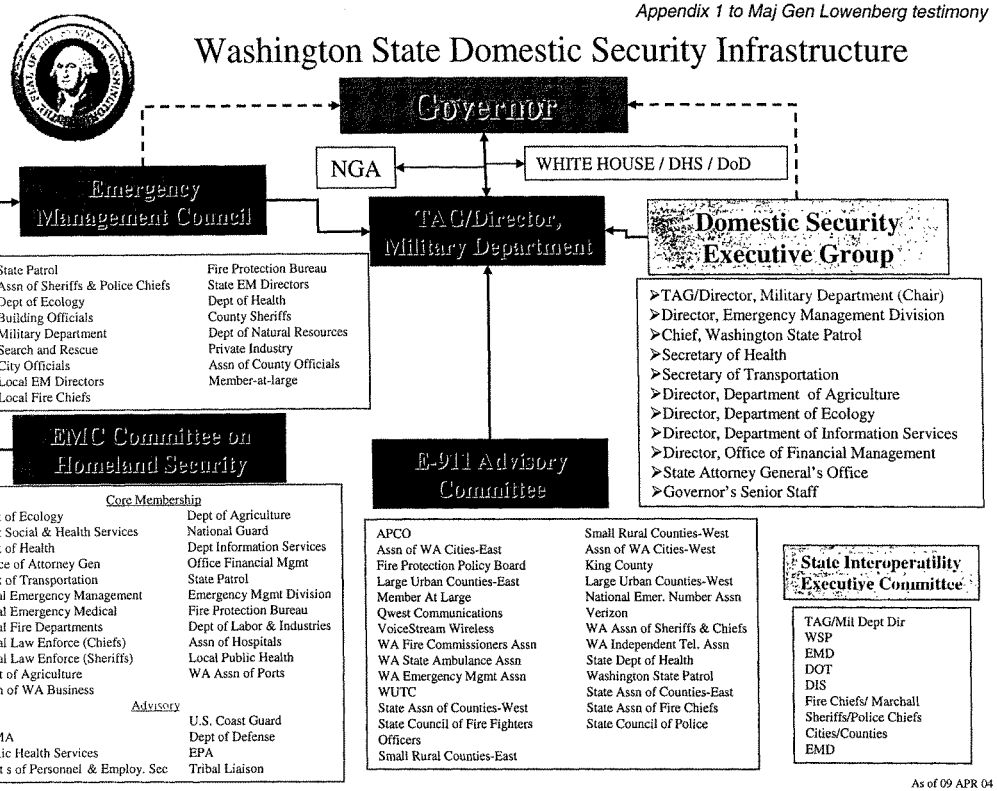
In conclusion, I would like to thank the Committee for this opportunity to present testimony on behalf of the soldiers and airmen of the Washington National Guard. We are soldiers and airmen deeply devoted to our nation's security and to freedom's cause. The steps I have outlined for rebalancing and properly resourcing the Army National Guard capitalize on the transformational capabilities and established forward presence of the National Guard. Working with other elements of the Department of Defense and civilian officials and emergency responders, we can, we must, and we will protect and defend our homeland and prevail in the global war on terrorism.

Appendices

Testimony of
Major General Timothy J. Lowenberg
Adjutant General, Washington National Guard
And
Director, Washington Miltary Department
Before
The House Committee on Government Reform
April 29, 2004

Appendix 1 to Maj Gen Lowenberg testimony

Washington State Domestic Security Infrastructure



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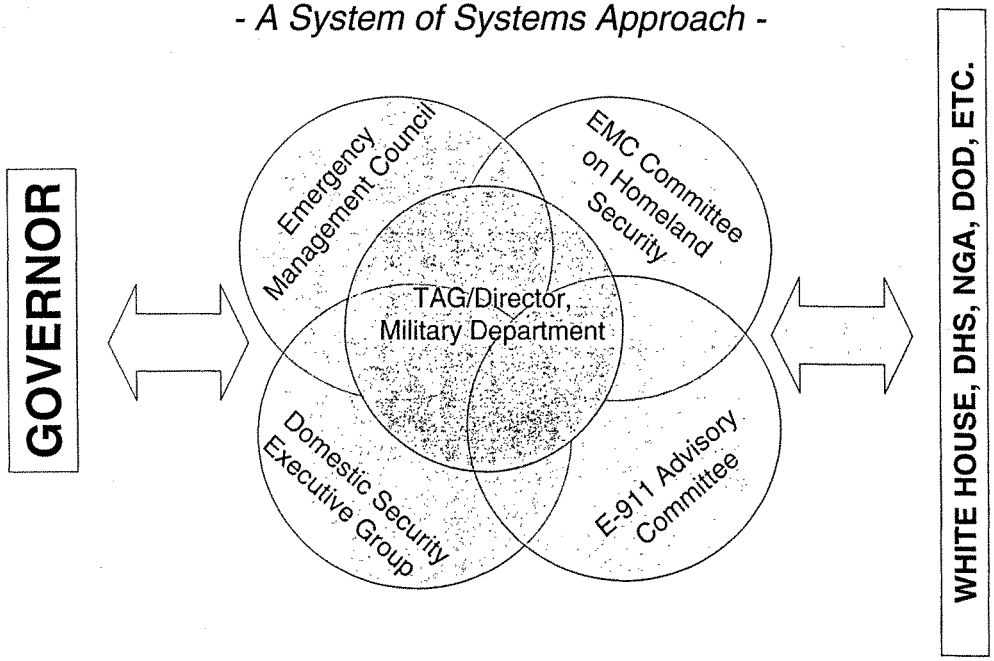
Appendix 2 to Maj Gen Lowenberg testimony

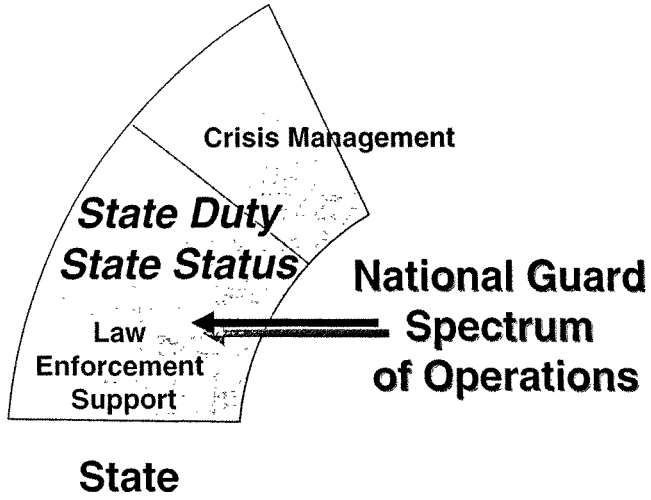
Washington State Domestic Security Infrastructure

- A System of Systems Approach -



Appendix 3 to Maj Gen Lowenberg testimony

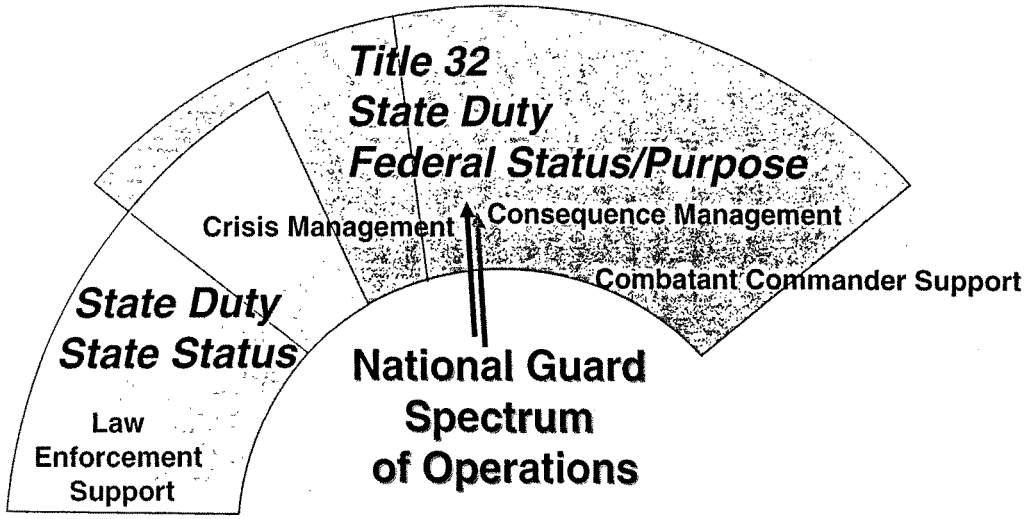
National Guard: A civil/military, state/federal organization *by design!*



