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SECOND REPORT TO CONGRESS BY THE COMMISSION ON THE NATIONAL GUARD AND RESERVES

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES
ONE HUNDRED TENTH CONGRESS
FIRST SESSION

HEARING HELD
MARCH 23, 2007

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SECOND REPORT TO CONGRESS BY THE COMMISSION ON THE NATIONAL GUARD AND RESERVES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, Friday, March 23, 2007.

The committee met, pursuant to call, at 11:05 a.m., in room 2118, Rayburn House Office Building, Hon. Ike Skelton (chairman of the committee) presiding.

OPENING STATEMENT OF HON. IKE SKELTON, A REPRESENTATIVE FROM MISSOURI, CHAIRMAN, COMMITTEE ON ARMED SERVICES

The CHAIRMAN. Our hearing will come to order.

Today we take into consideration the second report from the Commission on the National Guard and Reserves.

When Congress created the 13-member commission in the Ronald Reagan National Defense Act of 2005, we asked it to provide a comprehensive independent assessment of the National Guard and Reserves.

Today before us we have the chairman of the commission, Major General Arnold Punaro, United States Marine Corps, retired, and we certainly welcome him as an old friend, as well as one who has done yeoman's work.

To give a little background to our hearing, in April of 2006, H.R. 5200 was introduced in the House. It proposed some significant modifications to the way the National Guard would be structured and how it would be resourced to fulfill both its domestic responsibilities, as well as its wartime missions.

Because the provisions of that bill were so sweeping, in the John Warner National Defense Authorization Act for Fiscal Year 2007, Congress directed the commission to issue an interim report on the advisability and feasibility of implementing the provisions of that bill.

Congress also directed the commission to look at the role and responsibilities of the chief of the National Guard Bureau, National Guard officers, National Guard equipment, funding.

The report is before us today, and what an incredible effort it has been.

Congress creates these commissions when we do not possess the in-house resources either in expertise or in time to pursue complicated matters as thoroughly as needed and that is what the commission has done for us.

This commission, its excellent staff has really gone above and beyond the call of duty. They have been tireless in their endeavors. They have held hearings, hearing after hearing, actually consulted

hundreds of experts and they have traveled as necessary to get the ground truth and they have done the in-depth historical and legislative research needed to fully understand the second and third order issues surrounding each proposal.

They have done all that because they are true patriots who have answered their government's call and also because they understand the importance of this issue.

So much of our national security hinges on the National Guard and Reserve force. This could be to support the fight alongside our active duty forces overseas when the drums of war sound or it could mean first on the scene of some domestic emergency, such as Hurricane Katrina.

That is easier said than done. These are not just issues of manning and training and equipping in the guard for its dual role, but also how the Nation postures itself to meet challenges facing our homeland, how the Department of Defense and Department of Homeland Security will jointly work together is so important, because our men and women in the Guard and Reserve are citizen soldiers in the proud tradition of the minutemen and of the militia of yesteryear and the employers who support them do all that we ask of them so well.

They deserve to have the best support structure possible. These are complex questions and it is appropriate that in addition to answering the statutory requirements to address the provisions of that bill, H.R. 5200, the commission's report has taken a broader look at six focus areas: the Defense Department's role in homeland, the role of the states and their governors, the National Guard Bureau, U.S. Northern Command, reserve policy advice, and reserve component officer promotion.

In just a moment, I will turn the floor over to Chairman Punaro, and we will look forward to hearing the commission's recommendations. We should all listen very closely to what he has to say, because it is a profound and thorough work product.

However, I first call on my friend, the ranking member, the gentleman from California, Mr. Duncan Hunter.

Mr. Hunter.

STATEMENT OF HON. DUNCAN HUNTER, A REPRESENTATIVE FROM CALIFORNIA, RANKING MEMBER, COMMITTEE ON ARMED SERVICES

Mr. HUNTER. Thank you, Mr. Chairman, and thank you for calling this very important hearing.

Mr. Chairman, given the significant issues that we face regarding matters of homeland defense, homeland security and the role and resourcing of the National Guard in both those missions, this is a very, very important hearing.

Furthermore, just as we are faced with significant issues of resetting and sustaining both the Army and the Marine Corps, this committee also must address how to sustain and reset the National Guard and other reserve components for their wartime missions.

And I want to join you in welcoming General Punaro and thanking him for his great service to this country and just say, preliminarily, Mr. Chairman, that the story of the guard in the operations

in Afghanistan and Iraq is a story, in my estimation, a story of success.

I can remember the days of Vietnam when there was a major divide between the guard and the active forces and that divide was one that resonated throughout America that there were, in fact, two separate forces. There was one force that went to war, that was the active force, and there was a force that didn't go to war, and that was the guard.

In fact, I can remember having conversations with my great friend, Mr. McHugh, over the naming of the subcommittee, the personnel subcommittee, and naming it the total force subcommittee, because under his watch and under the present operation, we truly have a total force.

And so watching, Mr. Chairman, coming back from the warfighting theater in Iraq and looking at the guard and its operations and its meshing with the active forces, this is a story of success.

But nonetheless, it is a story that we have to build on and I look forward to hearing the testimony from General Punaro and figuring out what good, basic, practical things we can do as a result of this great work by the commission that will make the guard even better, even more prepared to be beat both the homeland mission and this mission that extends American military power around the world to carry out our foreign policy.

So thanks for having this hearing this morning. It is very timely and I look forward to the testimony.

The CHAIRMAN. I thank my friend from California.

Let me also state that we have the written testimony from the Reserve Officers Association, and, without objection, we will put that into the record.

[The prepared statement of the Reserve Officers Association can be found in the Appendix on page 33.]

Major General Punaro.

STATEMENT OF MAJ. GEN. ARNOLD L. PUNARO (RETIRED), CHAIRMAN, COMMISSION ON THE NATIONAL GUARD AND RESERVES, U.S. MARINE CORPS

General PUNARO. Thank you, Chairman Skelton, Ranking Member Hunter, members of the committee, for the privilege of presenting, on behalf of my fellow commissioners, the findings and recommendations of our March 1 report that related specifically to the National Defense Enhancement and National Guard Empowerment Act.

This is the work of 13 dedicated commissioners and a superb staff and I particularly want to thank the chairman and Mr. Hunter for your superb appointments to the commission, who stayed in close touch with the committee and have been the mainstay particularly of our work on the homeland defense and on the equipping areas that we are going to address here this morning.

Mr. Chairman, I would ask that my written testimony be submitted for the record and instead will offer a brief oral summary, if that is okay with the chairman.

The CHAIRMAN. Yes, please proceed.

General PUNARO. First, the commission, we thank the men and women in uniform, particularly those in harm's way, for their sacrifices, particularly the 590,000 Guard and Reserve personnel that have been mobilized since 9/11 and, in addition, the tens of thousands of Guard and Reserve personnel that have served here at home in that same timeframe and that continue to serve here at home.

So I would like to start by making some bottom-line observations up front.

The problems: Mr. Chairman, we wanted to spend most of our time in this report looking at making sure that we had identified correctly the problem set. It was our thinking that if we could get agreement and consensus on the problems, that solutions would flow that would make sense.

We have some recommendations about how to fix the problems. Members of this committee testified before the commission. Certainly, Congressman Taylor and the other principal sponsors of the Empowerment Act have some great ideas and it is our judgment that we are not hung up about whose solution gets implemented.

We think these are very, very serious, enduring problems that need to be fixed and we know, in the wisdom of the committee, you will come up with even better ideas than we had.

Let me talk first about the operational reserve, because I think that is kind of fundamental.

You hear Department of Defense (DOD) testify that we no longer have a strategic reserve, a reserve that was designed and planned and manned and equipped for the peak of the Cold War, if the Soviet Union and the Warsaw Pact came across the Fulda Gap in the inter-German border, they would be called up and have timelines to deploy that were months, even years, in some cases. That was the strategic reserve and they were kept at very low readiness levels in terms of personnel and equipment.

The department has said and I have mentioned 590,000 have served and deployed to Iraq and Afghanistan and other contingencies. They are an operational reserve. That is a fundamental change in the nature of our Guard and Reserve that is being used.

However, DOD has not changed any of the fundamentally underlying laws, policies, rules, regulations, procedures, processes, funding priorities, personnel management systems to make it an operational reserve.

You cannot just sit here at this microphone as DOD witnesses have said and say it is an operational reserve, sprinkle some pixie dust and it makes it happen. That is why we are in the serious problems that we are in today.

They have declared it to be operational, but we have not made any of the fundamental changes to put that in place.

So the commission has concluded, on that broader front, this operational reserve is neither right now feasible nor sustainable unless we have fundamental underlying changes to the laws, rules and regulations and policies.

Let me give you some examples just on the readiness front. These are not examples that are not unknown to this committee, to your subcommittee, your chairs and rankings of your subcommit-

tees, who have spent a tremendous amount of time over the years looking at the readiness.

We were, frankly, unpleasantly surprised at how bad off we are on the readiness front. It is a lot worse than we would have anticipated. It is a lot worse, I think, than a lot of people know.

Army National Guard readiness is extremely. As General Blum has testified, 88 percent of the guard units here in the United States right now are below in the warfighting readiness measures. We know C–1 to C–5, C–1 being fully combat ready, good to go right now, once you get to C–3 or below, that is not good, 88 percent.

When he testified before our commission, we are not ready. When we put that out in our March 1 report and I was walking the halls of the Pentagon, I got tackled by a couple of four-star generals and admirals and saying, "Holy smokes, this can't be right. You are not asking the right questions. These numbers are wrong. They can't be that bad. And ready for what?"

So before coming here today, Mr. Chairman, I wanted to make sure that we were exactly accurate on what we reported on March 1, so we got the experts, sat down with them, just as your staff has done with the Government Accountability Office (GAO) and others, and I can tell you today the guard is less ready than the 88 percent.

It has gotten worse in the three weeks since we issued our report, not better. We don't see the trend going up. We see the trend going down. And I think that is the same testimony that you have been receiving.

The Air Guard is also at a historic low. Readiness levels, 45 percent or C–3 and below, and that is a historic low.

It is a very important point here. This only measures readiness for the overseas warfighting mission. Our Department of Defense does not assess readiness for the homeland mission.

So we don't know if they are ready for the homeland, because they don't measure that. And so this is a very, very important fact that has got to be changed.

That is particularly worrisome, because unlike the overseas mission, where, if a National Guard brigade or a Marine infantry battalion of Army Reserve truck company is going to be called and mobilized, even if the unit is short on personnel and equipment, they have got a mobilization time to bring in additional personnel and equipment, to train that unit up and then deploy them overseas.

That is not the case here at home. Homeland scenarios, it is come as you are. It is you have got to be ready right now. And the fact that we have the first three guard brigades that went to Iraq, that have been back since 2005, two years later, they are still C–4 for equipment.

And even though we have promises of large funding in the budget to repair these things, the out year, in other words, the get well figure for combat for the guard is 2015, the get well for their combat support is 2020.

I don't think that is acceptable with the kind of threats we deal with here at home.

So the point is here that DOD has not fully accepted and taken ownership of its role in protecting the homeland. Unlike the DOD

strategy says, it is not the first among many DOD priorities and one of the reasons is because we have a fundamental flaw in the system.

No one, no one currently generates or validates civil support requirements within either the Department of Defense or the Department of Homeland Security (DHS). The Department of Homeland Security, under the law, has the obligation to do this.

They are not doing it. Therefore, DOD has nothing to work on and validate whether that is sufficient or not.

So without these requirements, even if you had electricity in the power line and even if you had a good light bulb, you flip the switch, the bulb isn't going to come on, because in the Department of Defense, if you don't have a requirement, nothing happens.

This has got to be corrected. We have got to basically ensure that the people responsible for generating these requirements do so and then the Department of Defense needs to take them and validate them and those that are validated need to be prioritized and funded.

The Northern Command, the command that was established after 9/11, mind you, after 9/11, to focus homeland missions, is still focused on traditional missions and it does not adequately consider or utilize all the military components, including the active and reserves and the guard in the planning, training and exercising for homeland missions.

And that is because it is primarily an active duty command, 90 percent of its personnel are active duty, very few are Guard and Reserve. The leadership is active duty and they don't know what they don't know. They are good people, they work at it hard, but their focus is very, very prescribed by the Department of Defense and they are not focused on the factors in homeland that they should be.

The governors, the commanders-in-chief of most domestic incidences, do not have enough of a voice in policy-making with regard to the guard and operations in their states.

Our government, our Federal Government has told the governors, "You are in charge, you are responsible. We hold you accountable to deal with emergencies in at least the first 72 hours."

That is a fundamental principle of emergency management. You handle it at the lowest level possible. "But, please, Mr. Governor, don't come to Washington and give us your views. Don't tell us what you need, and we certainly aren't going to take those factors into account when we are making decisions."

So, again, another fundamental break. We have got to give the governors more authority and more clout to carry out the missions that we have told them they are responsible for.

The Nation's ability to respond to a major domestic catastrophe is not well coordinated, particularly at the interface between the state and federal levels. Department of Homeland Security has identified 15 planning scenarios that the Nation needs to be ready for from major disasters like hurricanes or fires to unthinkable weapons of mass destruction, chemical and biological.

However, because they have just identified them and we haven't engaged the entire system in planning, coordinating and funding and training, putting plans together for dealing with these, the Na-

tion is not adequately prepared for some, not fully prepared for some, and absolutely totally unprepared for some of the worst case scenarios, and that also is an unacceptable situation.

The National Guard plays a key role in fixing these things, but should not be saddled with the lead in coordinating this effort. That is a role that both Congress and the President have decided belongs to the Department of Homeland Security. They ought to either do their job or somebody ought to just shut them down and admit it is not going to happen and make other arrangements.

But they should be held accountable right now under the law for fulfilling their mandate.

Mr. Chairman, these are longstanding problems that require fundamental reforms to a number of our institutions of government. This is not about one individual, the chief of the guard bureau. This is not about one institution, the National Guard.

This is about empowering the National Guard and giving them greater authority and clout as part of an integrated team, as part of a total force team that includes Northern Command, the Department of Defense, Department of Homeland Security, the governors, and breaking down all these barriers and stovepipes and ensuring that we bring a fully integrated, fully capable team to protect the lives, the property and our economy here at home.

So we believe our recommendations are far more sweeping than the solutions proposed in H.R. 5200. You need to do more than just empower the National Guard. No question about it. But you could make the head of the National Guard a five-star general and if you don't fix Northern Command, the Department of Homeland Security, the Department of Defense's procedures for dealing with homeland security, he or she is not going to be effective in that job.

So all of these agencies and institutions of government must take greater responsibility for building a coherent and competent interagency process of planning, coordinating and funding for the homeland mission and the governors must be given a more prominent role in implementing that mission.

So we aim, Mr. Chairman, for true integration of the forces, including promoting the goals of jointness set out in the landmark Goldwater-Nichols Act. We believe our recommendations would, if implemented, promote organizational relationships that would enhance the National Guard's ability to fulfill its mission both overseas and here at home and offer a comprehensive, systemic approach to problems of readiness, equipping and manning of the Guard.

Our report lays out 26 findings, 6 broad conclusions, and makes 23 specific recommendations, most of which can be implemented without legislation.