Appendix 3 to Maj Gen Lowenberg testimony

National Guard: A civil/military, state/federal organization *by design!*

National Guard flexibility in state and federal missions

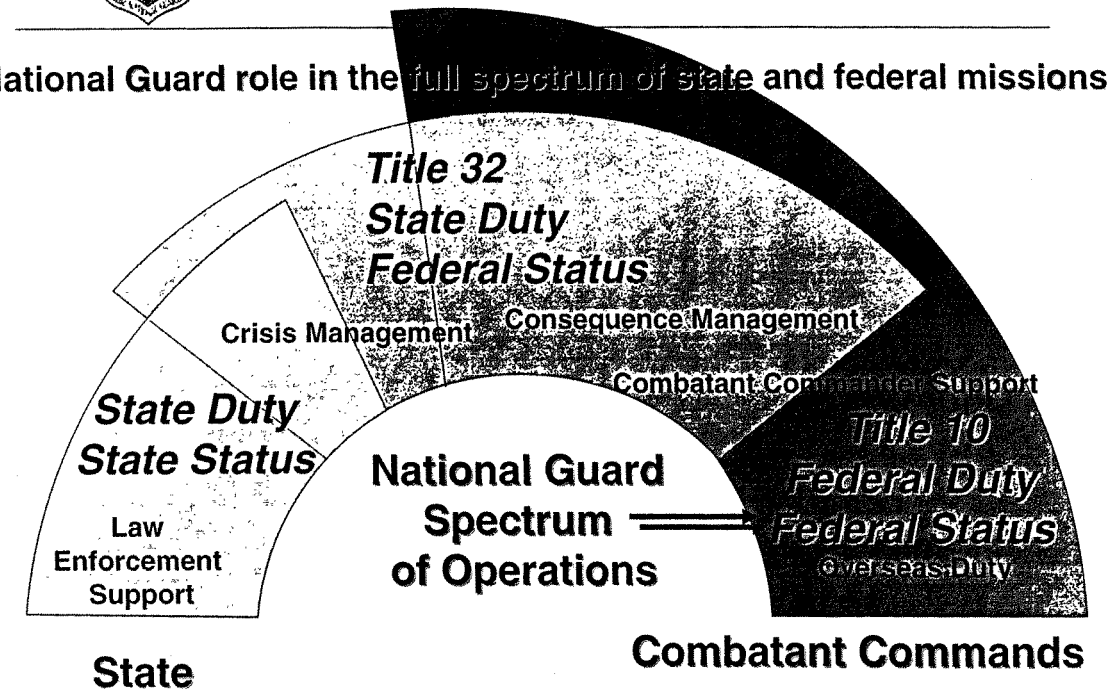


State

Appendix 3 to Maj Gen Lowenberg testimony

National Guard: A civil/military, state/federal organization *by design!*

National Guard role in the full spectrum of state and federal missions



Mr. SHAYS. Thank you very much, General, and General Tuxill, thank you so much. You have the floor.

General TUXILL. Good afternoon, Mr. Chairman and distinguished members of the committee.

I'm here representing Maryland's Governor, Robert L. Ehrlich, Jr. Mainly, he asked me to come to discuss our readiness and the National Guard for our some 8,300 men and women that comprise the National Guard in Maryland. In keeping with the 367 year tradition, Maryland citizen soldiers and airmen continue to respond today. We have over 1,100 soldiers and airmen deployed in support of either Operation Noble Eagle, Operation Enduring Freedom or Operation Iraqi Freedom. Since September 11, we've deployed over 4,100 citizen soldiers and airmen in response to the global war on terror.

Our soldiers and airmen fully understand that our Nation is at war with terror, and likewise expect to serve. These young men and women have volunteered to defend this Nation against all enemies, foreign and domestic. We owe it to them to ensure they enjoy capable leadership and are provided nothing but the best training and equipment. To do this, the National Guard must be organized, trained and equipped at the same levels as our Active Duty counterparts.

But the reality is, as a result of our cold war design to be used as a force in Reserve, many units are currently funded at C3 level, thus impacting training and equipment. As a workaround to provide the combatant commander with National Guard units that are fully equipped to support the warfight, it's become necessary to do what we call a cross-leveling. Cross-leveling is gaining personnel and equipment from other units within the State and across State lines. In essence, we are breaking units to provide the appropriate equipment and personnel to the deploying unit. This becomes a vicious circle, in that units that gave in many instances do not have the appropriate equipment with which to train. Thus, the losing unit is no longer to even keep a level of C3.

Another one of my major concerns continues to be the length and predictability of deployments and how that personnel operational tempo impacts not only the quality of life but also the very retention of our soldiers and airmen. Currently, the U.S. Air Force employs an air expeditionary force which provides predictability for their personnel and their families. If we are to count on the continued support of employers and families in a war that will be conducted over many years, we need to have and provide predictability.

I am very supportive of the National Guard Bureau's rotational concept that will give Governors 50 percent of the forces available for the State mission and homeland defense, approximately 25 percent that are engaged in extensive training to be deployed and 25 percent of the force employed in an operational capability. One more concern that I have is the proper force mix of soldiers and airmen with our Active Duty counterparts. By that I mean, the low density, high demand missions must be addressed.

The current efforts underway between the National Guard Bureau and the services are steps in the right direction to correct this imbalance. While I understand the Secretary of Defense's need for

a rapid reactive force in the Active Duty military, we must be able to spread all missions to the active Guard and Reserve. We cannot be the sole owner of a mission in either the active Guard or Reserve. To do so will continue our history of the Guard and Reserve maintaining legacy missions that will never be mobilized. If we field an operational mission within our active component, we should pull the Guard and Reserve with that fielding wherever practical.

I did have a little blurb on Title 32. I will defer to General Lowenberg, he has a much better description of that, so I will pass that. But I did want to bring out one more thing that I think is very important. The unique infrastructure and population of the State of Maryland and its portion of and proximity to the National Capital region presents a very complex set of coordination boundaries for emergency response. We have drafted a memorandum of agreement between the commanding general, D.C. National Guard, the Adjutant General of Virginia and myself to ensure mutual aid, support and cooperation between and among the parties in response to a critical incident or event occurring within the National Capital region. This clarifies military command and control of National Guard forces pursuant to the Emergency Management Assistance Compact.

The Joint Task Force, National Capital Region Plan, has been approved by the commander of NORTHCOM and the DOD. The Guard is not included in that current document. Subsequent meetings with NORTHCOM, Military District of Washington and the National Guard Bureau may alter that plan. But the planning that the Adjutants General and the commanding general of D.C. are doing right now will not be affected. We see that we are looking at the Guard doing an all-hazards approach to emergency management within the National Capital region.

Finally, in addition to my duties with the Maryland Guard, I have Maryland emergency management under my purview. One of the points I'd like to make, we had two major incidents, a snow storm and Hurricane Isabel last year. Two points out of this. The first is that the Guard functioned wonderfully in the State mission. The second is, we continued with Operation Noble Eagle, Operation Enduring Freedom and Operation Iraqi Freedom. And we did that without missing a beat.

Once again, thank you for the opportunity to be here, and I look forward to your questions.

[The prepared statement of General Tuxill follows:]

STATEMENT
OF THE

ADJUTANT GENERAL OF MARYLAND

MAJOR GENERAL BRUCE F. TUXILL
BEFORE THE

COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES

ON
TRANSFORMING THE NATIONAL GUARD: RESOURCING FOR READINESS

APRIL 29, 2004

DO NOT RELEASE STATEMENT

Maryland National Guard
Office of the Adjutant General
5th Regiment Armory
Baltimore, Maryland 21201

Major General Bruce F. Tuxill
The Adjutant General of Maryland

Major General Bruce F. Tuxill was appointed by Governor Robert L. Ehrlich, Jr., as the adjutant general for the state of Maryland on January 15, 2003. As the Adjutant General, he is the Governor's senior military advisor and oversees both the state and federal missions of the Maryland National Guard. He is responsible for formulating, developing and coordinating all policies, programs and plans affecting more than nine thousand men and women who make up the state of Maryland Military Department. The military department includes the Maryland Army National Guard, Maryland Air National Guard, Maryland Emergency Management Agency and Maryland Defense Force. In the event of mobilization, should the state receive a presidential call to duty in times of war, national emergency, or operational contingency, the adjutant general exercises command responsibilities and provide a force in readiness. As the adjutant general, he serves as the official channel of communication between the governor and the National Guard Bureau, and serves as a member of the governor's cabinet.

Thank you for your invitation to testify on behalf of Governor Ehrlich. I know that this committee is deeply committed to national security and have been very supportive of the National Guard and Reserve members. On behalf of the soldiers, airmen, and family members of the Maryland National Guard, I want to thank you for your support.

In keeping with a 369 year-old tradition, Maryland's citizen-soldiers and airmen have successfully responded to our nation and state's needs. Today we have 1,100 soldiers and airmen deployed in support of Operation Noble Eagle, Enduring Freedom and Iraqi Freedom. We have mobilized and deployed over 4,100 citizen-solders and airmen since September 11, 2001. We have served at 24 locations around the world including Iraq, Afghanistan, Bosnia-Herzegovina, Kosovo, Estonia, Ukraine, Kuwait, Oman, Albania, Pakistan and Uzbekistan. In the last two years the Maryland Emergency Management Agency (MEMA) has provided coordination of all the state resources, by means of planning and mitigation through two major state emergencies. The President's Day Snowstorm and Hurricane Isabel displayed how well MEMA and the Maryland National Guard serve the people of Maryland.

The Growing Role of the National Guard in Support of The Global War on Terrorism and Homeland Defense

The Maryland National Guard has a long history of providing forces to the U.S. Army and the U.S. Air Force. The events of September 11th have dramatically increased our operations tempo and support requirements. On that day one of our soldiers was on the plane that hit the Pentagon while another soldier who was driving by stopped and provided first aid to the people

on the scene at the Pentagon. Many soldiers saw the events that day and without being called immediately starting showing up at their armories.

Within minutes of the attack, we activated our State Emergency Operations Center to monitor the events for the State and provide assistance to the Federal recovery efforts. On September 12 by11 a.m. 139 Soldiers from the 115th Military Police Battalion were on duty at the Pentagon, providing immediate area and force protection, and crime scene security. Soldiers from the 104 Medical Company volunteered their assistance to the 121st Air Ambulance Company located at Fort Belvoir, Va. to provide their expertise in saving lives with the search and rescue operations at the Pentagon. Members of the 224th Aviation Brigade were activated for service at the Pentagon from September 13 through October 14, 2001, to manage the air traffic control allowing for medical evacuation and rescue efforts to proceed. From September 16, 2001, to October 15, five Chaplains worked at the Pentagon, providing religious and spiritual support and counseling for victims, family members and rescue workers.

The Air National Guard's 175th Security Forces Squadron was activated immediately following the September 11, and eleven teams were mobilized and deployed to seven different locations, four of which were overseas.

On September 11, two hundred and sixty-nine Maryland citizen-soldiers were put on alert at Fort Dix, NJ as they prepared to deploy with the 29th Infantry Division as part of Stabilization Force 10, a multi-national peacekeeping force in Bosnia-Herzegovina for a six-month rotation. During this deployment the soldiers from Maryland aided in the capture of several al Qaida members connected to terrorism in Bosnia.

President Bush's request to activate National Guard soldiers to protect airports nationwide was supported in October when more than 173 members of the Maryland National Guard were deployed to airports. Under Operation Safe Skies, Guard members enhanced security in airports across the state and served as "extra eyes" at terminal checkpoints.

In February 2003, the Maryland Army National Guard's 115th Military Police Battalion deployed to Iraq in support of Operation Iraqi Freedom. This unit from Salisbury and Parkville, Maryland, deployed to the Pentagon by 11 a.m. on September 12, 2001 providing force protection and crime scene security. The 115th returned home on September 29, 2001 only to be remobilized on October 1, 2001, in support of Operation Noble Eagle. On October 13, 2002 they departed for Ft. Stewart, Ga. to provide force protection. In December of 2002 their mission changed to support Operation Enduring Freedom and they were sent to Guantanamo Bay, Cuba to conduct inprocessing for al-Qaida and Taliban detainees and oversee operation of Camp X-Ray until June 2002. Just seven months later in February 2003, they deployed to Southwest Asia in support of Operation Iraqi Freedom. They were deployed in Baghdad and at the Baghdad airport managing the operation of the prison. This unit just returned home before the Holidays in December 2003.

The 1229th Transportation Company is currently serving in Operation Iraqi Freedom by transporting needed supplies and equipment into Iraq from Kuwait. They deployed to Southwest Asia in early April of 2003. They were extended for six additional months and will return this week to Fort Lee, Virginia for demobilization.

On March 15, 2003, we welcomed home the Maryland Army National Guard's 2-110th Field Artillery Battalion from a one-year activation in support of Operation Noble Eagle. They provided force protection at Fort Meade, Fort Belvoir, Fort Myer, and Fort McNair, which are active duty installations in the Military District of Washington.

Company B of the 2nd Battalion, 20th Special Forces Group form Glen Arm, Maryland deployed in January 2003, and served in combat operations in Afghanistan for six months. During that time one soldier was awarded the Silver Star for valor and four other soldiers received Bronze Stars with "V" devices for their actions during Operation Mountain Viper.

Our Special Operation Detachment Joint Forces from Baltimore helped fight terrorism in the Middle East by working as a command and control element for Special Operations command during Operation Iraqi Freedom. In November 2003, they returned from overseas after six moths.

The Maryland Army National Guard's 1-175th Infantry Battalion from Baltimore guarded Andrews Air Force Base and Warfield Air National Guard Base on federal orders. They were activated and mobilized in February 2003 and have returned to normal drilling status since January 2004.

In May 2003, almost 400 citizen-soldiers from the Maryland Army National Guard's 121st Engineer Battalion from Ellicott City and selected soldiers of both the 729th Forward Support Battalion from Hagerstown and 1-115th Infantry Battalion from Silver Spring were called to federal active duty for one year. The units are supporting Operation Noble Eagle to provide security and force protection at Fort Detrick, Aberdeen Proving Ground and Adelphi, Md.

Nearly 100 Military Policemen from the Maryland Army National Guard's 290th Military Police Company from Parkville were mobilized in July 2003, in support of Operation Enduring Freedom for service in Afghanistan. They are currently providing security on the main supply routes north of Kabul. They are helping to win the hearts and minds of the Afghanistan civilians by helping local orphans is in cooperation with their Family Support Group by providing much needed clothing and toys. The 290th is scheduled to return tomorrow.

The 29th Mobile Public Affairs Detachment deployed in November 2003, for a six-month rotation to Kosovo on a NATO peacekeeping mission along with 34 nations involved in KFOR.

On November 25, 2003, the Maryland Army National Guard worked with the U.S. Northern Command to provide engineering support to West Virginia to assist with local flooding. The 229th Main Support Battalion worked in the Richwood community to help clear debris and provide medical assistance.

The 629th Military Intelligence Battalion was mobilized in November 2003 for Operation Iraqi Freedom. The 629th is one of the first Army National Guard units to field the new Tactical Unmanned Aerial Vehicles the Shadow 200. The Shadow is a new generation of TUAVs designed as a ground maneuver commander's primary day/night reconnaissance, surveillance,

target acquisition, and battle damage assessment system. Crucial intelligence is delivered real time from its electronic payload directly to tactical command centers. The Shadow is compact, lightweight and can carry various intelligence-gathering payloads. This unit is part of the new National Guard's new plan to mobilize, train and deploy rapidly.

In January 2004 the 253rd Engineer Utilities Detachment was mobilized for up to 18 months and is scheduled to server in Afghanistan. The unit with help rebuild the war torn country with skilled soldiers traained as electricians, plumbers and carpenters.

In March 2004, the Maryland Army National Guard deployed our Light Antitank Battalion from Chestertown, Easton and Elkton Armories for a one-year mission as part of Operation Noble Eagle to guard critical federal facilities in Edgewood, Alabama and Kentucky.

The Maryland Air National Guard's 104th Fighter Squadron and other portions of the 175th Wing deployed to Afghanistan as part of the Air Force rotation in the Aerospace Expeditionary Force in January 2003. In February, the wing members were mobilized in-place and fought the war on terrorism by serving at Bagram Airbase in Afghanistan as part of the Combined Joint Task Force-180. The A-10 pilots from the 104th Fighter Squadron flew more than 3,200 hours and 1,200 combat missions providing close-air support to Operation Enduring Freedom. In late June 2003, we welcomed home the pilots of the 104th Fighter Squadron and the 175th Wing members that kept the A-10 flying and providing close air support.

Maryland Air National Guard Maintainers deployed with the 104th Expeditionary Fighter Squadron completed the first-ever contingency phase operations in a combat zone under bare base conditions on their A-10 Thunderbolt II aircraft. Maintenance officials in the Air Force have recognized this feat as unique because it is the first time such work has ever been done in a contingency setting since the A-10 joined the Air Force fleet in 1975.

Last year Maryland was selected to partner with Bosnia and Herzegovina in the National Guard State Partnership Program. The Maryland National Guard will have a key role in this international initiative in fostering democracy, encouraging market economies and promoting regional cooperation and stability. The partnership program emphasizes civil to military cooperation. Bosnians are also interested in learning how to recruit a volunteer force and implement an active reserve component model while developing a competent non-commissioned officer corps.

The Maryland Emergency Management Agency (MEMA) together with the Maryland Military Department and the Governor's Office of Homeland Security - are coordinating with state departments and agencies to achieve a continuous and cost effective state of readiness that will meet the challenges of terrorism and natural disasters. MEMA assisted in the implementation of program review sessions with other state departments to ensure proper oversight of all grant dollars coming to Maryland for emergency response, with the ultimate goal of empowering local jurisdictions on setting priorities for the use of this funding. We have transformed the Maryland Emergency Management System to the five domains of Awareness, Prevention/Mitigation, Preparedness, Response and Recovery to mirror the U.S. Department of Homeland Security. These enhanced regional coordination efforts of allocating funding for

regional assets with planning support across the state which facilitated coordination for the Urban Area Security Initiative Grants and Interoperable Communication Grants. Regional planning was reinforced by assignment of a liaison team to each region and its local jurisdictions.