Mr. Chairman, I could really stop here at this point, because you have got all our recommendations and the report before you, and quit here and take your questions or give a quick summary of those.

I am ready for questions.

[The prepared statement of General Punaro can be found in the Appendix on page 35.]

The CHAIRMAN. I will ask one question and then ask the ranking member to proceed in order.

Your comments regarding preparedness, regarding readiness are downright frightening and you could say a similar vision is out there regarding our active duty counterparts.

Where do we first fix the lack of readiness for the Guard and Reserve?

General PUNARO. Mr. Chairman, obviously, as you pointed out, the active forces have some equipment and personnel shortages, as well.

However, as I pointed out in my testimony, when you are talking about deploying to Iraq and Afghanistan, even on the active side, they have spin-up cycles and train-up cycles.

And you know the Department of Defense as well as I do. They are not going to send units overseas that they don't believe to be fully combat ready.

I believe, however, the reverse is true for the homeland. Nobody is paying attention to the fact that we are unready to deal with these missions here at home.

So I would have the Department of Defense working with the Department of Homeland Security. Get the General Accounting Office in there. They have got some of the best readiness people that I have seen in all the years I have focused on this in looking at what the problems are.

I know they have talked to your subcommittee chairmen and ranking members. And I would look at the requirements here at home and make sure we have sufficient Guard and Reserve units that are going to be the first responders to deal with these situations here at home.

I would fix that first, because with the units deploying overseas, you have got a spin-up time for them. You don't have any spin-up time to deal with these emergencies here at home.

We don't have some of the ready battalions and ready forces that we used to have on standby to deal with this. They are not in a situation now, because of our overseas commitments, to be as ready as they need to be.

The CHAIRMAN. Mr. Hunter.

Mr. HUNTER. Thank you, Mr. Chairman.

General, thank you and thanks for your great work. And I did get a chance to talk with lots of the members of the commission as you walked down through this analysis and it has been excellent.

Let me go to a couple of things here. One, last year, in late spring, the Army and Marine Corps came over to see me and they told me that they were going to be, believe it or not, some $20 billion short in terms of reset money.

And so we directed our staff to come in, analyze how much of the reset, of their shortages were embedded in the base bill, how much was embedded in the supplemental bill and how much was embedded in the bridge fund for last year.

We added that up and we took the delta, we took what the Army and Marine Corps testified they needed, by golly, to reset every single piece of equipment that they knew about in the world that belonged to them.

And I directed the staff at that point to fund every dime and we funded every single dime and I think the Army was $17-point-

something billion short and the Army made up the balance between that and some $20 billion and I think, in the end, we actually added several millions of dollars to their total request.

We didn't short them one dime. Now, we now have that in the pipeline and we have gotten after the Army on several occasions with respect to how much they had obligated.

What they have responded to our questions with respect to how much they have obligated and how much they have done is this—one thing they say they need, and the Marine Corps joined in this, is that they need carcasses. That is, if you don't have the old Humvee to renovate or the old Bradley or the old tank because it is still in theater, you can't renovate it because it is still in the warfighting theater.

But the second thing that has come back from the Army is that they took care of the guard in this reset.

Now, I want to simply ask you, are you telling us in your testimony that basically when they gave us this reset number, of which we funded every single dime that they asked for, that they totally missed the guard?

General PUNARO. No, sir.

Mr. HUNTER. Well, what happened?

General PUNARO. There are two things here. One is the Status of Resources and Training System (SORTS) readiness rating measures the day's warfighting readiness. It measures the units on hand, personnel and how well those people are trained in their skill set.

It measures on-hand equipment and whether that equipment is ready. It measures supplies, whether you have your ammunition, and it measures training readiness.

In terms of money that is put in the procurement pipeline, particularly for reset, as you know, it takes, on average, five years for a procurement dollar to spend out.

So in terms of what has been put into the budget for the Army Guard and for some of the other components, there has been a substantial increase, particularly at the initiative of the Congress, for money in the reset pipeline.

In the budget that was submitted to the Hill this year, particularly in the Army, there is a substantial increase in funding for equipment not only for the active duty forces, but for the Guard and Reserve.

However, what we point out in our report, Mr. Hunter, is that we have seen this all too often. We have a chart on page 35 that looks at what was projected in the future year defense plan and then what actually gets executed.

And so the reason the Guard and Reserve are always so nervous is it is always promises, promises. However, I think there is a greater awareness both in the Congress and in the Department of Defense of the readiness deficiency.

So I would expect to see the equipment, but as I pointed out, the guard doesn't get well until 2015 for combat and doesn't get well until 2020——

Mr. HUNTER. Well, General Punaro, the $20 billion that we put in, that I directed the staff to put into our bridge fund was an au-

thorization for a supplemental, which was, by golly, signed by the President and funded.

That is not money that was in the Future Years Defense Program (FYDP). That is 20 billion bucks, cash on hand, that we put in our budget that was followed by the appropriators and followed by the Senate and ultimately signed by the President, and that money is available to be obligated.

And one thing that is somewhat frustrating is we asked them for every dime. They came in with every dime. We then we put that—we then subtracted out what we had already funded, embedded in the base bill, and we came up with a balance of $20 billion and we funded every dime.

And you are telling me now that we actually missed major pieces of this funding. And so my question is, do you think the Army shortchanged the guard or do you think the guard at that point didn't have their arms around everything that they needed? Because the clear impression was given this committee is, "This is what we need."

General PUNARO. Mr. Hunter, I don't think anyone is able to identify the requirements for homeland mission, because they don't do that in the Department of Defense and the guard doesn't do that.

So whatever they identified, that $20 billion is for the warfighting mission and I would expect that money to spend out over a period of years, and the readiness will improve as the new equipment comes in there for the overseas warfighting mission.

As you well know, there is no warehouse out there or parking lot with seven-ton trucks that you can go out and buy off the shelf. You are probably 2 to 3 years for that $20 billion.

But there is no requirement for civil support. So there is no way the guard could have identified that for you.

Mr. HUNTER. Well, let me go now to the equipment. As the guard has gone over, and I have talked to a number of guard commands that have gone over, they have shed the equipment that they had in Kuwait and taken on the new equipment.

So that they went into Iraq with what you would call the top end and then a number of them said they came back without equipment, the implication clearly being that there is equipment parked in places like Kuwait or in Iraq.

Now, if you look at the up-armored Humvees, common sense tells us we have now—if you look at the number that we have introduced into theater, it is something like, Army and Marine Corps combined, I believe it is in excess of 20,000 vehicles at this point.

So if you have got 20,000 up-armored Humvees, that is the M114s, those have displaced in units and, similarly, MAC-kitted Humvees that went to the Marine Corps early on have displaced the non-up-armored Humvees.

Now, if we were a company and you were the CEO and you had somebody that said, one of your procurement officers had said, "I want to buy another 20,000 Humvees because we are short," the first thing you would say is, "Well, what happened to the 25,000, some of which had very few miles on them, that were displaced by up-armored Humvees on the basis that the battlefield conditions required up-armored Humvees?"

One thing that we haven't got a handle on is how many of those 25,000 Humvees that have been replaced in Iraq, how many of those are still there, how many are in Kuwait, how many have been moved back.

So one thing that I think we need to do is get a handle on this equipment that has been displaced by new equipment or equipment that was needed to accommodate the battlefield. Where is it?

Now, we found out that there are 1,800 MAC-kitted Humvees, which are outstanding vehicles. In fact, they have got more armor on the sides than the M114s that are parked at a certain location in Iraq, 1,800 of them.

So I think that one thing we have to do to make sure that the guard gets full-up is to, first, find out how much stuff we have got and find out where the excess systems that have been displaced on the battlefield, where they are parked.

Unless somebody has got a program that gives these things away at a dime on the dollar to some other country, we should have 25,000 displaced Humvees, minus maybe 5 percent or 10 percent battle losses, but they should be inventory someplace.

Do you not agree with that and do you not agree——

General PUNARO. You are absolutely——

Mr. HUNTER. Do you not agree that that would be good for the guard if we find them?

General PUNARO. Yes, sir, and I would hope the guard wouldn't be up here asking for $20 billion of the taxpayers' money if they knew they had 10,000 Humvees sitting over in Kuwait that they could bring back.

Mr. HUNTER. I asked General Blum last year, I said, "Before we figure out what we have got to have, let's find out, because he told me we are shedding equipment in Iraq and we are not bringing it back and our guys are coming back without equipment.

Therefore, when the C rating comes along, we are low end. And I asked him if there was a way to ascertain what we have parked in theater and, as I understand it, at this point, we don't really have our arms around that.

Don't you think we have got to get our arms around that?

General PUNARO. Yes, sir. That is one, I will tell you, again, I would sic the GAO on that. They have some people on this readiness stuff that is the best I have seen in all my years that I have worked at it and they could figure it out.

I mean, you have governors whose brigades have come back and they have been told they aren't going to get any equipment for four years. Well, we all know that is unacceptable.

If there is equipment over in theater that could be brought back that would give them even 10, 15 or 20 percent of the equipment, particularly the kind of equipment you are talking about, it is very useful in these dual use situations.

Mr. HUNTER. Well, similarly, we have got the ballistic, the Small Arms Protective Inserts (SAPI) plate body armor, which now has—we now have almost a million sets of SAPI body armor that is bullet resistant. We had virtually none six years ago.

We now have a million sets. Now, what that tells us is we have displaced all of the regular body armor that we had before that did

not have the SAPI plates, that was basically frag resistance, but not bullet resistant.

That obviously has value and it weighs a lot less and it is still an effective body protection system.

That means we have displaced 500,000, 600,000, 700,000 sets of vests. I think we need to find out where those are, don't you?

General PUNARO. Yes, sir.

Mr. HUNTER. Mr. Chairman, I think this is a major role for this committee is to find out where these tens of thousands of pieces of equipment that we know existed, we know they were replaced by equipment like the 114s that were needed with the armor to combat roadside bombs in Iraq, we know some of the systems that were displaced were almost brand new when they were displaced and they have got to be somewhere.

And I think that it is incumbent upon us to find out what we have got in inventory.

And then I would submit this, General, a question to you. Let's say we come up with what we have got. We get an inventory on what we have parked in theater, how much is parked in Kuwait and how much is the units that came back simply don't have a handle on, let's retrieve an inventory of all the equipment that we have got or at least retrieve the numbers on that inventory.

Let's figure out where we are short on what it is going to take to make the guard full-up and then let's pass a supplemental, just like we did last year with the $20 billion for the Army and Marine Corps, and full-up the guard.

Do you think that would solve the problem?

General PUNARO. No, sir, because I think you are going to find a lot of that equipment is unusable.

Mr. HUNTER. I know I am assuming—but, General Punaro, I disagree with you. You have got some brand new Humvees that were replaced in theater simply because they did not have the level of armor that is necessary to combat roadside bombs.

Those pieces of equipment, those Armor Survivability Kit (ASK) Humvees were not taken out of service because they weren't outstanding vehicles. They were taken out of service because they didn't have armor on them.

So they are parked somewhere, unless we have given them away to some country for a dime on the dollar, and there are 20,000 of them. So let's not say they are unusable.

General PUNARO. No, but you said, "Would that fix the problem?" The problem is——

Mr. HUNTER. No, no. My question is if we figure out what we have got, if we figure out what we have got in country and what we have got parked and what was shed from these guard units and may be sitting in a compound someplace in Kuwait and we make sure we have got a handle on what we have got and then we figure out what the delta is, what we are still short, why can't we do the same thing we did for the active guys last year, which is to figure that down to the last dime and pass a supplemental like the $20 billion that we authorized in this committee last year and get the money and spend it and make the guard healthy sometime while we are still young?

General PUNARO. That sounds like it would certainly be helpful. But, Mr. Hunter, the shortages are across the board. They have shortages in their combat engineer equipment. They have shortages in their medical equipment.

Mr. HUNTER. I am talking about combat engineer equipment.

General PUNARO. Radios. I doubt seriously if there are any retrievable command and control gear over in theater.

Mr. HUNTER. So my question to you is, if you are short on radios and you don't have a bunch of radios stacked up in inventory, then you buy lots of radios.

But I am saying we find out what we have got. I mean, the dumbest thing in show business would be for us to go out and buy 25,000 Humvees and we find out we have got 25,000 Humvees parked in theater in various lots with between 5,000 and 10,000 miles on them.

I think you would agree with.

General PUNARO. No downside to doing what you are suggesting, but it is not going to help the homeland security mission, because they don't have any requirements for that. They don't know what they need.

Mr. HUNTER. Okay. Let me go to homeland security for one minute.

You had the great Captain Wade Rowley, who was one of your members, who was a captain from a logging family in Oregon who came down and built the border fence for us and knocked back the smuggling of illegal aliens and narcotics in San Diego.

When he brought these units in, when he would rotate in guard units from Missouri and lots of other states to build the border fence to stop the drug trucks from coming in, they generally fell in on rented equipment. Right?

So if you may have a guard unit, the guard units that came in, for example, from other states, often, of you had rated them as they were in transit, you would have rated them at C–4, because they didn't have their bulldozers, they didn't have their water trucks, they didn't have that kind of stuff.

Because you have a domestic inventory here, they rented the equipment and fell in on rented equipment so they didn't have to move it halfway across America. They fell in on the rented equipment at the site of their operation.

Now, is it your feeling that we should continue that type of thing or that these units should be full-up with respect to organic equipment for the homeland mission?

General PUNARO. This is a key point that you bring up and this is one of our key recommendations.

We need to identify the gaps in the Department of Homeland Security, working with the Guard Bureau, working with DOD, working with the Federal Emergency Management Agency (FEMA), working with the Centers for Disease Control and the other domestic civil agencies that have a role in all of these scenarios, they need to sit down and say, "Okay, for this particular planning scenario, what do we have on hand, what can we get off the civilian economy, what does the military have that they can bring to the fight, identify the gaps."

First, identify the requirements. Nobody has done that, so we don't know that the requirement are. It is hard to say what the gaps are when you don't know what the requirements are.

So identify the requirements. Then identify the gaps and then have a plan and coordinate a plan for where you are going to go get what you need.

This is, I think, one of the real failings of the Northern Command (NORTHCOM), is they have some contingency plans and, by definition, a contingency plan is a 50,000 foot level plan, not an implantation or an operational plan.

For the defense of the Korean Peninsula, we have a plan that every unit in the military knows who they are, where they go, what piece of gear they bring, and as those units are basically pulled out of that plan and put somewhere else, they put another unit in there, so you have a full-up round.

None of that happens on the domestic homeland front. There are no plans. And the Northern Command plans are for when it is—when there is catastrophic failure by the state and local, that is when NORTHCOM rolls in. We think that is a very silly way to plan.

We ought to get the whole Federal Government, state and local on the same sheet of music, on the same team up front and determine who brings what to the fight and then you will know and will determine how many of those civilian bulldozers could be used and by whom, and then that way you will know.

That is the only way this is going to work. You can't basically say, "We are going to grab a little here, we are going to grab a little there." It is a come as you are situation.

Mr. HUNTER. But the base question, in your heavy equipment, such as your construction battalions and your engineering battalions, when you need things like bulldozers, water trucks, graders, et cetera, is it your position, as a matter of policy, that we should have that organic to the units or that, as a matter of policy, you should rely on systems that you can rent from the domestic economy, like they are doing in these civil works projects like the border fence right now.