The Governor declared a State of Emergency in Maryland on February 16 2003, as a result of a major winter storm that blanketed the Mid-Atlantic region. After meeting with the Adjutant General and the Superintendent of the Maryland State Police at the Maryland Emergency Operations Center, Governor Ehrlich decided on this course of action and subsequently signed the proclamation declaring Maryland in a State of Emergency. The Governor issued an Executive Directive February 16 limiting vehicular travel to emergency vehicles or those providing essential services. Citizens were urged to exercise common sense in defining "essential services." Essential services included vehicles responding to or related to the state of emergency, those transporting medical care providers or dialysis patients, as well as police, fire and rescue vehicles. The Maryland Army National Guard provided over 500 citizen-soldiers and more than 220 pieces of equipment, primarily Hummves, for emergency transportation and assisted with snow removal. The National Guard traveled almost 45,000 mission miles in every county in the state and Baltimore City.

Governor Ehrlich declared a State of Emergency in Maryland September 16, 2003, in preparation for Hurricane Isabel, which hit Maryland on September 18. This allowed the National Guard to pre-position assets in affected areas. This advance declaration called the Maryland National Guard to active service and allowed the emergency operation centers for local jurisdictions to access state resources when the need extended beyond their capabilities. In the recovery phase of the Hurricane, The Federal Emergency Management Agency at the urging of the Ehrlich Administration agreed that certain special tax districts in Maryland are eligible for public assistance funding to repair damages resulting from Hurricane Isabel. In an unprecedented move, FEMA agreed to provide funding for 75% of the eligible costs to the State for cleaning up homeowner's yards contaminated with home heating oil spilled during the storm surge caused by Hurricane Isabel. During Hurricane Isabel Guardsmen helped to evacuate 2,000 residents from the Eastern Shore of Maryland. In all, over 600 citizen-soldiers and more than 200 pieces of equipment were provided in support of the recovery effort for Hurricane Isabel.

Homeland Defense needs for the State

Preparing for and responding to terrorism and all hazard events will remain a state and local responsibility. Within the State of Maryland the Maryland National Guard will be expected to work closely with local, state, and federal civil authority by partnering in prevention, planning, and response operations. No matter how great the exigency our local first responders from all disciplines to include the National Guard will be expected to respond and mitigate the effects.

The Department of Defense has taken considerable steps in meeting its Homeland Defense mission, most notably the organization of the Northern Command as a combatant command and lead for homeland defense within the United States (minus Hawaii). As a state early responder we must be prepared to lay the groundwork and transition to State Active Duty/Title XXXII in support of the Governor or Title X in support of the combatant commander. The National Guard holds a unique dual role for both Homeland Defense and Homeland Security. The National

Guard is an indispensable part of the Department of Defense as evidenced by the many repeated call-ups in the past two and half years and for the foreseeable future. Our Governor and citizens have historically relied upon the National Guard in planning for and conducting military assistance to civil authorities at the state and local level. Given the increased number of federal deployments, and the recently demonstrated deployment of the Guard in response to homeland security and all hazards emergency requirements, the Maryland National Guard will continue to be challenged to balance the requirements of these two sometimes complimentary, sometimes conflicting mission requirements.

While training, preparing, and mobilizing soldiers for our federal mission will remain our core competency, equally so is our expanded Military Support to Civilian Authorities (MSCA) missions. The "way we have always done it" no longer meets the current domestic operations and response environment. Our citizens, community, and nation expect that we prepare our leaders, airmen, soldiers, and equipment to respond to little or no notice consequence or crisis management events.

To be successful and support the needs of the Combatant Commander, our Governor and the Citizens of Maryland, I have identified three functional areas, in concert with DoD identified missions, to focus our efforts:

First, the Maryland National Guard leadership must prepare its soldiers/airmen and equipment in advance of an event, including proper organization, direction, equipment, coordination, training, and resourcing. This will require us to break old paradigms to develop and form new liaisons, relationships, and to collaborate with other military (active and reserve) and non-military organizations at many levels within our state. The magnitude of this mission will require us to develop new means for resourcing requirements, develop new or reexamine training (both civilian acquired and military) and adjust or develop organizational structures that support a Civil Support Team, Ready or Quick Reaction Force, and a follow-on task force organization. The planning and preparation must be a joint effort to include the training of military and civilian organizations.

Second, our law enforcement assets continue to be strained but have done an excellent job in uncovering and preventing subsequent terrorist events. Our military efforts continue to be on high demand to meet the requirements in support of the war on terrorism. This has resulted in a realignment of support functions to include the transformation of the National Guard. This transformation will result in the Maryland National Guard being called upon to detect and deter the effects of attacks and events. This includes: forming liaison and planning relationships with the Commander Joint Task Force-National Capital Region (JTF-NCR), educating first responders, emergency managers, and civilian leadership in military assistance to civil authorities; anti-terrorism support of the Maryland Coordination and Analysis Center's Analytical Section; Full Spectrum Integrated Vulnerability Assessments; key asset planning and protection; securing ports of entry; and participation in those activities that result in reduced citizen impact when events do occur. To be successful this will require the formation and training of a federally funded civil support team, rapid and "show of force" organizations, interaction with the civilian leadership and organizations, and resourcing training in disciplines never imagined for the military. The unique infrastructure and population of the State of

Maryland and its proximity to the National Capital Region presents a very complex set of coordination boundaries and a "target rich" environment for terrorist or all hazard emergencies.

Every indication is that we will be the state's first military responders and we must be fully prepared to support the mission for at least the first 96 hours of any major event. I have much faith in our organization's proven ability to rapidly and efficiently execute and employ resources in large-scale events. Every indication is that we will be successful if we jointly focus, plan, train, and resource the requirements for Homeland Defense.

Recommendations on Rebalancing and Resourcing

I am concerned that we have the proper ratio of soldiers and airman with our active duty counterparts. By that I mean that the low density/high demand missions must be addressed. The current efforts underway between the National Guard Bureau and the services are steps in the right direction to correct this imbalance. While I understand the Secretary of Defense's need for a rapid reactive force in the active duty military, we must be willing to spread all mission areas throughout the active, Guard, and reserve. We cannot be the sole owner of a mission in either the active, Guard or reserve. To continue to do so will continue our history of the Guard and reserve maintaining legacy missions that will never be mobilized. If we field an operational mission within our active component, we should include the Guard and reserve with that fielding wherever practical

Maryland would benefit if the Title 32 section 502(f) were changed so soldiers could be put on federally-funded duty orders for operational use to support domestic missions. Currently, other than Civil Support Teams and counter-drug activities, they are only allowed to use this status for training. In title 32 the soldiers remain under the command and control of the Governor and the Joint Force Headquarters. This would give the ability to respond rapidly to changes in various threats with in our state. We would avoid the shortcomings of title 10 status and problems with the posse comitatus act. This would give both federal and state leaders the flexibility and decentralized execution that is needed in times emergency.

It is my recommendation is that National Guard units be authorized to mobilize, conduct all mobilization preparation and training, and then deploy directly from homestation without processing through an active duty mobilization station. These units must be provided resources (funding and full-time manpower) to conduct mobilization preparation and training and to provide support to deployed and re-deploying units. To accomplish this we need the opportunity to be enrolled in the TRICARE system. We can benefit from "Joint Operations" by utilizing assets from both active duty and other reserve components to mobilize soldiers. Army Reserve has legal, medical, and personnel service units that could assist in Soldier Readiness Processing. The existing 1st Army Training Support Brigades (they currently assist units prior to and at the mobilization station) can be used to observe and validate Soldier Readiness Processing and individual/unit training conducted at homestation. 1st Army would certify the unit as ready for deployment.

Full time manning is crucial to maintaining high readiness levels. The full time Military Technicians and Active Guard/Reserve are essential to unit readiness and the overall successful operation of Army National Guard units. They fill vital positions in areas that support a unit's administrative, payroll, supply, training, and maintenance needs. Without them, unit readiness and quality of life suffers severely. The Maryland Army National Guard's full time requirements are currently manned at 57%. Full time support remains the Army National Guard's number one priority and continued Congressional funding support for increasing full time manning ramp up will directly impact unit readiness levels.

	Requirements	FY 04 Authorized	%
Tech	719	414	57.6%
AGR	715	400	55.9%

The number of soldiers required by mobilization orders was often less than the total strength of a unit. Thus while a portion of the unit mobilized, home station administrative, training and logistics requirements continued for the non-mobilized unit members. In addition, mobilized units needed personnel at home station to maintain liaison with their families and address issues. To address this requirement, the Army and National Guard Bureau authorized rear detachments and temporary full time support for mobilized units. This significantly enhanced the effectiveness of family readiness programs, maintained the individual readiness of non-mobilized soldiers and eased the transition of demobilizing forces.

The National Guard and the active Army are currently on different pay systems. Congress has mandated that all armed forces will use the Defense Integrated Military Human Resources System (DIMHRS) systems. With the current system when soldiers are mobilized the active units are unable to track leave and make allotment payments. We are looking forward to and support this initiative to help reduce the pay problems.

Effects on Training

I am very concerned with the length and predictability of deployments and how perstempo impacts not only quality of life but also the very retention of our soldiers and airman. Currently, the U.S. Air Force employs via the Air Expeditionary Force concept to provide predictability for their forces and families. A predictable deployment schedule is particularly important for the National Guard and reserve; the majority of our members are part of the civilian workforce. If we are to count on the continued support of employers and families in a war that will be conducted over many years, we need to provide predictability. I am very supportive of the National Guard Bureau rotational concept that will give Governors 50% of their forces available for state missions and homeland defense, approximately 25% that is in intensive training preparing to deploy, and 25% of the forces employed in an operational capacity.

Training is our top priority in making us relevant and reliable to support the Combatant Commands with ready soldiers and airmen. To accomplish this, our soldiers and units need increased training and training resources at home station. As I mentioned earlier, our units need their full time support staff to be funded to at least the required level in order to properly prepare

for, conduct, and evaluate training. We also need training opportunities and school seats to alleviate the backlog in professional schooling created by the deployment of so many of our soldiers. These schools enable our soldiers to become qualified in their specialties and our young leaders to be trained in basic and advanced leadership techniques.

Equipment and Resourcing

As result of our design to be used as a force in reserve many units were funded at a C-3 level thus impacting training and equipment. As a "work around" to provide the Combatant Commander with National Guard units that are fully equipped to support the warfight, it has been necessary to do what we call "cross-leveling". Cross-leveling is gaining personnel and equipment from other units within the state and across state lines. All this is well and good for the deploying unit, but how many units have been adversely affected? In essence we are breaking units to provide the appropriate equipment and personnel. This becomes a vicious circle in that the units that gave in many instances do not have the appropriate equipment with which to train. Thus, the losing unit is no longer able to keep training at even a C-3 level.

In many instances, units returning from Operations Iraqi Freedom and Enduring Freedom are being required by the Combatant Commander to leave equipment behind for follow on units as stay behind equipment. When Active Component or U.S. Army Reserve units are provided such equipment, it is unclear how or when our units will receive replacements for the equipment they left behind in theater.

Many National Guard units have old equipment, some of which is no longer in the Active Component inventory. It is becoming increasingly difficult during peacetime to maintain this equipment. Using the UH-1 Helicopter as an example, we have been unable to get the required number of UH-60 Blackhawk Helicopters for our Army Aviation units. So we have to maintain the older model helicopters and our pilots are not able to train on the equipment that would be used in the war fight. This causes retention problems and is a major readiness concern. The bottom-line is the recent mobilizations have again demonstrated the need for Active and Reserve Components to be fully funded and equipped to the same level with the same equipment. In other words a fully integrated total force.

Conclusion

It is a pleasure to provide this testimony before the committee. Our country is fortunate to have citizens that answers the call to service. Since 9/11, our country has called more than 4,100 Maryland National Guardsmen. These patriots have answered their nation's call and have performed magnificently.

It is vital to our democracy that when we call our soldiers and airmen to server that we provide them with all the resources necessary to be successful. We face many challenges, with the war on terror and uncertain future I am confident with your help, we will prevail.

In the true sprite of the minuteman the citizen-soldiers and airmen of the Maryland National Guard stand ready to defend freedom here at home and abroad.

Thank you.

Mr. SHAYS. Thank you. Before recognizing Mr. Schrock, I just want to thank General Blum and General Love for staying and listening to your testimony.

Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman.

I have never known anybody who's written a Bible, but this document henceforth and forever more will be referred to as the Lowenberg bible. And I will read it. [Laughter.]

Thank you, Ms. St. Laurent, for being here and thank you for bringing folks from the district I'm privileged to represent as well. Believe it or not, I read your entire testimony in two nights, but I read it, and there are some mighty good things in there, and I'm going to start the questioning with you if I could.

What do you think are the greatest challenges that the National Guard is going to be facing in the next few years, and do you think the Army has an adequate plan to deal with the eroding readiness that we seem to be experiencing?

Ms. ST. LAURENT. I would categorize the challenges as being some of a short term nature and some of a longer term nature. And we are concerned about the effect of these extensive transfers of personnel and equipment from one unit to another, to ready deploying units.

General Blum mentioned that the Guard soldiers that are deploying to Iraq, after having spent time on mobilization stations, have gotten additional equipment, they are well trained when they leave there, but I think what we are concerned about is the longer term and cumulative effect of continuing rotations and having to support Iraq and Afghanistan potentially for a number of years, and over time, how this will translate into continuing eroding readiness.

Again, we haven't seen the details as to how the Guard might be able to address that situation, haven't seen DOD providing the funds to address it. But the more we can identify units earlier and give them equipment and personnel that they may need earlier, they will be in a better situation and better trained once they get to mobilization stations.

Mr. SCHROCK. I could be wrong, but I'm guessing never in our history have we had to use the Guard and Reserves to the extent we're using now, is that right? I think that's why all these things are getting spread out.

Ms. ST. LAURENT. And another major change is that the focus of DOD planning has been on preparing for the combat phase of operations, and we're now seeing a lot of demands caused by having to do stability operations.

Mr. SCHROCK. Yes. Adjutants General of 25 of the States and territories have been vested with dual military force provider civilian emergency management responsibilities. I understand that you, General Lowenberg, are also the homeland security advisor for the State of Washington. It seems you're all in unique positions to discuss how well the Federal Government, in other words, the Departments of Defense and Department of Homeland Security, are doing and helping with your State's homeland defense and homeland security initiatives.

What help have you received from DOD and DHS in identifying those requirements?

General LOWENBERG. We are working with both of those agencies to identify the requirements as a collaborative effort between the State and Federal Government. It's an ongoing process. It's not prescriptive. The Department of Homeland Security and the Department of Defense are not presuming to come to any of the several States and territories and tell us what those requirements are. We're building this from the ground up.

The national homeland security strategy was intentionally designed to be a collaborative effort and it's proving to be so. The relationship the States enjoy with Secretary Ridge and members of his Department I would say are very healthy. So right now, we just formally promulgated our State homeland security strategic plan, which has performance measurables, it has a balanced score card matrix. We're developing the action plans and business plans to affect enhancement of homeland security preparedness in our State as funds and other resources become available.

We're also working with the Department of Defense, with General Eberhart and others at Northern Command, to identify the communications requirements needed to give NORTHCOM and the Department of Homeland Security a seamless communication sight picture, so they have a common operating picture, and the development of a joint communications coordination support environment is one of the major recommendations of the Summer Study of the Defense Science Board.

I'm very happy to say that report, having been delivered to Secretary Rumsfeld and others in the Department of Defense, is undergoing implementation even as we speak, even though the formal volume two report of the DSB is still awaiting security review. So I'm very encouraged by the proactive stance of both these Federal agencies.

Mr. SCHROCK. You said the relationship with Department of Homeland Security is healthy. What about DOD?

General LOWENBERG. I didn't mean to exclude DOD. Our relationship with Northern Command is very healthy as well. As Chair of Homeland Security for the Adjutants General Association, I served on Northern Command's general officer work group, as do some of my colleagues and we are full partners at the table in developing the NORTHCOM homeland security requirements.

Mr. SCHROCK. Let me ask the three generals, what role do you believe DHS should play with the Guard's mission in homeland protection?

General LOWENBERG. I think the Department of Homeland Security should recognize that there are some State security programs, taking a holistic approach to it, that can best be aided by use of the National Guard. So this is going to require a very close policy coordination between Secretary McHale and Secretary Ridge to identify those areas that should be funded perhaps by the Department of Homeland Security, those programs that perhaps should entitle the National Guard to draw Department of Homeland Security Funds, as a State agency and in State Active Duty, and those programs that should be funded by the Department of Defense itself, utilizing the National Guard in Title 32 status, for a para-

mount Federal purpose, to develop programs in accordance with federally prescribed tasks, standards and conditions.

So again, it's a major policy coordination and collaboration effort.

Mr. SCHROCK. General Marty.

General MARTY. In Texas, we have an emergency manager and we also have the chairman of the homeland security. As the Adjutant General, I support both of those operations. Just recently, there's been a change of policy in Texas where I have now a member of the Texas National Guard, one of the members from our J3, our operations center, that is now the co-chairman of the homeland security committee. What this has done now is it's tied in homeland security closer to my operations and to my ability to respond quicker and more efficiently to the needs that we have in homeland security. So this is a move that we've just done.

The support that we're getting now is, I think, much better, and I think the plans are in place that I think the support we can anticipate is coming. It's not completely there, but I think in the future we'll see more activity there.

Mr. SCHROCK. General Tuxill.

General TUXILL. One of the things that's, homeland security goes across the gambit, as you well know. In our recovery form Hurricane Isabel, I can tell you that the Federal Emergency, FEMA and that part of DHS just did a wonderful job of mitigating and helping us. For the first time, they did many things that we had not seen before, to include soil mitigation.

So they are doing everything they can to help. I agree with General Lowenberg, there are still many things, many areas and many procedures, policies, that we do need to take a look at to see how they will affect and work with the National Guard, because he is correct when he says there are many missions that are what the Guard should be doing, and we should have the opportunity to have some funding from DHS.