General PUNARO. If that is a unit that has an overseas warfighting mission that requires that piece of equipment, they should have it organic to the unit and, by the way, it has——

Mr. HUNTER. But I am talking about not an overseas requirement, but a requirement that you can see is a domestic requirement, like the construction of the border fence.

Obviously, if you are going to be deployed, you have got to have the equipment, you have got to train on it, et cetera.

General PUNARO. If they get a domestic requirement and they validate it and they determine that getting it off the local economy is the smartest way to do it for the taxpayers and it is going to be available when they need it, yes, I would say that would be the preferred method.

But we don't know whether that is the preferred method now or not, because we don't know what the requirements are and we don't know what the gaps are.

That is the whole purpose of getting state, local and Federal all on the same sheet and determining who is going to bring what to the fight.

Mr. HUNTER. Well, I think it makes sense to make that analysis and get all these parties married up and integrated and talking to each other and get this done.

And I think what we have to do at this point, General, is find out, doggone it, what do we have in theater and what do we have that has been displaced by these fairly massive purchases that have gone to the active side and, in some cases, replaced almost new equipment, where is that new equipment and can we make it available to the guard, and I think that is a preliminary step that has got to be made.

Second, Mr. Chairman, I would simply say this—we were given a number by the active Army and the Marines last year. We funded every dime that they said they needed.

I take it that the net result of your description of shortfalls ultimately translates into dollar requests. You have got to spend money to get this stuff. I think we ought to spend the money that we need to get this stuff.

First, let's find out exactly what we need so we don't replace a bunch of stuff that we have got parked somewhere, but then let's spend what it takes to get it and if we have to come up with a supplemental this year that we bolt on to the base funding bill, let's do it.

Thank you.

The CHAIRMAN. I thank the gentleman for his questions.

General, it is interesting and we are pleased to see Jim Schweiter, who, as your general counsel, I know has done yeoman work for you, but he did that for us as minority counsel, and I wish to recognize him for his present, as well as his past efforts. A real patriot. We thank him for his efforts.

[Applause.]

Mr. Ortiz.

Mr. ORTIZ. General, thank you so much for the work that you do with the commission and we have worked with the National Guard, the reserves.

At one time, I was a member of the reserves. But we just need to spend more time and try to see how we can help you.

And I have been spending some time with the National Guard and some of the reserve units and I know that since that money was given to you to buy, through the commission and through the National Guard, to buy that equipment, a lot of equipment has been destroyed. A lot of equipment has been damaged.

And I went to visit a couple of reserve units and National Guard units and they just returned from Iraq and after I met with them, I wanted to see the equipment. Well, there was no equipment. The equipment was left in Iraq so that the active military duty could use the equipment.

I think it is hard for you to do your best to serve two masters, the Federal Government and the state governors, and sometimes I wonder how you train, because you have to train to go to Iraq to fight a war and then you have to train to respond to natural disasters, flooding, hurricanes, fires.

Not only that, then most of the first responders who either work for the city or are police officers or doctors or nurses, they are activated and they leave. So you are left there with a vacuum.

We need better lines and I do believe that you all need a four-star general to be equal with the active military, because you guys have a lot of ideas that maybe we don't know about.

NORTHCOM, I think the other day we had a lot of questions about NORTHCOM. One of my fellow members wanted to know what do you do. This is why I say that we will not be able to answer all these questions today, but we need to spend more time with you and see how we can help you.

I know money was given to you, but I know that at least 40–50 percent of the National Guard and Reserves have been activated and a lot of that equipment has been going to Iraq.

So I know the last count we had was that at least 7,000 pieces of equipment that belongs to the National Guard were in Iraq.

We want to help you. We want to work with you. I think that maybe we should have follow-up meetings to see what we can do.

But one of the questions, how do you get to train for two different missions? Now, I know we are in a war right now. You have got to train for that mission and sometimes you get there, you don't have the equipment, you don't train with the equipment.

You get to Kuwait. That is where you train or you get to Iraq and then that is when the equipment is given to you.

But then you have a different scenario, a different responsibility. We have had flooding, we have had fires. How do you train for this? How do you keep these people trained, focused on the mission that they have at hand?

Maybe you can enlighten me a little bit on that, General.

General PUNARO. Mr. Chairman, you have really hit the nail on the head there. First of all, the commission agrees with you that the chief of the National Guard Bureau should be elevated to four-star.

If the Congress determines that the duties he is currently doing are the ones that he is required to do and adds that to his charter, that would give him greater clout in the system, greater authority, and it would recognize the tremendous contributions that the guard is making today that aren't actually embedded in their statutory charter.

So we strongly support that. Northern Command, again, you hit the nail on the head. They are not focused sufficiently on the back home missions. They are too focused on traditional missions and they are the ones that should be identifying the requirements for civil support and bringing those to the Pentagon, into the Joint Requirements Oversight Council, and arguing vehemently that we need this equipment to do our missions here at home.

And third, how do you train? You don't. That is the problem. The Department of Defense has traditionally taken the position that if we are ready for the overseas warfighting mission, for example, if we can take an M1A1 Abrams common tank into battle, then, by goodness, our troops are ready to basically do security duties or hurricane and flood duties here at home.

The commission believes that is a flawed assumption. There is ample testimony not only from senior military officials that that

doesn't work anymore, there is concrete evidence from 9/11 and from Katrina that that doesn't work.

And so this is why we think the identification of the requirements for civil support are so fundamental. Everything in the military flows from requirements. Equipment flows from requirements, training flows from requirements.

Since the Department of Defense has not identified requirements for the civil support mission, they don't have mission essential task lists that our military trains against for those missions.

For example, when we call up an artillery battery in the Marine Corps Reserve to go to Iraq as military police, we don't just send them over there. We retrain them as military police.

So it is logical that an artillery person is not going to be able to do a lot of the homeland missions. So you hit the nail on the head. But it starts with requirements.

Mr. ORTIZ. Thank you. My time is up, but thank you so much.

The CHAIRMAN. Major General, you were describing what happened in Missouri regarding their former artillery National Guard brigades.

Special recognition to Karen Heath. You know, it is interesting what we have provided your commission from this committee. When I was chairman of the personnel subcommittee, Karen Heath was such an integral part of it and we loaned her to you for your excellent work, along with Jim Schweiter.

So, Karen Heath, great to have you back.

[Applause.]

Mr. McHugh.

Mr. MCHUGH. Thank you, Mr. Chairman.

General, welcome, thank you, as my colleagues have said, for your and your colleagues' efforts.

I had the opportunity, the honor of testifying before you, along with then Chairman Hunter, and to see your efforts through all of that and the output of it is very impressive and very helpful and I thank you for that, as we all do.

I want to return, for the few moments that I have, to the comments from my friend from Texas. You just noted about the commission recommendation to elevate the head of the National Guard Bureau to a four-star. I suspect you would find a wide range of support on this committee for that, perhaps some who would even go further and make them a permanent member of the Joint Chiefs.

But let's talk a little bit about the process behind that. Four stars today are recommended by the—to have a role by the secretary of defense and less formal roles by others and, of course, come to the nomination of the President and his discretion.

National Guard Bureau chief is a little bit different, as you know. It is really selected from a list of recommendations by the independently appointed heads of the guards in the various states.

So did the commission also consider, reject or not even contemplate perhaps, if you are going to elevate them, would you change the way in which they are nominated, as well?

General PUNARO. We felt like, as you know from your previous subcommittee chair, in dealing with these flag and general offices over the years, we felt like that was something that if the Congress

was to look seriously at our recommendation and look at the duties he is performing, you would have to consider changing the process by which the individual is picked.

We felt like that was something that you all would have more wisdom than we had about how to best go about doing that. We did look at in great detail, because we knew this was a very important issue for the committee and for the sponsors of the act, we went to the General Accounting Office for their detailed analysis of the four-star positions.

We commissioned our own research by the federal research division of the Library of Congress and, Mr. Chairman, I believe you have that report for the record, to look at all four stars, the criteria. And when we did that analysis and we looked at the duties that the chief of the National Guard Bureau is currently performing, we felt very strongly that it did match up with and equated to four-star responsibilities.

And should the Congress require him to do those duties as part of his charter, he should be elevated to four-star and I believe you would want to adjust the process by which the individual was selected and, furthermore, you want to make sure that it wasn't just—that the Air Guard and the Army Guard both would be able to compete for that position.

Mr. MCHUGH. Thank you.

Second point, also raised by the gentleman from Texas, NORTHCOM. Obviously, this is the complex and delicately balanced or perhaps should be more delicately balanced circumstance.

The commission, as you discussed in your response to Mr. Ortiz, indeed, in your mind, should play a more active role, become more of an advocate, if you will, for those civil support programs.

And, yet, as I believe I understand the recommendations, you would still hold their direct responsibilities to basic military Title 10 and reserve authority for the governors. Is that correct?

General PUNARO. That is correct, but we also go further than that. We believe that we have got to get away from these stovepipes.

The three major categories for the use of the Guard and the Reserve, you have state active duty, you have Title 32, where the Federal Government—state active duty is run by the governor, paid by the state.

Title 32 is run by the governor, paid by the Federal Government. Title 10 is run by the President and the secretary of defense, paid by the Federal Government.

We believe that we need to get away from these stovepipe categories and have situations that are preplanned in advance and NORTHCOM would be the command that would do this coordination and preplanning, where the governor would have access to and be able to utilize the guard in any capacity, as well as those federal forces that have been given to the governor for that operation, where he could direct those forces, and then you wouldn't have——

Mr. MCHUGH. Can I? Because I have got just a very few seconds and I appreciate that and maybe we can also submit some for the record.

But is there a problem, a conflict, a challenge for NORTHCOM to be recommending and prioritizing the duties over which it will have no command and control authority?

General PUNARO. But they will. They are the command that would, if the President federalized the Guard and Reserve for any domestic response, they would have it and, therefore, they should be the ones that are identifying the requirements for it and advocating the requirements for it.

Mr. MCHUGH. Thank you, Mr. Chairman.

The CHAIRMAN. Thank the gentleman.

Before I call on Mr. Taylor, would you clarify for both Mr. Taylor and me the manner in which the head of the National Guard Bureau is chosen today?

General PUNARO. Mr. Chairman, I think Mr. McHugh accurately described how he is picked today.

I have to fess up and tell you I would hesitate to put on the record in precise terms exactly how that occurs, because I am not as familiar with it as I should be.

It is done by this independent review group. There are nominations from the states. It is ultimately selected by the President. It is one of the few that is not totally on the office of the secretary of defense.

But I believe if the Congress required the duties that we believe are the appropriate duties for the chief of the Guard Bureau and elevate him to four-star, I think you would need to look very carefully at the selection process and make it similar to the way the other four-star selections occur.

The CHAIRMAN. Very good. Thank you.

Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Chairman.

It is my understanding that General Blum was both interviewed and selected by Secretary Rumsfeld, which proves that even Don Rumsfeld made one good decision during his six years.

A couple of things on the vehicles. I very much agree with the gentleman from California wanting accountability for where those vehicles are.

I would be willing to wager a state dinner that the Administration has already made plans to give those vehicles away to the Iraqis or someone in theater. But if we want to pass legislation to say bring them back, I would vote for it in a heartbeat.

I very much appreciate all your recommendations, except for one. Obviously, number 14 gives me some heartburn, but you are exactly on track with regard to there is no clear delineation of who is going to take over in this country in the event of a manmade or a natural disaster and we saw that firsthand.

The one part that you have raised that obviously needs addressing is the mentality with the Nation tells the states, "You are on your own for the first 72 hours," because there have been events and there will be events that are so horrible that the states will be incapable of doing that.

In particular, we were reminded that about 40 percent of all the guardsmen, of the Louisiana Guard and 40 percent of the Mississippi Guard happened to have been in Iraq the day of Katrina.

And so those states did not even have the full complement of their own people to call on.

The second thing, as far as rental equipment, my experience was—and this is going to the local engineering unit—they have left every stick of equipment in Iraq. They were told it would be replaced. It wasn't.

By the time the storm hit, to your point, 60 percent of it still—I am sorry—they had 60 percent. But the idea that you can go out and rent it was flawed.

Again, I don't think anyone could have thought this through, because suddenly the military is in a bidding war with civilian contractors who, by the way, have a government cost-plus contract. So they can pay as much as they want for that bulldozer, knowing that they are going to get 10 percent over the cost of that and now the military finds themselves in a bidding war for the same stick of equipment that they could have bought in the normal order of process.

So I think you have raised some excellent points about the need to replace this equipment now, do it in an orderly manner that is hopefully to the best cost benefit to the Nation, and it has got to be on hand, as you said, that minute when something happens.

And I don't think our Nation has addressed that. I very much appreciate your comments when you say we need to decide on this whole homeland security thing, whether or not it is going to be the National Guard's mission, homeland security, and my thoughts fall with it ought to be a National Guard mission.

Quite frankly, we saw how ineffective a political appointee, whose only previous job experience was the head of the Arabian Horse Association, in his role as trying to run FEMA. You look at his e-mails, the guy is worried about did he have the right color shirt on.

You look at his e-mails, he is ordering state dinners on his government credit card, while local communities had resorted to police sanctioned looting over the food stores that remained in order to feed the local population.

There is no doubt in my mind that ought to be a National Guard mission. So again, your point was to raise questions. It is Congress' job to provide solutions, but I very, very much appreciate such a distinguished panel raising these questions, because it is going to happen again.

The one thing I would ask is did you look at—I never felt like all the resources that were available to us were used in Katrina and the statistic is about 52 percent of all Americans live in a coastal community.

So, therefore, if it is a natural disaster or a manmade disaster, New York, Los Angeles, San Francisco, New Orleans, it is probably going to be at a waterfront community and I don't think we have an adequate plan to use maritime resources for that. For example, to bring in barge loads of fuel by water instead of truckloads of fuel over bridges that have been destroyed or to bring information floating hospitals, bring in floating barracks.

To what extent, if any, did your commission take a look at that?

General PUNARO. Again, you have pointed out why NORTHCOM has not got the proper plans. You can't plan at the 100,000 foot

level. You have to plan in the very specific detail that you just identified.

We should know in a given scenario, do we need the comfort or the mercy or are we going to use barges and where are we going to get them from. And, by the way, this can be done by the Department of Homeland Security and the Department of Defense.

We have the best planners in the world. They are not doing it.

Mr. TAYLOR. That was my follow-up question. You saw no evidence that 19 months after the storm, that they have taken the first step to do that.

General PUNARO. They have had a lot of meetings. They have talked to each other extensively. NORTHCOM, under Admiral Keating, has done precisely what the leadership in the Department of Defense wanted him to do, which is develop high level contingency plans, but please don't ever do anything that might get the Department of Defense more involved in protecting the homeland, because it might cost us some money.

So they have written the job descriptions and written the definitions in a way to make sure that see no evil, hear no evil, say no evil, and that is the problem.