Mr. SCHROCK. Let me followup with that. Do you believe there's adequate coordination between DOD and DHS in preparation for the protection of homeland when it comes to the role of the National Guard?

General TUXILL. I would hesitate to answer that for fear that I would—I've got some ideas but I think that's all they are, sir.

Mr. SCHROCK. All right. Now I'm intrigued. [Laughter.]

General Lowenberg.

General LOWENBERG. I think there's excellent coordination. As the two agencies mature, I think we have to be mindful that both the Department of Homeland Security and the Assistant Secretary of Defense for Homeland Defense are new creations chartered by Congress. They're getting their legs under them. And as those processes mature, the dialog becomes stronger, and more directly results in positive effects in the States.

Mr. SCHROCK. General Marty.

General MARTY. In our States, the cooperation among the many agencies that we have to deal with when we have an agency has matured. And this has matured over years and years and years. What I see right now is you have two new agencies that have just been brought into being. And they're working extremely hard to reach this great amount of cooperation that's going to be needed.

I see that growing every day with great anticipation. I think the maturity will be there, and the cooperation will be what we expect.

Mr. SCHROCK. Would it be helpful if DOD and DHS could agree on a plan that would involve the Guard for homeland security and defense?

General LOWENBERG. I think it would help immensely if both of the Federal agencies with primary responsibility for homeland defense and security could develop a master concept of employment of the National Guard, and I'm quite confident as they do that the use of the National Guard in its broad spectrum of flexible response in Title 32 status, particularly if Congress unambiguously charters the National Guard to be used in Title 32 status, will be key to the success of that strategy.

Mr. SCHROCK. I know my time is up, but let me say, I have a great appreciation for what the Guard does. The Guard unit, the Red Horse unit in the district I represent, a little over 2 years, a plane crashed a large number were killed. I know the impact it had, and I think that was my first realization of really what the Guard did and how important they were. I'll never forget that. I may have been Active Duty for a career, but the Guard and Reserves, I have a son who's a Reserve and a chief of staff who is a Reserve, so I get reminded of that all the time.

But I appreciate what everybody does and the role you all play. I'm glad you came here today, and I really appreciate Ms. St. Laurent's report that the GAO did, it was great. I think it really made us understand what some of the problems are, what some of the issues are. And we here on this side of the room need to get this addressed and need to get it addressed pretty quickly. But thank you very much.

Mr. SHAYS. I thank the gentleman. And I would just say, as a parent, it's amazing what we learn from our children.

Mr. Ruppersberger.

Mr. RUPPERSBERGER. Sure. I'm going to get a little parochial here. I'm from the State of Maryland, I've worked with General Tuxill and General Blum. I think I can be parochial when we have two generals both on the panel, so I'm glad you're both here today.

I know since my Maryland Second Congressional District has the Port of Baltimore, BWI Airport, a lot of those different areas that we're working with with respect to homeland security, I know a lot of what you're doing. My concern, though, is in the capital region. Maryland and Virginia have basically responsibility from a National Guard point of view for Washington, DC. Washington, DC, does not have any National Guard.

General TUXILL. No, sir, they do.

Mr. RUPPERSBERGER. Oh, they do? OK. Well, then, let me ask you this question. Tell me what you feel needs to be done, how is the cooperation with NORTHCOM or whatever, but as it relates to National Guard, both in Maryland, Virginia, that makes your job more difficult than what you might recommend we do to make it easier for national security?

General TUXILL. This is evolving, and it's a very positive evolution. We have gotten the three, the commanding general for the District of Washington and the two Adjutants General of Maryland and Virginia have sat down and forged out a letter of, or a memo-

randum of agreement on how we will actually work the EMAC and how we will come into each other's areas to make sure we take care of the National Capital region. That right now is, it's being sought, we're seeking level review through the Army, since the Army is the executive agent for the D.C. National Guard.

That's where it's sitting right now. We hope once that's done, we will start going down this further. The next thing that I think we should do is the joint task force, we need to be part of the Military District of Washington. We've had one meeting with the Military District of Washington and that went very, very well. We will continue to have meetings so that we start talking about how the Guard can be employed, how the Guard can be used and how we will be probably helping the first responders, because when September 11 hit, the on-scene commander was from Virginia, he was a first responder in a fire company. There was no Federal involvement in that until well after.

And the first people to guard the Pentagon was the 115th Military Police Battalion out of Parkville and Salisbury. They were there the very next day at 11 a.m., with 136 soldiers. So we see right now that the Adjutants General and the commanding general of the National Capital region will be pivotal to putting together and helping assemble a plan that will make sure that the Guard is tasked appropriately.

Mr. RUPPERSBERGER. Let me change the subject matter. When we talk about priorities and we talk about transformation, when we talk about all the issues we've talked about today, in the end it comes down to money, the resources that have to go in order to implement the programs you're talking about.

Now, there's a debate on how much the States should pay or the Federals should pay. When it comes to homeland security and that role, I think it's important that the Federal Government stand behind the National Guard, especially with the States now having extremely difficult problems with respect to their budgets.

The issue, and General Tuxill, you and I discussed this when we were talking about the issue between Title 32 and Title 10, I think right now the issue that we should change, and I'm going to ask you, General Lowenberg, to address this, since General Tuxill said you were the expert, I'm not sure whether you are or not——

General LOWENBERG. He's setting me up, sir. [Laughter.]

Mr. RUPPERSBERGER. OK. It's the stars you have on.

Right now, the other than a couple of issues such as drug activities or basically all that the Title 32 money can be used for, it's my understanding, is for training. If there are other areas, let me know. But what would you recommend that we do? I know the Governors would love to be able to federally, to have the orders that you're under the Federal mandate or whatever that order is, to be able to do some of the things that are being done in the State, which really could be considered homeland security.

Let's talk about what you would recommend, what type of legislation or what type of mandate you would like to see, and second, how much would this be? Because whatever we talk about, what we're going to do, we have to talk about money.

General LOWENBERG. Let me be very clear at the outset in stating that when the States or territories use the National Guard for

a State purpose, they pay for 100 percent of all the expenses of the utilization of those National Guard forces. There is no Federal-State match. So the Governors, as they ask for unambiguous authority to use the Guard in Title 32 status, are not asking for the Federal Government to pay for something for which the paramount interest lies in the State.

There are a broad range of issues in the realm of homeland security, however, in which there are both State and Federal interests, and in which when there is a paramount Federal interest, it's in the national interest to use the National Guard, such as for airport security or border security or protecting DOD critical infrastructure or critical infrastructure for other Federal agencies.

It is that realm in which the Governors and the Defense Science Board and the Adjutants General have urged Congress to unambiguously authorize use of the National Guard in Title 32 status for these homeland security and defense related areas in which there is a paramount Federal interest, and there's a Federal interest in assuring that the mission is executed among the several States or the affected States in a consistent manner. So whether that's done by Federalizing the National Guard, including a lot of additional expenses in doing so, or whether it's done in Title 32 status in which the service itself is paid for by the Federal Government but we take full advantage of all existing command and control structure, so there are no added costs, that's really the question for Congress.

Mr. RUPPERSBERGER. One other issue, then I'm finished. The issue of retention and recruitment. I asked that question of the general, and I'd like to hear from the panel where we are, what we need to do. The general mentioned the issue of medical insurance, those types of issues.

General TUXILL. Recruiting and retention for the National Guard continues to be one of our challenges. One of the things that I have noticed and I will let my fellow Adjutants General talk to this as well, but those units that we have used, that we have deployed, that we have done our Noble Eagle, Iraqi Freedom, Enduring Freedom, when they come back, they're very, very proud of their service. They're very proud they had the opportunity to be a part of the larger picture and a part of our global war on terror.

And for the better part, these people that we are deploying and bringing home want to stay. They don't want to get out. And this is anecdotal information that I'm coming up with, but I'm watching these units. We just got a 115th Military Police battalion back from Iraq. They had been called up for No. 1, the Pentagon. They were then pulled off that and they were sent to Fort Stuart for duty down there under Noble Eagle. They came out and they were told the next thing they were going to do was Guantanamo, Operation Enduring Freedom. Then they finally had the opportunity to go to Baghdad.

So they've done all three. Surprisingly enough, that unit is enjoying retention that I didn't think I would see. Now, we are correct, when you sign up a soldier or airman, you're signing up the spouse. And we need to be very, very aware of that.

But these young men and women are very happy with their service to this Nation, and we should be very proud of them. But two,

I think the health care is an issue, Tricare for our members would be great. Those things that give them incentives for education and other incentives for our soldiers and airmen.

General LOWENBERG. Recruiting and retention in the State of Washington, as I've heard in most States, is at historic highs. It has been for the past 4 years, predating the attacks of 2001. What we don't know is the effects of these prolonged periods of mobilization and assignment overseas, and what an impact that will have. To this date, for shorter duration deployment, the retention has been the very highest among the units most frequently deployed. But again, we're entering an arena in which we have no national experience.

On the point of medical and dental coverage, which many Guard men and women are unable to provide for themselves in their private capacity, it's only collaterally a benefits issue. It is first and foremost a military readiness issue.

A disturbingly high percentage of the Army National Guard soldiers now deployed and currently serving in Iraq were delayed, there were obstacles to their assimilation into the training because they needed medical and primarily dental attention. Some of them are still awaiting deployment because of correctable medical and dental conditions that would have been obviated if they had access to the Federal Tricare program.

So medical and dental coverage is a military readiness issue first and foremost.

General MARTY. In Texas, we've had 4 years of record setting recruiting. This year, we're approximately 19 percent ahead of where we were last year in the area of recruiting. So I don't see a problem. We've met all the National Guard Bureau's goals for strength at the Army National Guard. The Air National Guard seems to be steady and holding tight.

The retention this year, we're about 2 percent lower in our losses than we have been in the last 10 years. So that's an indication that our retention is holding well.

Now, I will tell you, we have had a test program in the State of Texas where I have put dedicated retention mangers in every Army battalion. I think this may be a reason why our retention is going up and our losses are going down, at least I hope that's the indication. But at this particular time, I don't think there's any panic button to push as far as the retaining. Our men and women are very dedicated and they are very loyal and very pleased to be serving a worthwhile mission at this particular time.

And the amount of volunteers we have that would volunteer for a second tour is amazing. So I think if we do some right things, if we take care of some of these things, if we take care of the families of these deployed individuals, and work with the employers, I think this is going to help in the retention arena.

Mr. RUPPERSBERGER. Thank you all very much.

Ms. ST. LAURENT. GAO's perspective would be that this is an issue that definitely needs to be carefully watched over the next few years, that it's probably a little too soon, and some of the initiatives that General Blum has underway that could bring more predictability to the force and establish rotation cycles would probably be very helpful. I think there is a question of how soon we can

get the Guard to the level where they are on a more predictable schedule that's spaced out over one every 6 years.

Then also I think the issue has to be watched from a skills perspective. As our testimony states, 92 percent of MPs have been deployed and 18 percent more than once. So there are certain skills that need to be rebalanced.

Mr. RUPPERSBERGER. The Chair wants to move on. One suggestion I want to throw out is retirees. We've gotten calls in our office about retirees that would like to be involved somehow, and a plan that could use retirees for certain desk work, whatever, I'm just throwing that out as a suggestion.

Mr. SHAYS. If the gentleman wants to pursue that, I'd be happy to allow.

Mr. RUPPERSBERGER. Well, again, I'm putting it out to evaluate it. General Blum, you're still here, the retirees, and we've seen that in other parts of Government, people who are well trained, well qualified, and yet they're retired and they might be able to do something or have the expertise to take the burden off of some of our duties.

Mr. SHAYS. If General Tuxill would like to respond.

General TUXILL. If I could, thank you, Mr. Chair. What we have in the State of Maryland, and I can only speak for the State of Maryland, we call it the Maryland Defense Force. It is a force of professionals. Those professionals are doctors, lawyers, health care providers, crisis response personnel, chaplains, etc. And what we try to do here is, we try to use both the lawyers and the medical end of the house to do what we can for our deploying soldiers to make sure that they've got a good will, to make sure they are getting some good health care.

But also what we're doing is using that in emergency management as a response force. So yes, sir, and we are also looking in the cyber world for that same retired group to take a look at cyberterrorism and what we could do with that defense force.

Mr. RUPPERSBERGER. Just make sure that it's beyond the age of 72, because a lot of the calls we're getting are over the age of 70. [Laughter.]

Mr. SHAYS. I thank the gentleman.

This is a very important hearing, and it is, I think, somewhat scratching the surface. There are so many questions we could ask.

But I find myself writing the question, does the National Guard have an impossible task? Then I'm thinking, because they have to do two things, they've got to fight a war, be prepared to fight a war and fight a war, and then they've got to protect their homeland. I realize there is some synergy between the two, but there are clearly some differences.

So then I think, and I know that our National Guard are components to a full force structure. So then I think, well, maybe they have the role of MPs so they don't have to take the hill, where our active forces may in fact have to take the hill and it's a different kind of training that you want constantly to have.

I'm hearing our GAO say some things that you all didn't really, in my judgment, respond to. You made very important points, but they didn't respond to them. I want to say that I want to get a response to the idea that we say our retention is up, excuse me, our

retention is stable, we are getting new enlistees. And yet, we don't have the full force structure within the National Guard. So that unit has to take from another unit.

And that bothers me, because we haven't been working with each other. And I know for a fact that the equipment they have is hand-me-down. It may not be bad, but it's hand-me-down. They don't get the new airplanes, they don't get the new vehicles, they get the hand-me-downs, in my judgment.

So would you first, Ms. St. Laurent, tell me the first, second and third point you want to make, and I want each of our Generals to respond.

Ms. ST. LAURENT. In terms of?

Mr. SHAYS. Your major points. I want you to summarize your major points.

Ms. ST. LAURENT. I would say, near term readiness is an issue that needs to be looked at very carefully. We would like to see a plan to address that.

On the homeland security issue, I think those requirements need to be defined better. And once they're defined, there's still a lot of analysis that needs to be done of how that's going to be operationalized, what kinds of training, what kinds of equipment are going to be needed. I don't think we're there yet on that.

Mr. SHAYS. This is homeland security.

Ms. ST. LAURENT. Right.

Mr. SHAYS. Let me just throw that out for all our three Generals here. We were briefed that the DOD has not fully defined requirements, readiness standards and readiness measures for homeland defense and security missions that will lead or support. So Guard preparedness for homeland defense and security missions is unmeasured and unknown. That's what we've been told.

Now, you also made another point that they are not fully staffed, correct?

Ms. ST. LAURENT. Right.

Mr. SHAYS. And that they then have to what?

Ms. ST. LAURENT. They have to transfer personnel and equipment. But one other issue is the full time manning of Army Guard units. Although most Guardsmen are part timers, each unit does have some full time personnel. And the Army Guard only has about 15 percent, whereas the Air Guard has about 33 percent. The Army Guard has a plan to increase that, but even by 2012, they are only going to be at about 71 percent of their requirement.

Those people are critical to keeping units running, planning the training, tracking training, tracking medical status readiness.

Mr. SHAYS. Let's first take just the readiness issue. An honest assessment.

General MARTY. For the last 10 years, I've chaired the readiness committee in the State of Texas. When I first got there in 1993, out of 58 reporting entities, 54 of them met the readiness standards. As we decreased the full time manning, the readiness of those units decreased. Also the fact that the structures that we have in the National Guard today do not meet the needs that we have in today's Army.

The majority of the forces in Texas are from an armored division. Of all the men and women we have deployed out of Texas, not one

tank has been deployed, not one Bradley has been deployed. We've taken people out of the tanks and made them infantrymen or given them the M1s and have them guarding places throughout the United States. They have not been used in their capacities as armored crewmen.

So that does affect the readiness of the organization. The fact that we have been manned at C3 level and below is, there's no way in the world we can bring that unit up to 100 percent of its authorized strength without going to other units. The minute we do that, we automatically break the other units.

So the answer to that is, once we go through this transformation and we get the right type of formations that we can man at 90 to 100 percent, I think that's going to take care of some of this readiness issue. Resourcing is going to be the problem. In the State of Texas, the full time manning, we're about 40 percent of what we're authorized in our full time manning. That has a direct impact upon the readiness.

Mr. SHAYS. Is that a cost issue or a volunteer issue?

General MARTY. This is the full time——

Mr. SHAYS. Is it a matter of cost or is it a matter that you don't have the people?

General MARTY. It's a matter of funding.

Mr. SHAYS. Thank you. General Lowenberg.

General LOWENBERG. Readiness for both homeland defense and homeland security, for both overseas missions and domestic missions is a function of articulating the requirements and funding to meet those requirements. Full time manning, as has been previously noted, is the No. 1 weakness of the Army National Guard. It's the No. 1 failure of the Department of Defense and the Department of Army.

And as you've noted, Mr. Chairman, equipping the National Guard with front line equipment as part of a force funding plan for, in particular, the Army is something that is handicapping our level of readiness for both combat and domestic security issues. As has been noted, and you are correct, the requirements for employment of the National Guard for homeland security purposes has not yet been articulated by Northern Command or by the Department of Defense. When that happens, we're going to need to be resourced, particularly in the Army National Guard, to meet those homeland security needs.

General TUXILL. Thank you, Mr. Chair.

We are cold war construct still. And if you take a look, we have been funded at a level, I mimic what my fellow Adjutants General said. We're funded at C3. You can't expect—and that's minimum mission ready, that's minimum. So we end up cross-leveling, we bring equipment in, we bring other troops in. One of the reasons is that if you have, let's say, an infantry battalion, you have X number that you're sending to basic infantry school, you'll have X number that are going to basic training, you'll have X number in school and you'll have so many that you will not be able to account for, for one reason or the other, maybe sickness.

That means while you're funded at 82 percent or so, you've got X number of people that you cannot reach out and take, so you have to reach over and take them from another unit. You've al-

ready got a built-in structural deficiency for how many people you actually have in that battalion. You're authorized this many, but you only really realize a much lower number.