NORTHCOM, DOD and DHS all have described a very narrow sandbox. They stay in their sandbox and we never get everybody together for planning and coordination, and that has got to happen. If it doesn't happen, again, we are right now today, for the 15 planning scenarios that the Department of Homeland Security has identified and everybody in government has agreed to that we have got to deal with, we do not have—we are not fully prepared for some, we are not adequately prepared for some, and we are totally unprepared for others.

And the planning and coordination that has to involve the National Guard, the governors, DOD, Centers for Disease Control, FEMA, it is not happening.

Mr. TAYLOR. Thank you, again, for 19 of your 20 recommendations.

General PUNARO. Right.

The CHAIRMAN. Before I call on Mr. Jones, let me mention that my very own Missouri National Guard is planning for the unthinkable. Back in 1811, there was the New Madrid Fault earthquake.

Fortunately, that part of Missouri, that part of the country was not well populated and even the Mississippi River ran backward at that time. And to Missouri National Guard's credit, and hopefully it never comes to pass and I doubt if it will in our lifetime, are establishing various communication units that should that horror come to pass, that tragedy come to pass, that there will be a National Guard response at least regarding the communications from A and B and C, knowing what is going on in that area.

Mr. Taylor asked for unanimous consent, am I correct?

Mr. TAYLOR. Thank you, Mr. Chairman.

Mr. Chairman, I would like to ask unanimous consent that several letters from different organizations in support of H.R. 718, the "Guard Empowerment Act," be included for the record.

The CHAIRMAN. Without objection. Thank the gentleman.

[The information referred to can be found in the Appendix on page 119.]

The CHAIRMAN. Mr. Jones.

Mr. JONES. Mr. Chairman, thank you very much.

General, I want to thank you, as everyone else has done, you and the commission and the staff for putting together this excellent report, which is an recommendation to this Nation, as well as the Congress. I look forward to carefully looking through the report and the recommendations.

I can't help but ask this one question. I only have one or two.

You made mention that before the report came out or maybe at the time it came out, that you were at the Pentagon and two generals asked you, "Did you ask the right questions?"

Do you think there is still—there shouldn't be—but maybe some type of an attitude problem with how certain individuals at the Department of Defense look at the guard?

It should not be, because they have been the real heroes, along with the active duty in Iraq and Afghanistan, there is no question about that. But do you still sense that there is a mindset, so to speak, that maybe the guard is important, but maybe the guard can wait?

I am not just talking about equipment, but I am talking about you mentioned policies that need to be reviewed. It is a different world we all live in as it relates to the guard and their role, both civilian role, as well as warfighters.

Do you think there still maybe needs to be some type of attitude adjustment?

General PUNARO. Yes, I do, but let me make it very specific so we don't put people on report that shouldn't be put on report.

I don't see this as the highest levels of the Pentagon. I certainly don't see it with General Pace or Secretary Gates. They are extremely forward-leaning in the saddle on the Guard and Reserve matters and particularly wanting to work with this committee on these recommendations and the Empowerment Act.

The Air Force has traditionally been very, very supportive of the Guard and Reserve and integrated them and done their best.

Let's be candid. We all know it. This is an Army issue, for the most part, in terms of giving the proper respect, giving the proper coordination. And it has been a challenge. It is not unique to the current time we are in. We have seen it at various peaks and valleys and that is why I think the Guard Empowerment Act is so important.

It will put the guard in the position where it is not dependent on different personalities either on the civilian or the military side, particularly in the Department of the Army.

But, yes, sir, there still are those that do not want to give the Guard and Reserve the respect that they—not that they deserve, but that they have earned, 590,000 have gone to combat.

And in our commission, I felt we would run into somebody somewhere that would say they didn't do a very good job, but we haven't found one person to say they have not performed in a magnificent fashion.

Mr. JONES. General, thank you.

Mr. Chairman, I know that this committee, under your leadership and Mr. Hunter, as well, that we will do what is right to give

the guard the proper respect and equipment and give them what they need.

And I would just say, again, as you said, General, I am going to be repetitious for one moment, the guard, as well as active duty, they are the real heroes in this war in Iraq and Afghanistan and thank you for what you and your staff have done with this report.

I yield back.

The CHAIRMAN. Thank the gentleman.

General Punaro, what you and your commission have done is just yeoman's work and we will not be able to thank you sufficiently and we appreciate your testimony, as well as the subsequent work that we will do together.

Mr. Cummings.

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

General, we have had some problems in Maryland with regard to recruiters, and one of the things that I noted was that there is a GAO report of last fall, August 2006, to be precise, that recruiting improprieties have dramatically increased throughout the Department of Defense.

Specifically between fiscal years 2004 and 2005, service reports identified incidents of recruiter wrongdoing having escalated from 4,400 cases to 6,600 cases.

Meanwhile, criminal cases doubled from approximately 30 cases to 70 cases. GAO further found that DOD has not established an oversight framework that includes guidance specifically requiring the armed services to maintain and report data on recruiter irregularities or even criteria for characterizing the irregularities that occur.

Can you comment on the trends regarding recruiter impropriety in both the Army and Air National Guard and have you found these incidents to be increasing or decreasing and what types of incidents are being reported?

As I said, in Baltimore, we have had some major problems and disservice being done to those young people who wanted to become a part of the guard. Commitments were being made to them, telling them that they would not be going to Iraq and the next thing you know, they are on the front line and all kinds of things and it really gives us a lot of heartburn, because I think it makes it more difficult to recruit.

General PUNARO. Yes, sir. That was not something that we looked at specifically, recruiter misconduct, but I would tell you, as a general observation, because this has been true in other times when recruiting has been increasingly more difficult.

If you go back and look at various points in the last 20 or 30 years, when recruiting gets more difficult, the incidences of malfeasance and recruiter salesmanship and promising things that don't actually come true does go up.

The thing that worries us when we look at the recruiting and the retention is particularly as it relates to the Guard and Reserve, the snapshots they give are just only snapshots in time.

So we kind of looked at sort of the trends and the trends we see are not good in terms of the propensity to enlist, the family support, the employer support, the number of prior service personnel that we really need in the Guard and Reserve is less and less.

So it doesn't surprise me and particularly if you look at the amount of money from 2004 to 2005, we went from roughly $500 million spending on recruiting and retention in the Army, the Army Reserve and Army Guard, to over $2 billion, showing you how much more difficult it is to get people to come in all of the components.

So it doesn't surprise me, as someone that has looked at this over the years, that the incidences of problems with recruiters is going up.

Certainly, the department needs to get on top of it, because that can have a very corrosive effect, as you point out, on future recruiting. But we did not, as a commission, look into that specifically.

Mr. CUMMINGS. Just one other question. I don't know whether this comes under your purview or not.

But when the Government Reform Committee did a hearing at Walter Reed, a young man, a sergeant, came up to me who had been injured and he talked about how it seemed like the enlisted folk—how did he put it—the folk who were not in the guard got service and better service than guys who were in the guard.

Are you following me?

General PUNARO. Yes, sir.

Mr. CUMMINGS. And he was very upset. As a matter of fact, it became a major story on National Public Radio (NPR). They actually interviewed this guy.

Have you heard stories like that? He just felt like he was just like put on the back burner and he felt like it was just very, very unfair. And, by the way, our office was able to help him get a Purple Heart today. He got it this morning at 9.

I am just curious.

General PUNARO. Certainly, we have a subcommittee that Patty Lewis, with Karen Heath as the lead staff that is looking into the healthcare for Guard and Reserve, looking into transition.

It is much more challenging for the Guard and Reserve when they demobilize, because most of them are not located near major military treatment facilities and getting the kind of care that they need.

So we have heard some anecdotes similar to the one that you have described, but they were more related to when they get back out in their communities, where do they go for post-traumatic stress syndrome treatment, where do they go for other problems that have come up by virtue of their deployment, now that they are demobilized and back in the communities.

We haven't run across anything of the nature that you identified at Walter Reed, but that would be part of our broader look at healthcare for Guard and Reserves, which we will report on in January 2008.

Mr. CUMMINGS. Thank you very much.

The CHAIRMAN. The gentleman from South Carolina, Mr. Wilson.

Mr. WILSON. Thank you, Mr. Chairman.

And, General, thank you for being here, and I particularly appreciate that you have brought a fellow commission member, Secretary Ball, who is a highly respected citizen of South Carolina.

Additionally, I particularly appreciate of your efforts and the Guard and Reserves. I served 3 years in the reserves, 28 years in

the guard. The reason I did is because I saw the opportunities of training. I saw the opportunities of working with people who I found to be the most competent and patriotic people in the community.

In fact, it is Guard members and Reserve members that influenced my sons, three, who are now members of the Army National Guard. My one son has sort of followed Secretary Ball, a bit off track. He is a member of the—a doctor in the Navy.

But, again, it is because they met guard members and I know firsthand the guard is prepared domestically for domestic terrorism when it occurs again. I have been there for the hurricane recovery, the snow emergencies, the ice storms, the floods, the tornadoes, the civil disturbances.

And then we have a historian as chairman and, of course, here are members that—we need to be prepared in South Carolina for earthquakes. The great earthquake of August 31, 1886, was in Charleston and I want to assure the chairman that the National Guard is prepared for earthquakes on the east coast of the United States.

In terms of overseas deployment, I am grateful that one of my sons was field artillery, retrained as military police (MP) to serve in Iraq for a year. Another son has served in Egypt.

My unit, the 218th, is being prepared right now for training and service in Afghanistan. And so they are at Camp Shelby receiving the training they need, in Congressman Taylor's home state.

As I look at this, the National Guard Association has commended the commission for recommending the four-star status of the National Guard Bureau chief.

Additionally, I support very much your recommendation for senior status within NORTHCOM.

What would be the rationale for these two very good points?

General PUNARO. Sir, thank you. And, obviously, I tried to talk Commissioner Ball into taking a few bullets up here at the witness table, but he wanted to stay behind and kick my chair when he thought I was going to stray off.

Mr. WILSON. See how bright he is? Look at that.

General PUNARO. And your son's service, obviously, we all appreciate.

Northern Command, the rationale for recommending that either the commander or the deputy commander at Northern Command come from the Guard or Reserve ranks is because the fundamental mission of Northern Command is the defense of the homeland.

The people that have the expertise, as you point out, that know the territory, that know the two million first responders in the United States of America, the firefighters, the police, the medical personnel, they know the governors, they know the county commissioners, they know the local mayors, they know the territory, they should have the lead for homeland defense, just like overseas the U.S.-European Command or the U.S. Pacific Command, they know the territory.

They know their responsibilities. The active forces should have the lead for that and the Guard and Reserve should augment, reinforce overseas as they are doing now.

Here in the homeland, however, we should give the primary responsibility and the lead to the Guard and Reserve and the active component should come in behind and augment, reinforce and work for the Guard and Reserve.

That is very difficult for the active component. They do not like to think that a guard person or a reserve person could be in command of an active duty person.

By the way, in the field, it happens every day. This is Washington. So at Northern Command, which is really more of a functional command than it is a combatant command, they don't have sufficient expertise within the active duty personnel. They don't have the relationships. They don't have the command and control on the ground awareness and we ought to use the strengths that we have in this Nation found in the Guard and Reserve.

For example, you will find in Dallas-Fort Worth the head of emergency management is a lieutenant colonel in the reserves. Why don't we utilize those skills?

So our recommendation for Northern Command is we have got to morph that command into a Guard and Reserve command with the lead responsibility for identifying the requirements for homeland defense and when we need to have an operation, to be in charge of that operation.

And I think you will find—and, by the way, the head of Northern Command, he ought to go meet the governors, because that is his area of responsibility, just like in the Pacific Command, when Admiral Keating leaves Northern Command today at noon and goes out to the Pacific Command, the first thing he is going to do is go meet all the heads of state.

I am not even going to ask the question of how many governors the previous commanders of Northern Command went out to their states and their state capitols and met them.

And so that is why we think the Northern Command—and, by the way, the components, each of the service components, the Army component, the Marine component, the Air Force component of Northern Command ought to be headed by a Guard or Reserve and most of the billets ought to be Guard or Reserve.

So that is our recommendation on the Northern Command.

Mr. WILSON. Thank you, Mr. Chairman.

The CHAIRMAN. I appreciate the gentleman mentioning Secretary and Commissioner Will Ball. Our family will always be appreciative of the fact that he named my late wife Susie as sponsor of the submarine *USS Jefferson*, certainly one of the highlights of our family's memory.

Secretary Ball, we thank you.

Mr. Taylor has a question.

Mr. TAYLOR. Thank you, Mr. Chairman.

General Punaro, I was just curious if you had the opportunity to brief our counterparts in the Senate yet and if you have, knowing that whatever efforts we try to take to enact this into law would have to be in conjunction with them, how did you feel their reaction to your report was?

General PUNARO. That is a tough question.

Mr. TAYLOR. You worked over there for a long time. You can read the body language.

General PUNARO. We made sure and we felt like being up front with this committee as we have been, the Congress was our customer. You all created the commission. Our report was to you all. So we have kept the members of the committee, the members of the Guard Empowerment Act, the other stakeholders fully briefed, and we have made the rounds in the Senate.

We find, generally, Mr. Taylor, that when we talk about the problems and go through the problem set, you get a lot of head nods, yes, yes, yes, yes. We find that in the Senate. We find that at DHS. We find it in the Department of Defense. We find it at Northern Command.

I do know for a fact that the principal sponsors of the Guard Empowerment Act in the Senate, Senators Leahy and Bond, certainly have well articulated the fact that they thought the commission should have gone further than we did, particularly as it relates to recommending that the head of the Guard Bureau be a member of the Joint Chiefs of Staff.

Mr. TAYLOR. That old tricky number 14 again.

General PUNARO. And so I would hesitate to characterize where the Senate Armed Services Committee is, other than to say we have kept everybody fully briefed and fully informed.

And, again, I think our position is we have identified the problems, we have put forth some recommendations. I have, as you well know, tremendous confidence in the committee, this committee and the sister committee.

You all will talk to the—you will look at our recommendations, you will look at the Guard Empowerment Act and talk to those stakeholders, you will talk to the Department of Defense, you will talk to other vested interests and you will come up with probably even better recommendations and solutions than the ones we have identified.

So the reason I am so optimistic, Mr. Chairman, is because I do think, for the first time, we see a very good consensus on these are the real problems that need to be fixed.

I would say even DHS, George Foresman, the undersecretary for preparedness, probably is as knowledgeable a guy as we have ever had in government on that. He understands that these problems have got to be fixed.

Unfortunately, he is kind of in a straightjacket a little bit just like Admiral Keating at NORTHCOM was in a straightjacket a little bit. Paul McHale, who served on this committee, was in a straightjacket a little bit.

So our thing is let's get them all out of their straightjackets, get them all sitting down at the table all at the same time, let's get this worked out and let's get everybody on the same team, because the number one mission is protecting the lives, the property and economy of our citizens here at home.

Mr. TAYLOR. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank the gentleman.

Special thanks to you, General Punaro, for your excellent testimony and for the wonderful work that your commission has done. I know full well of the efforts that you and your commissioners have given.

I know there is another report due some months from now. We look forward to that. However, what you have offered us will be excellent food for thought for the upcoming markup that this committee will face in the very near future.

So with that, we thank you for your testimony.

As has just been indicated, we have a series of votes upcoming.

And if there is no further business, with appreciation, we thank you.