General Blum right now is addressing that situation so that we can start having a school account, if you would, a holding account that does not count against the readiness. The Army has it, the Air Force has it. But the Guard, on the other side of the house, does not have it.

As far as clearly defined homeland security requirements, we do not have those yet. We are right now making them up as we go for our various States. As far as critical infrastructure, what we should be doing there, one of the things that was very interesting to me were the amount of critical infrastructure plans that are out there, and denoting what critical infrastructure is around. In the National Capital region, everyone's got a dog in the fight. I think we need to ferret through that and come up with a requirement as to what we really should do.

Mr. SHAYS. The challenge we have is that we have to do it while we're in the midst of a very real war. That makes this an extraordinarily difficult undertaking.

Let me ask you, Ms. St. Laurent, to respond to what you heard. It sounds to me like you all are pretty much in agreement. Is that your sense?

Ms. ST. LAURENT. I think that's very true. I think there is a consistent theme. In doing our work, we saw a very consistent pattern going to all the States that we visited, Georgia, Texas, Oregon and New Jersey. They all had a wide variety of State missions and critical infrastructure protection missions that they were dealing with at the same time they were getting ready to deploy units overseas. So I agree with the comments that have been made.

Mr. SHAYS. Well, I would say to General Blum and General Love, we know as well that this is a challenge for Congress, to step up and make sure that we are beginning to address this. I think our committee will develop a very honest report about what Congress needs to do, what the administration needs to do, what Defense needs to do, and hopefully how we get there.

I'm going to ask professional staff to ask a question or two, and then we're going to call it quits.

Ms. WASHBOURNE. Thank you, Mr. Shays.

I have a two part question just for the Adjutants General, talking about readiness. Since there is no Federal or national readiness standard for homeland defense and security missions performed by the Guard, how do you judge or certify the readiness of the Guardsmen for your Governor in these roles? And how might the Federal Government begin to judge that readiness for homeland defense missions?

General LOWENBERG. In the State of Washington, we certify, to use that term, I attest to the Governor as to our readiness for the homeland security mission by looking at the homeland security strategic plan that has been developed solely in coordination with the Department of Homeland Security. That's not to say the same level of readiness or the same requirements would necessarily be articulated by Northern Command, as best I try to divine what those requirements are. They may have a different perspective

based upon classified information that they have available to them that has not been shared with me, notwithstanding my security clearance.

General MARTY. I think it's important that we look at the fact that we train for war time mission, at this particular time our training focus is on the war on terrorism. This brings our soldiers and airmen up to a readiness level. There are skills that we train to that are transferrable that we need to go into the homeland security mode, we've done this for years and years. Even though the requirements are not defined by homeland security by Northern Command, we still have to maintain our war time skills within our organizations and our formations. And again, like I said, they do transfer to the skills that we do need when we perform either State Active Duty or homeland security missions.

General TUXILL. I agree. Really the byproduct or the benefit to homeland security is the training that we do for that Federal mission. And we have many disciplines and many skill sets, and they are readily, as General Marty said, transferrable to the public sector. When you look to certify a full-up military police unit, you know that they're ready to do the job, because many of those in there are local police that are in that, that are already going to work in that area. They're just putting on a different uniform.

Ms. WASHBOURNE. Thank you.

Thank you, Mr. Shays.

Mr. SHAYS. Thank you. I'd like to know, is there anything that you basically prepared for that we didn't ask that you think we should have asked, or you thought we shouldn't ask but you know you need to answer? [Laughter.]

Either one. In other words, is there a question I should have asked that we didn't that you need to answer? Is there anything you want to put on the record before we adjourn this hearing? I think we're all set then.

General LOWENBERG. Mr. Chairman, I think I speak for the Adjutants General in thanking you for your generosity and extending the time and for the particular interest you and other members of the committee have shown on these subjects. I recognize that there are a lot of questions that could be asked, and a lot of answers that were perhaps left unspoken. But I'm confident and very grateful for the interest of this committee.

Mr. SHAYS. Thank you. We will be getting to all those questions, and that will be some of the informal dialog that occurs between all of you and our staff. It's very helpful in ultimately helping us make our recommendations. So I thank you all for your service to our country. Again, I want to thank General Blum and General Love for their participation by listening to what all of you had to say.

I'm going to adjourn this hearing and hopefully get a 2:30 flight. Thank you.

[Whereupon, at 1:45 p.m., the committee was adjourned, to reconvene at the call of the Chair.]

[The prepared statements of Hon. Katherine Harris and Hon. Carolyn B. Maloney follow:]

April 29, 2004

Transforming the National Guard:
Resourcing for Readiness

Statement of Rep. Katherine Harris:

Thank you, Mr. Chairman, for your vision and foresight in scheduling a hearing on the emerging operational roles of America's National Guard, including its overall state of readiness. I also wish to express my appreciation to today's panelists for the insights that they will contribute to our efforts.

I remain extremely proud of the men and women who serve bravely and effectively in our National Guard. As America confronts the daunting challenges of keeping our homeland secure while fighting the War on Terror abroad, the role of the citizen soldier has assumed an even greater importance.

Citizen soldiers have constituted an integral component of virtually every military campaign since the day when the prototypical citizen soldier, Cincinnatus, learned of his appointment as commanding general of the Roman Army while plowing his field.

Since 9-11, Florida's citizen soldiers have bravely served their country with distinction. Currently, 2,000 soldiers and airman of the Florida National Guard are supporting missions at home and abroad. During the last 3 years, 5,600 Florida guard members have received the call to active service. 700 of these courageous men and women have volunteered for three or more deployments.

Florida is not unique in this regard. Every state has contributed the talents and services of its best and brightest; and every state has felt the sting of loss.

In light of these facts, the following concerns arise: First, are we overworking the National Guard? Second, is their mission and cold war force structure compatible with today's OPTEMPO and asymmetrical warfare requirements? Finally, is the training and coordination component of the National Guard's post 9-11 homeland defense mission sufficiently defined?

I remain extremely grateful to the men and women who have chosen to place their personal lives on hold in order to answer the call of freedom. I look forward to assisting with this endeavor to ensure that they receive the resources and institutional support that they desperately need.

STATEMENT OF CONGRESSWOMAN CAROLYN B. MALONEY
COMMITTEE ON GOVERNMENT REFORM
OVERSIGHT HEARING
"Transforming the National Guard: Resourcing for Readiness"
APRIL 29, 2004
ROOM 2154 RAYBURN HOUSE OFFICE BUILDING

I would like to thank Chairman Davis and Ranking Member Waxman for holding this important hearing on transforming the National Guard. I also would like to welcome Governor Pataki of New York and thank him for traveling here today to testify before the committee. I look forward to his testimony and I am particularly interested in talking with him regarding the National Guard in our home state of New York.

The role of our National Guard continues to change. As we all know the Guard is currently deployed in Iraq and Afghanistan yet at the same time has even greater responsibilities here at home since 9/11. Not only is it continuing its assistance to local communities following natural disaster, they are also charged with helping protect our country against terrorists attacks. With these added responsibilities, we must examine if we are providing the support these brave men and women deserve and whether or not we are using their expertise to the best extent possible. I am particularly concerned about many recent news and first-hand reports regarding an over-extended National Guard whose troops are going into battle without all of the equipment they need to safely complete their missions. Reports regarding the lack of body and vehicle armor as well as other critical equipment are troubling.

A couple of weeks ago, I visited the 1st Battalion, 69th Infantry of the New York National Guard, which is located in my district. I truly enjoyed meeting with these fine individuals. They told me of their long history that intertwined with the immigration of the Irish and their unit's service in the Civil War. One of the most interesting stories from their history was when President Kennedy traveled to Ireland, he requested their colors to bring with him as a gift from the United States. As part of their more recent history, they discussed their more than 300 days of service in Lower Manhattan following the terrorist attacks of 9/11 and their impending deployment to Iraq in May, which I hope to discuss today. Like the reports I mentioned, they tell me that they lack some of the critical equipment they will need. Specifically, some of the guardsmen told me they lack armored Humvees and night vision equipment. Thought they anticipate receiving some of this critical equipment when they arrive in Iraq, they are concerned that they will not have the time to properly train with the equipment. I am sure we would all agree that they should not have to go into battle ill-equipped with these serious concerns considering the level of danger these guardsmen will be facing.

I would also like to discuss the level of deployment. When they arrive in Iraq they will join the over 94,000 Army Guardsmen that have been deployed and the 36,000 members of the Air National Guard who have flown over 100,000 flights since September 11, 2001. Currently, one-quarter of all National Guard Soldiers are on active duty making almost 40% of the military forces in Iraq and roughly 80% of all members of the National Guard are expected to be activated in the next three years. I trust we will discuss what effect these levels of activation have on our

nation's readiness. I am confident that this will add to the national debate about what levels are appropriate and if we are providing our Guardsmen with the equipment they need both here and abroad. I also want to make sure that we are appropriately planning for a response team for eventual natural disasters and protecting against possible, future terrorist attacks. I look forward to hearing from our witnesses.

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