General PUNARO. Thank you, Mr. Chairman.

[Whereupon, at 12:26 p.m., the committee was adjourned.]

A P P E N D I X

March 23, 2007

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

MARCH 23, 2007

ROA™
RESERVE OFFICERS ASSOCIATION

"Working Together"
1 Constitution Ave NE
Washington, D.C. 20002
ROA – 202-646-7713
REA – 202-646-7715

REA
RESERVE ENLISTED ASSOCIATION

WRITTEN STATEMENT SUBMITTED FOR THE RECORD

The Reserve Officers Association and the Reserve Enlisted Association urge the HASC Committee to support the recommendations made by the Commission on the National Guard and Reserve in their second report to Congress.

The Commission on the National Guard and Reserve has issued its second report, entitled "Strengthening America's Defense in the New Security Environment." The report made 23 suggestions for significant reforms necessary to update and improve the status, structure, and activities of the National Guard and Reserves.

The ROA and REA agree with the majority of these recommendations. We found the Commission's findings to be comprehensive and based on sound logic. Additional recommendations follow.

ROA's and REA's 72,000 members include Reserve and Guard Soldiers, Sailors, Marines, Airmen, and Coast Guardsmen who frequently serve on Active Duty to meet critical needs of the uniformed services and their families. ROA's membership also includes officers from the U.S. Public Health Service and the National Oceanic and Atmospheric Administration who often are first responders during national disasters and help prepare for homeland security.

ROA and REA share the Commission's concerns over the difference between rhetoric and action when it comes to homeland defense. With DoD's focus on the Global War on Terrorism, not enough attention is being given to Homeland Security. Budgeting and programmed equipment for civil support missions are falling into the white space between the organization charts of DoD and the Department of Homeland Security. Jurisdiction confusion has occurred which affects the resourcing of the National Guard, and Reserve commands with homeland security responsibilities. **The recommendations in Section A, *DoD's Role in the Homeland* should be accepted.**

The publication of a mission tasking should be required for each Service listing both homeland and active duty mission assignments for Reserve and Guard units. The RC must proactively be assigned specific missions and be organized, trained, equipped and resourced to accomplish those missions. This will enable Congress to determine if these units are being properly resourced.

ROA and REA have concerns over the inclusion of Guard and Reserve equipment in the Army and Air Force budgets. We believe this equipment needs to be identified, and "fenced" for Reserve use. To ensure the Reserve Component is capable of fulfilling its role in the National Military Strategy, which includes both homeland and overseas defense, Congress must exercise an oversight role by receiving periodic reports from the Secretary of Defense, Chairman of the Joint Chiefs of Staff, Service Chiefs, Chief of the National Guard Bureau, and Reserve Chiefs on the mission capabilities of the RC. Such a report must address the quantity, readiness, availability and interoperability of RC equipment.

It is the responsibility of the Chairman of the Joint Chiefs of Staff and the Service Chiefs, under the

- Continued on Back -

direction of the Secretary of Defense, to ensure that all elements of the RC are properly tasked, organized, trained, and equipped; and that they are capable of accomplishing the warfighting and homeland security missions assigned by combatant commanders or, in the case of the National Guard, by their governors.

ROA and REA generally concur with the recommendations made by the Commission in Section B, *The Role of States and Their Governors*. The roles played by Federal forces serving with several states require careful attention by all concerned.

The Associations also concur with the recommendations made in Section C, *the National Guard Bureau*. It is important that the Chief of the National Guard Bureau (CNGB) become the senior advisor to the Chairman of the Joint Chiefs of Staff (CJCS) on matters of the National Guard in its nonfederal role. While the Commission also recommends that the commander of U.S. Northern Command should be an advocate for civil support, the CNGB should provide feedback to the CJCS pertaining to resourcing homeland defense and in this capacity would deserve a 4th star.

ROA and REA agree in principle with the recommendations in Section D, *U.S. Northern Command*. It is important for either the commander or deputy to be a flag or general RC officer. ROA and REA continue to believe that the Commander of USNORTHCOM be a Reserve Component officer. It is also vital that active component leaders understand the Reserve Component by serving in the company of the RC. A Reserve qualification and credentialing mechanism should be studied and implemented.

ROA and REA <u>cannot</u> yet support Section E makes recommendations on *Reserve Policy Advice*. ROA and REA support rewriting the charter and reorganizing of Reserve Forces Policy Board, making it structurally more similar to the Defense Science Board and making it an independent advisor and resource to the Secretary of Defense on Guard and Reserve issues. The Commission recommends the new board be composed of 20 members from outside of the Department of Defense. We believe all members need National Guard or Reserve experience. The Commission's recommendations require more specificity to be adequately evaluated.

ROA and REA agree with Section F makes recommendations on *Reserve Officer Promotions*. ROA and REA endorse mandatory Joint duty for both officer and senior enlisted RC personnel. RC officers should be required to serve in a Joint duty status to be promoted beyond O-5, but Congress must provide a method by which Guard and Reserve personnel can achieve JSO qualification without extended active duty. Accumulative duty period of less that 10 months length must be credited. We believe that the extended JSO (Joint-specialty officer) waiver of that requirement for RC three-star positions must be eliminated. All Joint and Service schools should be required to provide grade-appropriate course content regarding the RC as an integral part of the course curriculum. Options should be explored to include distant learning by computer to expand JSO training opportunities for both Active and Reserve personnel.

The findings of the Commission on the National Guard and Reserve should be viewed as an excellent starting point for discussion and development of legislation for FY-2008. In this report the Commission is fulfilling its mission statement "to identify and recommend changes in policy, law regulation and practice." **Congress should give the most serious consideration to the Commissions recommendations.**

ROA Legislative Director, Marshall Hanson, CAPT, USNR (Ret)
202-646-7713, mhanson@roa.org
REA Legislative Director, Seth Benge, OC, USARNG
202-646-7714, sethbenge@reaus.org

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STATEMENT OF

ARNOLD L. PUNARO

CHAIRMAN

COMMISSION ON THE NATIONAL GUARD AND RESERVES

ON THE

MARCH 1, 2007, REPORT TO CONGRESS:

Strengthening America's Defenses in the New Security Environment

BEFORE THE

HOUSE ARMED SERVICES COMMITTEE

MARCH 23, 2007

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TESTIMONY OF ARNOLD L. PUNARO
CHAIRMAN, COMMISSION ON THE NATIONAL GUARD AND RESERVES
BEFORE THE HOUSE ARMED SERVICES COMMITTEE
MARCH 23, 2007

It is a pleasure to appear before the Committee this morning to discuss the March 1 report of the independent Commission on the National Guard and Reserves, titled *Strengthening America's Defense in the New Security Environment.*

On behalf of my fellow Commissioners, whom I'm representing here today, I want to thank you, Mr. Chairman, and the Ranking Member, Mr. Hunter, for the support you have given the Commission. You have both been overly generous with your time and support, and we have benefited from your many contributions to our work. We also want to thank you for the use of your Committee rooms for our Commission hearings and for the terrific support we have received from the staff.

The National Guard and Reserves remain a vital part of our nation's defense capabilities, both at home and abroad. Since September 11, 2001, more than 590,000 guardsmen and reservists have been activated for Operations Noble Eagle, Enduring Freedom, and Iraqi Freedom. They have fought side by side with the active forces, and have performed magnificently. In this same time frame, tens of thousands of reservists have supported contingencies here at home from floods to fires to hurricanes to airport and border protection.

As established by section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, the Commission is chartered to identify and recommend changes in law and policy to ensure that the National Guard and Reserves are organized, trained, equipped, compensated, and supported to best meet the national security requirements of our nation now and in the future. That report is due in January 2008. The report before you this morning is the result of your additional tasking in section 529 of the National Defense Authorization Act for Fiscal Year 2007 to study the "advisability and feasibility of implementing" the provisions of the proposed National Defense Enhancement and National Guard Empowerment Act, sponsored by Senators Leahy and Bond and by Representatives Taylor and Davis, and many others.

The analysis in our March 1 report has been informed by 12 days of public hearings, more than 300 interviews with officials and other subject matter experts, and the analysis of documents and other data supplied at the Commission's request. The Commission sought information from a wide range of witnesses and was determined to get as complete an understanding as possible of the pros and cons of each provision of the bill. As part of that process, we asked the congressional sponsors to identify the

individuals who could best represent their position on this legislation. On the basis of their recommendation, we received testimony from three distinguished adjutants general at our December hearing. At our December and January hearings, the Commission also heard from the Chairman of the Joint Chiefs of Staff, the Chief of Staff of the Army, the Chief of Staff of the Air Force, the Under Secretary of Defense for Personnel and Readiness, the Under Secretary of Homeland Security for Preparedness, the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau.

At the outset, I need to say that the Commission did not expect to find the problems affecting the Guard and Reserve to be as serious they are today. As a result of our research, analysis, site visits, and testimony, we came to the conclusion "that the current posture and utilization of the National Guard and Reserves as an 'operational reserve' is not sustainable over time. If not corrected with significant changes to law and policy, the reserve component's ability to serve our nation will diminish." This lack of sustainability and increasing deterioration in capability is a cause of great concern to the Commission, as I know it is to you.

On a somewhat brighter side, we are optimistic about the consensus that seems to be developing regarding the need to solve these long-standing problems. Congress continues to be in the forefront of needed change, and I find the Department, under Secretary Gates, to be extremely open-minded and receptive to correcting the problems. According to Secretary Gates, he and General Pace intend to work closely with the members of this Committee and the sponsors on any legislation you take up in this area. These are most welcome developments. Most of our recommendations can be implemented by the executive branch without legislation, and I understand Secretary Gates is actively considering those. Only 8 of the 23 require changes to law, and of those 8, key portions can be advanced prior to legislation.

I would like to turn now to our report. In evaluating the legislation, we wanted first to identify the problems that need to be fixed and, second, to develop criteria to use in analyzing potential solutions to those problems. The Commission largely agrees with the proponents of the National Guard Empowerment Act on the nature of the problems.

Our report states some blunt truths about DOD's and the executive branch's role in the homeland:

- DOD does not program and budget for its civil support mission;

- There is no process within either the Department of Defense or the Department of Homeland Security to define and validate civil support requirements;
- States and their governors lack involvement and influence in the DOD decision-making process;
- There are not sufficient formal relationships and interagency coordination among the National Guard Bureau, U.S. Northern Command, Joint Forces Command, the Joint Chiefs of Staff, and the Department of Homeland Security, each of which plays a critical role in homeland security and homeland defense; and
- Finally, the National Guard and the governors do not have sufficient clout in the decision-making process.

Fixing those problems, however, requires a broader, more strategic, and systemic interagency and intergovernmental approach than the National Guard Empowerment Act envisions. In formulating our recommendations, we have been guided by principles aimed at improving U.S. national security capabilities in general, not simply those of the National Guard. We viewed the National Guard as part of a total force of military and civilian agencies, federal, state, and local, working in concert to achieve national objectives, not as a military or political entity that can be viewed in isolation.

Therefore, our report recommends a comprehensive package of reforms to significantly improve the coordination and the resourcing of the National Guard and Reserve forces that will be called on to protect the homeland. We believe these reforms would have a profound, lasting, and positive effect on the full spectrum of federal, state, and local governments and their agencies and departments that have a role in protecting and promoting U.S. national security. These are not "halfway measures." In our judgment, they would usher in a sea change in how the agencies of our government prepare for and respond to threats to our homeland.

The report contains 26 findings, 6 broad conclusions, and 23 specific recommendations. In addition, the full details of our views on the specific legislation we were asked to consider are attached at the end of my written statement. Our recommendations fall into six major subject areas: (1) the Defense Department's role in the homeland, (2) the role of states and their governors, (3) the National Guard Bureau, (4) U.S. Northern Command, (5) reserve policy advice, and (6) reserve component officer promotion.

I want to briefly highlight some of the major recommendations within each area, including our rationale for several recommendations that have been the focal point for debate since our report's release.

The Defense Department's role in the homeland

The legislation's sponsors were clearly and correctly focused on trying to ensure that the Guard is a major player when important resourcing decisions are made, particularly in the area of civil support. The Commission shares the proponents' concern that DOD currently treats domestic response capabilities as just a by-product of its overseas warfighting capabilities. We believe that is a flawed assumption. We became increasingly convinced that a fundamental reason for lack of preparedness was the absence of a requirements determination process for civil support equipment and other homeland needs. As members of this Committee are only too aware, DOD does not program and budget for anything in the planning, programming, budgeting, and execution system – PPBES – process unless there is a clearly defined requirement. Requirements identification is the fundamental first step to getting anything funded. Lieutenant General Blum, the current Chief of the Guard Bureau, has been successful in getting four homeland security capabilities, including a CBRNE Enhanced Response Force Package, validated by the Joint Requirements Oversight Council and thus placed in the PPBES queue for funding. But this was an exception – achieved, at least in part, by the force of his personality and not through any established process. Beyond Lieutenant General Blum's forays to the JROC, we were unable to identify either a formal requirements generation process for civil support or a government official who believed that he or she had the responsibility to identify those requirements. What is the solution to this problem?

The National Guard Empowerment Act would address these deficiencies by giving the Chief of the National Guard Bureau the responsibility to "identify gaps between federal and state capabilities to prepare for and respond to emergencies." This would provide the National Guard Bureau a number of new powers to facilitate the filling of those gaps once identified, including the preparation of the budget for National Guard civil support activities and "the authority to acquire equipment, materials, and other supplies."

In evaluating the merits of the National Guard Empowerment Act provision regarding separate budget and acquisition authority, the Commission examined an arrangement that is often cited as a useful analogy: the Special Operations Command's ability to acquire equipment for special operations mission-specific purposes. We found what we believe are a number of important distinctions. Special

operations equipment is highly specialized for that mission, while much of the civil support equipment consists of general (or dual) use items such as trucks, radios, engineer equipment, and general supplies that can be employed both for wartime needs and for homeland emergency response.

More fundamentally, military operations performed by SOCOM are inherently a DOD activity. Emergency response, on the other hand, is an activity led on the federal level by the Department of Homeland Security. DOD supports DHS under the National Response Plan, and DHS in turn supports state and local governments. By law, the Secretary of Homeland Security today has the role of identifying the gaps between state and federal emergency response capabilities. The primary role assigned to the Secretary of Homeland Security and the inherently interagency and intergovernmental nature of DOD's role in the homeland make it problematic to give the Chief of the National Guard Bureau the authority to identify and budget to fill those gaps.

The Chief of the National Guard Bureau is not in the best position to decide, for example, which level of government – local, state, or federal – should have the responsibility to provide a required capability. Military power is only one instrument of government power. There are approximately 2 million state and local first responders in the United States, a number roughly comparable to the size of the U.S. armed forces. The Guard Bureau Chief is not in the best position to decide whether a response capability should be the responsibility of the state police rather than the National Guard, or whether the capability could best be supplied by active duty military forces in the state. The Chief also is not in the best position to determine the precise capability needed in a piece of equipment to fully leverage the use of that equipment in conjunction with other state and local first responders. For example, should the radio purchased for the National Guard be capable of communicating with local firefighters? Nor is the Chief in the best position to decide who among the various agencies and levels of government should be responsible for funding that capability. Should DOD pay for all National Guard radios? Should the state pay some of the cost? Should DHS pay for National Guard equipment used in civil support missions to ensure its compatibility with equipment used by state and local first responders? Giving the job of identifying gaps to the Chief and creating a separate pot of money within the National Guard Bureau would not foster the needed interagency and intergovernmental approach to solving these problems.

The Commission is particularly concerned about the potential pitfalls of separate acquisition authority. Equipment procured for the Guard must be available to meet Army and Air Force wartime requirements, as well as to fulfill civil support needs. Separate acquisition authority could result in a disconnect between these two missions and cause the loss of economies of scale in the purchasing of

National Guard equipment. The Commission believes that it is better to meet civil support needs by including what is required for that mission in the two services' budgets and by dramatically changing the requirements definition process and the Guard's clout within the existing decision process.

We also recommend an interagency, intergovernmental approach that includes a role for all the major players. As the official tasked with coordinating national preparedness and response, the Secretary of Homeland Security has the primary federal responsibility for supporting state and local authorities in their efforts to respond to disasters, whether natural or man-made, and for identifying gaps between federal and state capabilities; the Secretary of Homeland Security, in coordination with of the Secretary of Defense, should generate civil support requirements. The Secretary of Defense should, in turn, be responsible, first, for validating those requirements and, second, for incorporating validated requirements into the Department's planning, programming, budgeting, and execution process. Civil support should no longer be an afterthought. Validated civil support requirements – and the critical word here is "requirements" – should be a specifically identified responsibility for which DOD and the Guard's two parent services, the Army and Air Force, would explicitly program and budget. The Chief of the National Guard Bureau should play a role in this process as directed by the Secretary of Defense. And the commander of U.S. Northern Command – as a combatant commander – should be an advocate for civil support programs across the entire PPBES process, a responsibility that every other combatant commander undertakes for DOD resourcing of capabilities required within the commander's area of responsibility. The Guard Bureau, DHS, and NORTHCOM should exchange key personnel and work all these issues in a highly coordinated process. In military terms, each should get "inside the wire" of the other's CP (command post).

The role of states and their governors

The Commission focused on a critical player: the nation's governors. As both the duly elected chief executive and the commander in chief of National Guard forces within each state, governors are an important component of the issues the Commission has been tasked to address, particularly as related to the National Guard Empowerment Act. We have actively sought their input through a variety of venues, including one-on-one meetings, witness testimony, correspondence, and a meeting with the National Governors Association. The governors' unhappiness with DOD on a variety of fronts has been palpable. We have included a number of recommendations designed specifically to address the concerns they have raised and related problems that we have identified.

I have previously discussed the sea change that the Commission recommends with respect to DOD's role in funding for civil support – from initial requirement definition to specifically assigned responsibility for advocacy through the programming and budgeting process. Unfortunately, although DOD says that support to civil authorities is a major U.S. Northern Command mission, it has not prioritized accordingly. Consequently, the Department has shown little interest in what the governors think or what they need in order to execute their responsibilities for emergency response. To remedy this, the Commission recommends the establishment of a bipartisan, 10-member Council of Governors to advise the Secretary of Defense, the Secretary of Homeland Security, and the White House Homeland Security Council on National Guard and civil support matters. Such a channel of communication is long overdue.

In addition, in reviewing the various postmortems of lessons learned from Hurricane Katrina, the Commission was troubled by the lack of coordination between Title 32 and Title 10 forces – whether active duty or reserve component. As a result, we recommend expanding the circumstances under which governors can direct all federal military assets operating in their states. While this may raise some concerns from an inside-the-Beltway DOD-centric perspective, the American public doesn't care whether the first responder to domestic emergency or natural disaster is in Title 10 or Title 32 status. All the public cares about is that the government responds in such emergency situations as quickly and efficiently as possible – with the closest and most capable resources available.

Here is how the Commission envisions this working. All military forces necessary to respond to a particular contingency in a state – whether active duty, Guard, or reserves – would be incorporated into the plans, training, and exercises for that response. As part of that planning, state and federal officials would work out under what conditions federal forces could be directed by state officials. When a crisis occurs, the governor could request that responding federal forces be placed under the operational control of the leading Guard officer, pursuant to those plans and protocols. The state's joint force headquarters with a federally certified commander would be the likely command and control element. This could be done through something as simple as a phone call, or formally, through a letter to the President. The Commission envisions this request being made just as a governor might request that the President declare that a major disaster exists in the state, opening the way for federal disaster assistance. The President would evaluate the request, with the assistance of the Defense Department, in much the same way that the Federal Emergency Management Agency advises the President on requests for disaster assistance. If the President agreed that this step was necessary, the President would place

responding federal forces under the control of the governor. The President would retain formal command of those federal forces; they would remain under the administrative control of their respective services and be subject to *posse comitatus* and other restrictions. They would still be part of the federal military. The only difference would be that they would be subject to the direction and control of the governor acting through his or her designated military commander. There could also be pre-planned and pre-trained scenarios where this could be "automatic." We all know how vital "unity of command" and "unity of effort" are for successful emergency response operations. This provision will help make it a reality.

This change would raise a number of issues – such as what particular roles these forces should fill and who would pay for their service – many of which will be particular to specific states. As a result, the Commission strongly believes that the Department of Defense and the states should enter *in advance* into agreements specifying when, where, how, and under which circumstances federal forces could be placed under the control of the governor. At any time, the President could remove those forces from the governor's control. But we anticipate that control will be withdrawn from the governor in accordance with preexisting agreements as soon as the federal forces were no longer needed in the response. In the small percentage of events in which the President determined it necessary to federalize the military involved in the response effort, the transition to federal control of the Guard and Title 10 military forces the President chose to federalize would be easier, because they already would be functioning as one team.

The National Guard Bureau

I'd like now to turn to the focal point of the National Guard Empowerment Act – the organization and structure of the National Guard Bureau and the duties and responsibilities of its Chief. The Commission recommends making the National Guard Bureau a joint activity of DOD, rather than having it remain a joint bureau of the Army and Air Force. While the term "joint activity" is not well defined, we believe it makes sense to apply the term to the National Guard Bureau given the other changes we also recommend. We recommend making the Chief a senior advisor to the Chairman of the Joint Chiefs of Staff and, through the Chairman, to the Secretary of Defense on matters related to the National Guard when not in active federal service. This concept was supported by the Chairman of the Joint Chiefs of Staff in his January testimony before our Commission. The Commission recommends expanding the Guard Bureau's charter to include responsibility for facilitation and coordination with

federal agencies like DHS, the states, U.S. Northern Command, and Joint Forces Command on the use of nonfederalized National Guard forces for domestic contingency operations, support to civil authorities, and other homeland activities. To foster unity of effort in responding to homeland-related contingencies, the Commission recommends that the National Guard Bureau exchange personnel with DHS, NORTHCOM, and JFCOM to assist in operational planning.

And we recommend, based on our examination of the current and proposed additional duties and responsibilities required, that the position of Chief of the National Guard Bureau warrants a fourth star.

To wade through the morass of conflicting views on this issue, we commissioned a study by the Federal Research Division of the Library of Congress to examine the primary duties and responsibilities of the major four-star billets and to assess how the job of the Chief of National Guard Bureau compares to the scope and responsibilities of the typical three-star billet. The Federal Research Division developed a systematic, comparative overview of the functions and scope of four-star billets and also consulted a list of 16 key factors to determine the level of responsibility associated with a particular general or flag officer billet included in a 2004 Government Accountability Office study. Both of these studies are appended to the end of my testimony. The Federal Research Division found that four-star billets differ significantly as to whether or not they entail command authority over combatant forces, that "such authority is not the *sine qua non* of four-star rank," and that a large proportion of four-star positions do not entail any such authority. The Research Division suggested a better point of comparison would be the individual service four-star major commands that are "functional commands, providing support services, such as training and materiel development," to the military services to facilitate their provision of combat-ready forces to joint warfighting organizations. In his January testimony, General Pace recommended that the decision should be based on the duties of the office; that is, in fact, the criterion the Commission used – informed by the Federal Research Division and GAO analyses.

The Commission found that the responsibilities of the Chief, particularly since 9/11, are substantially greater than those delineated in the NGB charter, that they include not just functions internal to the Department of Defense but also primary liaison responsibility between DOD and the governors and adjutants general of the 54 states and territories. Our recommendations in the March 1 report would further expand the Chief's portfolio. Given that analysis, the Commission felt the position of Chief of the National Guard Bureau warranted four-star rank, should Congress require those duties to be performed. We also recommended that the position be reevaluated periodically to ensure that the required duties remain commensurate with the grade of O-10.

We also carefully considered the proponents' arguments for making the Chief of the National Guard Bureau a member of the Joint Chiefs of Staff. Our unanimous conclusion was that he should not be made a member. The Commission found most compelling the argument that the proposal to put the Chief of the National Guard Bureau on the JCS would effectively make the National Guard a separate service. This runs completely counter to the thrust of Goldwater-Nichols to foster jointness among all services and components. Those of us, like the Chairman and Congressman Hunter, who were here in 1986 and were instrumental in the passage of Goldwater-Nichols recognized that enacting the legislation was only a first step toward the enhanced military effectiveness that the legislation envisioned. It took almost a decade before some of the services stopped trying to repeal major portions of the legislation. Now, 20 years later, the joint vision of Goldwater-Nichols is a reality. We must be extremely vigilant that we not take a major step backward. In his testimony, General Pace put it very succinctly:

> We spent 20-plus years, first kicking and dragging our feet and then embracing jointness, as directed by the Goldwater-Nichols Act, all to get one Army, one Navy, one Air Force, one Marine Corps, one Joint Force. If you make this individual a member of the Joint Chiefs, you create two Armies and two Air Forces. You're going absolutely 100 percent counter to the thrust of Goldwater-Nichols and you will do major damage to the synergy that we've gotten. Even though we had to be dragged and pulled in that direction, we are there and we should not take a step back. So I would recommend, in the strongest terms I know how, do not do that.

The Commission found General Pace's arguments persuasive. In addition, we believe that we have identified an alternative framework, which I outlined earlier in my testimony, to more effectively deal with the very legitimate civil support resourcing issues that the National Guard Empowerment Act sought to correct. The Commission instead recommends modifications to the position and authority of the Chief of the National Guard Bureau; increased exchange of personnel among the Department of Homeland Security, Northern Command, Joint Forces Command, and the National Guard Bureau; an increased voice for the governors; and assignment to the Secretaries of Homeland Security and Defense of the responsibility for developing and validating requirements for civil support.

U.S. Northern Command

The response to Hurricane Katrina exposed the fissures and gaps between those federal entities with the responsibility to plan for, coordinate, and respond to a disaster of this magnitude. There is no question that the National Guard Bureau did a magnificent job in coordinating the movement of 70

percent of the military forces that responded to Katrina. As a part of our research, the Commission scrutinized the role of U.S. Northern Command and the lessons learned from the Hurricane Katrina experience. There were clear disconnects between Northern Command's control of Title 10 active and reserve forces and the National Guard Bureau's coordination of National Guard forces. NORTHCOM is the unified command with primary responsibility for both homeland defense and civil support missions. However, it sees its primary mission as homeland defense, the protection of U.S. against external threats – and **not** civil support. The Commission made a number of recommendations that relate to changing Northern Command's role and makeup.

To be ready for a catastrophe in the United States, the Commission believes that DOD must elevate the importance of civil support and incorporate that importance into all defense strategy and planning documents. Doing so will give Northern Command and the National Guard Bureau the ability to plan for and prioritize civil support appropriately alongside homeland defense and other missions. The National Guard and other reserve components bring a number of advantages to disaster response beyond, in most instances, providing the bulk of forces. Guardsmen are experienced in working with first responders and are knowledgeable about local conditions. Unfortunately, despite this critical expertise, the National Guard plays only a limited role at Northern Command today. Just 5 percent of NORTHCOM's billets are filled by guardsmen – with another 3 percent filled by other reservists. By contrast, the Commission recommends that a majority of U.S. Northern Command's billets, including those of its service components, should be filled by leaders and staff with reserve qualifications and credentials.

The National Guard Empowerment Act would require that the deputy commander at NORTHCOM be filled by a qualified National Guard officer. The Commission instead recommends that either the four-star commander position or the three-star deputy commander slot should be filled by a National Guard or Reserve officer at all times. We concur with the testimony of Chairman of the Joint Chiefs of Staff General Peter Pace at our January hearing that there are currently serving Reserve and Guard general officers who are qualified for the position of four-star commander of U.S. Northern Command. We think it is time for them to be given one or both of these command billets and believe that DOD should have the flexibility to pick the "best qualified" at the time and not be limited only to the deputy slot.

Reserve policy advice

Another area where we believe significant reform is necessary is the Reserve Forces Policy Board. The board predates the passage of Goldwater-Nichols as well as the creation of the Office of the Under Secretary of Defense for Personnel and Readiness. The RFPB's authorizing statute has not been modified to reflect these changes. As presently constituted, the 24-member RFPB includes a civilian chairman appointed by the Secretary of Defense, the service assistant secretaries for manpower and reserve affairs, and flag and general officers from each of the active and reserve components. The RFPB has a 10-member staff – including one two-star general officer and five colonels – that serve the board. The annual personnel and recurring operating cost of the RFPB is $1.6 million, although this does not include the infrastructure, facility, or other operating expenses.

Under current statute, the board, acting through the Assistant Secretary of Defense for Reserve Affairs, is the principal policy advisor to the Secretary of Defense on matters relating to the reserve components. A consequence of the board's reporting through the ASD-RA, then reporting through the Under Secretary of Defense for Personnel and Readiness, is that both the assistant secretary and the under secretary can control and filter advice provided by the board to the Secretary. In addition, another statute established the Office of the Assistant Secretary of Defense for Reserve Affairs and provided that its principal duty is the overall supervision of reserve component affairs of the Department of Defense. In theory, this mandate is not inconsistent with the primary responsibility of the RFPB. In practice, however, there is uncertainty about where primary responsibility really lies for making recommendations to the Secretary of Defense involving reserve component policy issues.

Another concern is that with the exception of the civilian chairman, every member of the RFPB is a sitting political appointee in the Department of Defense or a serving military officer. When all who sit on it are DOD insiders – and, therefore, players in the day-to-day turf battles and internal decision-making system – a board is less likely to fully consider new ideas, incorporate private-sector best practices, and critically examine present policies. This problem is inherent to the structure of the institution and independent of the personalities and governing styles of the individuals who occupy the offices of ASD-RA and USD P& R.

The Commission is convinced that the board as presently configured is not functioning effectively. The Commission recommends reconstituting the Reserve Forces Policy Board, altering its fundamental purpose, and changing how it fits into the Pentagon bureaucracy. As Lieutenant General

Blum testified in January, the board's influence within DOD has been minimized. The Commission concludes that the RFPB could better evaluate issues and better advise the Secretary of Defense on policy if it were modeled after independent advisory organizations such as the Defense Business Board, Defense Science Board, and Defense Policy Board – which are composed of individuals from outside the Department of Defense.

Reserve component officer promotion

One of the tasks you gave the Commission in the original authorizing statute was to assess traditional career paths for reserve component members. Pursuant to section 3 of the National Guard Empowerment Act, we addressed one element of broader career path concerns: specifically, the need to make reserve component general and flag officers more competitive for promotion to three- and four-star positions of importance and responsibility, as prescribed by section 601 of Title 10.

Reserve component general and flag officer issues must be addressed at the junior and mid-grade levels by increasing access both to joint professional military education and to joint duty experience. The Commission will closely monitor DOD's implementation plan for your recent statutory changes to Goldwater-Nichols. These changes reflect the altered character of many joint duty positions in today's joint task force/contingency operations environment. We will recommend any needed further changes in our January 2008 final report. We will also closely scrutinize what actions the Secretary of Defense may take, based on the Commission's recommendations, to enhance opportunity for all reserve component officers to achieve education, training, and promotion opportunities.

Conclusion

Mr. Chairman, thank you again for the opportunity to appear before the Committee today to present the results of the Commission's work on the provisions of the National Guard Empowerment Act. We have conducted our work on these proposals with due diligence. We believe that the recommendations we make in our report, if implemented, would have profound, lasting, and positive effect on U.S. national security. We know that you will give them thoughtful consideration. We know that Congress will take our input, together with its own proposals; will reach out to the sponsors and to DOD, DHS, the governors, and their adjutants general; and will probably come up with even better solutions to the problems we have identified. We welcome them, as we are all focused on fixing the problems, not on whose solution gets implemented.

Our work is not done. In our remaining months we will take up the many issues covered in our original charter, exploring changes to how the Guard and Reserves are organized, trained, equipped, compensated, and supported. We welcome your continuing input and continued support in those efforts. The Commission will submit its final report no later than January 31, 2008.

Thank you again. I stand ready for your questions.

Attachments:

- *Strengthening America's Defenses in the New Security Environment*, Appendix I, Commission recommendations regarding the proposals of the 2007 National Defense Authorization Act and the National Defense Enhancement and National Guard Empowerment Act.
- *On Raising the Rank of the Chief of the National Guard Bureau*, A Report Prepared by the Federal Research Division, Library of Congress, February 2007.
- *Military Personnel: General and Flag Officer Requirements Are Based on DOD's 2003 Report to Congress*, "Appendix I: Sixteen Factors Used to Validate General and Flag Officer Requirements," Government Accountability Office, GAO-04-488, April 2004.

APPENDIX 1

THE PROPOSALS OF THE 2007 NATIONAL DEFENSE AUTHORIZATION ACT AND NATIONAL DEFENSE ENHANCEMENT AND NATIONAL GUARD EMPOWERMENT ACT

The following is a summary of each issue that the Commission on the National Guard and Reserves was directed to assess in the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) and the National Defense Enhancement and National Guard Empowerment Act (S. 2658/H.R. 5200).

Section 529(a)(1) of the National Defense Authorization Act for Fiscal Year 2007 requires the Commission on the National Guard and Reserve to study "the advisability and feasibility of implementing the provisions of S. 2658 and H.R. 5200 of the 109th Congress, as introduced in the Senate and the House of Representatives, respectively, on April 26, 2006."

1. Section 2(a)(1) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10501 by striking "joint bureau of the Department of the Army and the Department of the Air Force" and inserting "joint activity of the Department of Defense."

   The Commission recommends in favor of this proposal. The National Guard Bureau should be made a joint activity of the Department of Defense, rather than remain a joint bureau of the Army and Air Force. This designation should not change the relationship between the National Guard Bureau and the Army and Air Force related to Title 10 matters and to planning and budgeting for Title 32 mission requirements.

2. Section 2(a)(2) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10501(b) by striking "between" and all that follows and inserting "between—

   > "(1)(A) the Secretary of Defense, the Joint Chiefs of Staff, and the commanders of the combatant commands of the United States, and (B) the department of the Army and the Department of the Air Force; and
   >
   > "(2) the several States."

   The Commission recommends a modification to this proposal. The Commission recommends that the charter of the National Guard Bureau be modified to make the Chief of the National Guard Bureau a senior advisor to the Chairman of the Joint Chiefs of Staff and, through him, to the Secretary of Defense on matters related to the National Guard when not in active federal service. The Commission further recommends that the National Guard Bureau Charter be modified to establish an advisory relationship between the Chief of the National Guard Bureau and the commanders of the combatant commands of the United States, and between the Chief of the National Guard Bureau and the Department of Homeland Security.

3. Section 2(b)(1) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10502(c) by inserting "to the Secretary of Defense, to the Chairman of the Joint Chiefs of Staff," after "principal advisor."

The Commission recommends a modification to this proposal. The Commission recommends that the statute authorizing the National Guard Bureau Charter be amended to provide that the Chief of the National Guard Bureau shall be a senior advisor to the Chairman of the Joint Chiefs of Staff and, through him, to the Secretary of Defense, on matters related to the National Guard when not in active federal service. The Commission further recommends that the National Guard Bureau Charter be modified to establish an advisory relationship between the Chief of the National Guard Bureau and the commanders of the combatant commands of the United States, and between the Chief of the National Guard Bureau and the Department of Homeland Security.

4. Section 2(b)(2) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10502 by redesignating subsection (d) as subsection (e) and inserting new subsection (d):

   "(d) Member of the Joint Chiefs of Staff.—The Chief of the National Guard Bureau shall perform the duties prescribed for him or her as a member of the Joint Chiefs of Staff under section 151 of this title."

   The Commission does not recommend that the Chief of the National Guard Bureau be made a member of the Joint Chiefs of Staff, on the grounds that it would be fundamentally inconsistent with the status of the Army and Air National Guard as reserve components of the Army and Air Force. This proposal would run counter to intra- and inter-service integration, would reverse progress toward jointness and interoperability, and would be counter to the organizational and advisory principles of—and a reversal of the significant progress that is the legacy of—the Goldwater-Nichols legislation.

5. Section 2(b)(3) of S. 2658/H.R. 5200 would amend subsection (e) of 10 U.S.C. §10502 (as redesignated by the preceding section) by striking "lieutenant general" and inserting "general."

   The Commission recommends in favor of this proposal. When the duties of a general officer equate to those of an O-10, then the position should be so designated. The Commission concludes, on the basis of the duties currently required to be performed by the Chief of the National Guard Bureau, that the position should be designated as an O-10 billet. The Commission recommends that the duties and responsibilities of the position of Chief of the National Guard Bureau should be reevaluated periodically to ensure that the duties required to be performed by the Chief of the National Guard Bureau remain commensurate with grade O-10.

6. Section 2(b)(4) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10504 by adding at the end the following new subsection:

   "(c) ANNUAL REPORT ON VALIDATED REQUIREMENTS.—Not later than December 31 of each year, the Chief of the National Guard Bureau shall submit to Congress a report on the following:

   "(1) The requirements validated under section 10503a(b)(1) of this title during the preceding fiscal year.

   "(2) The requirements referred to in paragraph (1) for which funding is to be requested in the next budget for a fiscal year under section 10544 of this title.

"(3) The requirements referred to in paragraph (1) for which funding will not be requested in the next budget for a fiscal year under section 10544 of this title."

The Commission recommends a modification to this proposal. The Commission recommends that the Secretary of Defense and Secretary of Homeland Security should jointly submit an annual report to Congress on those civil support requirements generated by the Department of Homeland Security and those validated and funded by the Department of Defense, and that the Chief of the National Guard Bureau should play a role in the preparation of that report as directed by the Secretary of Defense.

7. Section 2(c)(1) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10503 (relating to the charter of the National Guard Bureau) as follows:

   (A) in the matter preceding paragraph (1), by striking "the Secretary of the Army and the Secretary of the Air Force shall jointly develop" and inserting "The Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force, shall develop"; and

   (B) in paragraph (12), by striking "the Secretaries" and inserting "the Secretary of Defense."

The Commission recommends that the Secretary of Defense be responsible for drafting the charter for the National Guard Bureau, in consultation with the Secretaries of the Army and Air Force and the Chairman of the Joint Chiefs of Staff, to accurately reflect the full scope of the Bureau's required duties and activities and that the charter be reviewed periodically to ensure that it is updated appropriately.

8. Section 2(c)(2) of S. 2658/H.R. 5200 would amend 10 U.S.C. §10503 (relating to the charter of the National Guard Bureau) by redesignating paragraph (12), as amended above, as paragraph (13); and by inserting the following new paragraph (12):

   "(12) Facilitating and coordinating with other Federal agencies, and with the several States, the use of National Guard personnel and resources for and in contingency operations, military operations other than war, natural disasters, support of civil authorities, and other circumstances."

The Commission recommends amending the statute authorizing the National Guard Bureau Charter to include facilitation and coordination with federal agencies, the states, Northern Command, and Joint Forces Command on the use of nonfederalized National Guard forces for domestic contingency operations, support to civil authorities, and other homeland activities. The National Guard Bureau should not become an operational command.

9. Section 2(c)(3) of S. 2658/H.R. 5200 would amend Chapter 1011 of Title 10, United States Code, by inserting after section 10503 the following new section:

   "§ 10503a. Functions of National Guard Bureau: military assistance to civil authorities

   "(a) **IDENTIFICATION OF ADDITIONAL NECESSARY ASSISTANCE.**—The Chief of the National Guard Bureau shall—

"(1) identify gaps between Federal and State capabilities to prepare for and respond to emergencies; and

"(2) make recommendations to the Secretary of Defense on programs and activities of the National Guard for military assistance to civil authorities to address such gaps.

"(b) **SCOPE OF RESPONSIBILITIES.**—In meeting the requirements of subsection (a), the Chief of the National Guard Bureau shall, in coordination with the Adjutant Generals of the States, have responsibilities as follows:

"(1) To validate the requirements of the several States and Territories with respect to military assistance to civil authorities.

"(2) To develop doctrine and training requirements relating to the provision of military assistance to civil authorities.

"(3) To acquire equipment, materiel, and other supplies and services for the provision of military assistance to civil authorities.

"(4) To assist the Secretary of Defense in preparing the budget required under section 10544 of this title.

"(5) To administer amounts provided the National Guard for the provision of military assistance to civil authorities.

"(6) To carry out any other responsibility relating to the provision of military assistance to civil authorities as the Secretary of Defense shall specify.

"(c) **ASSISTANCE.**—The Chairman of the Joint Chiefs of Staff shall assist the Chief of the National Guard Bureau in carrying out activities under this section.

"(d) **CONSULTATION.**—The Chief of the National Guard Bureau shall carry out activities under this section in consultation with the Secretary of the Army and the Secretary of the Air Force."

The Commission recommends a modification to this proposal. The Commission recommends that the Secretary of Homeland Security should have the responsibility to define civil support requirements, including those for the Department of Defense. The Secretary of Defense should have the responsibility to determine the best way to meet those requirements deemed valid by the Department through the appropriate procedures. In his new advisory role, the Chief of the National Guard Bureau should advise the commander of Northern Command, the Secretaries of the Air Force and Army, and through the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, regarding how the National Guard may help address gaps between federal and state emergency response capabilities.

10. Section 2(c)(4) of S. 2658/H.R. 5200 would amend Chapter 1013 of Title 10, United States Code, by adding at the end the following new section:

"§ 10544. National Guard training and equipment: budget for military assistance to civil authorities and for other domestic operations

"(a) **IN GENERAL.**—The budget justification documents materials submitted to Congress in support of the budget of the President for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31) shall specify separate amounts for training and equipment for the National Guard for purposes of military assistance to civil authorities and for other domestic operations during such fiscal year.

"(b) **SCOPE OF FUNDING.**—The amounts specified under subsection (a) for a fiscal year shall be sufficient for purposes as follows:

"(1) The development and implementation of doctrine and training requirements applicable to the assistance and operations described in subsection (a) for such fiscal year.

"(2) The acquisition of equipment, materiel, and other supplies and services necessary for the provision of such assistance and such operations in such fiscal year."

The Commission does not recommend this emendation, on the grounds that most civil support missions are performed using "dual-use" equipment and that the designation of certain training and equipment as civil support–related would likely be arbitrary and would not help Congress provide meaningful oversight on this matter. As discussed above, the Commission instead recommends that the Department of Defense explicitly budget and program for civil support, in coordination with the Department of Homeland Security.

11. Section 2(e) of S. 2658/H.R 5200 would amend section 901 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85) (relating to the positions of Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters and for Reserve Matters) to read as follows:

"SEC. 901. ASSISTANT TO THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF FOR RESERVE MATTERS.

"(a) **IN GENERAL.**—There is within the Joint Staff the position of Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters.

"(b) **SELECTION.**—The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters shall be selected by the Chairman from officers of the Army Reserve, the Navy Reserve, the Marine Corps Reserve, or the Air Force Reserve who—

"(1) are recommended for such selection by the Secretary of the military department concerned;

"(2) have had at least 10 years of commissioned service in their reserve component; and

"(3) are in a grade above colonel or, in the case the Navy Reserve, captain.

"(c) **TERM OF OFFICE.**—The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters serves at the pleasure of the Chairman for a term of two

years and may be continued in that assignment in the same manner, for one additional term. However, in a time of war there is no limit on the number of terms.

"(d) **GRADE**.—The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters while so serving, holds the grade of major general or, in the case of the Navy Reserve, rear admiral. The officer serving in the position shall be considered to be serving in a position external to that officer's Armed Force for purposes of section 721 of title 10, United States Code.

"(e) **DUTIES**.—The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters is an advisor to the Chairman on matters relating to the reserves and performs the duties prescribed for the position by the Chairman.

"(f) **OTHER RESERVE COMPONENT REPRESENTATION ON JOINT STAFF**.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall develop appropriate policy guidance to ensure that, to the maximum extent practicable, the level of reserve component officer representation within the Joint Staff is commensurate with the significant role of the reserve components within the Total Force."

The Commission recommends keeping the position of Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters intact because of its importance to the decisions made by the Chairman and by the Joint Staff generally. The Commission concludes that this position serves valuable coordinating and monitoring functions. Moreover, the position can operate as a useful conduit of information and liaison between the Chairman and the National Guard in circumstances not involving the Chief of the National Guard Bureau.

12. Section 3(a) of S. 2658/H.R. 5200 expresses the sense of Congress that whenever officers are considered for promotion to the grade of lieutenant general/vice admiral on the active duty list, officers of the reserve components who are eligible for promotion to such grade should be considered for promotion. Section 3(b) requires the Secretary of Defense to submit to Congress a proposal for mechanisms to achieve the objective specified in subsection (a). Section 3(c) says that the President shall include with each nomination of an officer to the grade of lieutenant general/vice admiral on the active duty list that is submitted to the Senate for consideration a certification that all reserve officers who were eligible for consideration for promotion to that grade were considered in the making of such nomination.

    The Commission recommends a modification to this proposal, because it does not believe that requiring the President to certify that all eligible reserve component officers were considered for promotion to O-9 would accomplish the laudable goal of increasing the opportunity for reserve and general flag officers to be selected for positions of importance and responsibility. The Commission instead recommends that the Secretary of Defense create more opportunities for reserve component officers to gain joint experience within the Office of the Secretary of Defense, on the Joint Staff, at combatant commands, and at defense agencies. The Commission further recommends that the Secretary should review and then identify one- and two-star positions for both full- and part-time reserve component officers to obtain joint experience.

13. Section 4(a) of S. 2658/H.R. 5200 would require that the position of deputy commander of United States Northern Command be filled by a qualified officer of the National Guard who is eligible for promotion to the grade of lieutenant general.

    The Commission recommends that either the officer serving in the position of the commander or the officer serving in the position of the deputy commander of U.S. Northern Command should be a National Guard or Reserve officer at all times.

14. Section 529(a)(2) of the National Defense Authorization Act for Fiscal Year 2007 requires the Commission on the National Guard and Reserve to study whether, as an alternative to the provisions of S. 2658/H.R. 5200 that provide for the Chief of the National Guard Bureau to be a member of the Joint Chiefs of Staff and to hold the grade of general, the Chief of the National Guard Bureau should hold the grade of general in the performance of the current duties of that office.

    As described in the full report, on the basis of the duties currently required to be performed by the Chief of the National Guard Bureau in this time of war, the Commission recommends that the Chief of the National Guard Bureau should hold the grade of general. The Commission recommends that the duties and responsibilities of the position of Chief of the National Guard Bureau should be reevaluated periodically to ensure that the duties required to be performed by the Chief of the National Guard Bureau remain commensurate with grade O-10.

15. Section 529(a)(3) of the National Defense Authorization Act for Fiscal Year 2007 requires the Commission to report on the advisability and feasibility of implementing the provisions of section 544 of H.R. 5122 of the 109th Congress, as passed the House of Representatives on May 11, 2006. Section 544 of H.R. 5122 would amend section 325 of Title 32, United States Code. That section presently provides that a National Guard service member is relieved of duty in the National Guard whenever the service member is on federal Title 10 active duty, except when (1) the service member is an officer, (2) the officer is a commander of a National Guard unit, (3) the President authorizes such service in both duty statuses, and (4) the state or territorial governor consents. Section 544 would amend section 325 of Title 32 to provide that any National Guard officer, not just a commander, may not be relieved from duty in the National Guard while serving on federal active duty. Section 544 would permit the President and the governor to give the authorization and consent *in advance* of calling the officer to active duty. Section 544 would also allow so-called dual status National Guard officers on active duty to perform any duty authorized by the laws of that officer's state without regard to the Posse Comitatus Act's prohibitions against participation in civilian law enforcement activities.

    The Commission recommends in favor of this proposal on the grounds that it provides flexibility in the management of mixed component units and is consistent with the greater use of the National Guard and Title 10 forces for domestic missions.

16. Section 529(a)(4) of the National Defense Authorization Act for Fiscal Year 2007 requires the Commission on the National Guard and Reserves to study the adequacy of Department of Defense processes for defining the equipment and funding necessary for the National Guard to conduct its responsibilities under Titles 10 and 32, United States Code, including homeland defense and related homeland missions.

The study shall include consideration of the extent to which those processes should be developed, taking into consideration the views of the Chief of the National Guard Bureau, the 54 adjutants general, and the Directors of the Army and Air National Guard. The study should also consider whether there should be an improved means by which National Guard equipment requirements are validated by the Joint Chiefs of Staff and are considered for funding by the Secretaries of the Army and Air Force.

The current processes for defining funding and equipping requirements are inadequate in that civil support requirements are rarely considered when funding is prioritized. The Secretary of Homeland Security should work with the Secretary of Defense to define and validate homeland-related requirements. The Secretary of Defense should separately budget for homeland-related requirements where those requirements are not subsumed within other funding and equipping requirements related to the Department of Defense's warfighting missions.

17. The Conference Report accompanying the National Defense Authorization Act for Fiscal Year 2007 (House Report 109-702) includes a Joint Explanatory Statement of the Committee of Conference. The joint statement pertaining to section 529 of the bill directs the Commission to evaluate the proposals referred to it, taking into consideration various matters specified in the joint statement. The Commission is asked to consider "Whether the scope and complexities of the duties and responsibilities of the position of Deputy Commander, U.S. Northern Command, require that they be carried out by two officers, each in the grade of O-9, one of whom would be a National Guard officer eligible for promotion to that grade."

    The Commission has considered all those matters listed in the Joint Explanatory Statement pertaining to section 529 of the Public Law 109-364. The Commission recommends that there should be only one U.S. deputy commander at U.S. Northern Command.

ON RAISING THE RANK OF THE CHIEF OF THE NATIONAL GUARD BUREAU

A Report Prepared by the Federal Research Division,
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Author: *Priscilla Offenhauer*

Project Manager: Alice R.Buchalter

Federal Research Division
Library of Congress
Washington, D.C. 20540–4840
Tel: *202–707–3900*
Fax: *202–707–3920*
E-Mail: *frds@loc.gov*
Homepage: *http://www.loc.gov/rr/frd/*

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PREFACE

This report is a contribution to the debate about the advisability and feasibility of elevating the rank of the Chief of the National Guard Bureau (CNGB) from that of three-star to four-star general. The report aims to shed light on the debate by examining the primary duties and responsibilities of a number of four-star billets, including the Chairman and Vice Chairman of the Joint Chiefs of Staff; the Unified and Specified Combatant Commanders; the military service chiefs and vice chiefs; the Commander, U.S. Forces Korea; and the Deputy Commander, U.S. European Command. The report also examines various categories of three-star billets to provide a basis for assessing whether the job of the CNGB significantly exceeds the typical three-star billet in responsibilities and scope.

The report proposes that a subset of four-star billets exists that might make for a more fruitful comparison with the CNGB position than the frequently used position of military service chief of staff. For example, a more apt comparison might be between the CNGB position and the four-star commanders of the so-called "Major Commands" into which the larger military services, e.g., Army and Air Force, are divided. Most of the four-star major commands are functional commands, providing support services, such as training and materiel development, to the military services to facilitate their provision of combat-ready forces to the armed forces' joint warfighting organizations. Being less all encompassing in their responsibilities than an entire military service, the major commands do not as obviously outstrip the National Guard Bureau in the kinds of services the Guard provides to the U.S. Armed Forces.

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KEY FINDINGS

- In assessing whether the job of Chief of the National Guard Bureau (CNGB)—a three-star position—is commensurate with a four-star rank, a useful approach is to develop systematically a comparative overview of the functions and scope of four-star billets. In addition, comparing the duties of various types of four-star billets and three-star billets can shed light on whether the duties of the CNGB exceed those of a typical three-star officer.
- Four-star billets currently number about 40. A significant percentage of these are reserved as four-star billets by statute.
- Numerous factors are relevant to determining the authorized rank of a particular general officer billet. In a 2003 report, the General Accountability Office (GAO) drew up a list of 16 factors that can play a role in such a determination.
- A key dimension in which four-star billets differ amongst themselves is whether or not they entail command authority over combatant forces. Such authority is not a *sine qua non* of four-star rank. A large proportion of four-star positions do not entail any such authority.
- Like officers at the three-star rank and below, officers at the four-star rank—generals or admirals—serve in two broad categories of positions, namely, command positions and staff positions.
- The Chairman of the Joint Chiefs of Staff outranks all other military officers and has broad powers to assist the President and Secretary of Defense in the strategic direction of the armed forces. However, the Chairman does not command the Joint Chiefs of Staff or any of the military services and does not exercise military command over any combat forces.
- The 1986 reorganization of the military laid out in the Goldwater–Nichols Department of Defense Reorganization Act streamlined and clarified the military chain of command in the United States. The law now defines the chain of command as running from the President through the Secretary of Defense directly to unified combatant commanders. The chain of command bypasses the members of the Joint Chiefs of Staff, including the Chairman, depriving them of operational direction or command of U.S. military forces.
- The primary responsibility of the military services—Army, Navy, Air Force, and Marines—and the four-star chiefs of staff of each is to provide combat-ready forces and units to the unified combatant commanders and their subordinate commanders. The responsibility of the military service chief of staff is to recruit, "organize, train, equip, and provide" forces of various kinds, including mobilized Guard units. In carrying out his primary responsibility, the service chief of staff exercises broad management responsibilities, including planning and making budget estimates and requests.
- A unified or specified combatant command (COCOM) is a command structure distinct from the military services. The commander of a combatant command—always a four-star general—conducts the actual military operations in the assigned area of responsibility (AOR), employing the forces provided to him by the military services.

- The combatant commands—currently nine—are either geographic (e.g., CENTCOM) or functional (e.g., TRANSCOM). The five geographic commands and their commanders have responsibility for war plans and operations in specified portions of the world, while the four functional commands operate worldwide and provide specific services to other commands, e.g., transportation, satellites, joint training and forces, or Special Operations forces (SOF) and expertise.

- In the case of the functional unified commands—especially Joint Forces Command and Special Operations Command—the distinction between a combatant command and a military service is not as clear-cut as it is with the geographical commands. The functional combatant commanders function somewhat like a service chief, insofar as they act as force providers, developing and training forces to work across service boundaries.

- The Special Operations Command (SOCOM) is an especially unusual combatant command in that it has many military service-like functions. The legislation that created SOCOM assigned its four-star commander such military service-like responsibilities as training, ensuring combat readiness, monitoring personnel promotions and assignments, and developing and acquiring SOF-peculiar equipment, materials, supplies, and services.

- SOCOM's head is the sole unified combatant commander with military service-like authority and responsibility for planning, programming, and budgeting for the command's military forces. The somewhat anomalous role of SOCOM's commander and, to a lesser extent, JFCOM's commander suggests that there is greater leeway for variation in four-star positions than some might appreciate.

- Similarly anomalous features characterize some other four-star billets, for example, a number of senior joint officer positions that are singled out for mention in Title 10, Section 604, of the United States Code. Section 604 specifies special procedures that must be followed in making appointments to the position of commander of a combatant command, as well as two others, namely, the commander, United States Forces Korea (USFK), and the deputy commander, United States European Command (EUCOM) when the EUCOM commander is also NATO's Supreme Allied Commander, Europe (SACEUR).

- The commander of U.S. Forces Korea—a four-star general—is a subordinate unified commander and, as such, would normally rank lower than a unified combatant commander. The commander of USFK, however, wears several hats, functioning simultaneously as the commander of the Combined Forces Command of the Republic of Korea and the United States, as well as the commander of the United Nations forces in Korea. The two- or three-hatted position, being also joint and combined, is uniquely complex. Moreover, the position is in a key, potentially dangerous theater. The combination of factors likely accounts for the four stars.

- The deputy commander of EUCOM—a four-star general—is the only deputy commander who holds that rank. This slightly anomalous situation reflects the magnitude of the responsibilities of the commander of EUCOM in the dual role of unified combatant commander and SACEUR. The dual role entails both joint and combined responsibilities and involvement with the United States' most important military alliance, NATO. The

exceptional responsibilities of the EUCOM commander mean that the deputy commander rates a fourth star.

- Among the military's 40 four-star billets is a type—"Major Command"—that differs in revealing ways from the four-star positions of either the chief of an entire military service or the commander of a unified combatant command. The larger of the military services—Army, Air Force, and Navy—divide their forces into major commands, some of which are specialized functional commands. The military services delegate to these functional commands particular aspects of the service's mission to "organize, train, and equip" forces. The functional major commands—generally four-star commands even though subordinate to a service chief—facilitate the provision of forces to the combatant commanders.

- An appreciation that the U.S. military's 40 four-star positions exhibit a considerable range of responsibilities and, occasionally, quite exceptional functions is a useful starting point for considering whether the Chief of the National Guard merits a fourth star.

- The Chief of the National Guard, a three-star general, is one among the 139 three-star Army, Air Force, Navy, and Marine officers currently on active duty.

- The CNGB has neither command authority (like a unified combatant commander) nor direct responsibility for the preparation of forces (like the military service chiefs). However, as many advocates of elevating the CNGB's rank point out, the CNGB has unique responsibilities and experience in relationships with the 50 states and the National Guard forces in each.

- In addition to citing the CNGB's unique duties and capabilities vis-à-vis the states, advocates of a fourth star for the CNGB stress the magnitude of the chief's responsibilities by referring to the number of National Guard personnel and the number of facilities overseen and, sometimes, to the size of the National Guard budget.

- The number of National Guard personnel—nearly half a million—is roughly equal to that of the largest military service, the Army, and about 10 times larger than the smallest, the Coast Guard, whose head is a four-star officer. Moreover, National Guard personnel are from two service branches.

- Opponents of a fourth star for the CNGB acknowledge the immensity and expanding role of the National Guard, but stress that the CNGB's statutory responsibilities vis-à-vis the organization are largely limited to coordinating and advisory functions. These functions fall short of those of the military service chiefs, who are troop providers in a fuller sense than is the CNGB. Arguably, the CNGB merely coordinates the provision of troops without bearing direct responsibility for equipping and training them.

- Although the debate about the appropriate rank for the CNGB tends to rely—explicitly or implicitly—on a comparison between the CNGB's duties and those of the military service chiefs, another set of four-star positions exists that may make a more apt comparison, namely, the functional major commands.

- Although considering the nature of four-star billets—particularly the major commands and some unusual billets—is one key to resolving the debate about the CNGB's rank, another

valuable approach is to survey the military's 143 three-star positions to determine whether the CNGB's responsibilities significantly exceed theirs.

- The large number of three-star positions necessitates examining the general categories into which they fall. For purposes of comparison with the CNGB's position, the positions of greatest interest are those of the force providers rather than the force deployers. The principal providers are the services and, under them, functional major commands that provide service-specific support to the military services in areas such as training and materiel provision. Among these force providers, major categories of three-star officers include deputies at service headquarters, and commanders or deputies in the major commands. Often the deputies are dual-hatted as staff to their superiors and commanders of lower units.
- Because three-star positions vary in their scope and responsibilities, it is arguable that the job of the Chief of the National Guard Bureau considerably exceeds at least some of them either currently or potentially. Arguments that the CNGB's current job is on a par with the U.S. Armed Forces' current four-star billets are less convincing, even when the subset considered consists of those most aptly compared.
- The debate about the CNGB's rank would benefit from detailed job analysis of the most appropriate subset of positions, using criteria such as the 16 suggested by the GAO. However, opponents to elevating the rank, being satisfied with the status quo, lack the incentive to perform such analysis. Proponents have mainly contented themselves with mentioning a limited set of points of comparability between the CNGB's job and the job of a service chief, e.g., the troop strength of the entire service, the number of facilities overseen, and budgets.

INTRODUCTION

Several pieces of legislation introduced in the 109th Congress—S. 2658 and H.R. 5200—are designed to elevate the status and expand the influence of the National Guard within the U.S. Armed Forces. Several provisions of the proposed legislation address, in particular, the status and role of the Chief of the National Guard Bureau (CNGB). One provision would raise his rank from that of a lieutenant general—a three-star general—to that of a four-star general. This provision has triggered continuing debate as to the advisability and feasibility of such an increase in rank. One approach in this debate, used by both proponents and opponents of granting the higher rank, is to compare the job of the Chief of the National Guard Bureau with the functions and duties of various four-star positions, most often the position of a military service chief. While comparison of the CNGB's job with four-star billets is explicit or implicit in the debate, however, such comparison has not generally been developed systematically. This report offers a series of descriptions of several major categories of four-star positions, as well as descriptions of several unique positions, such as that of the Chief of the Joint Chiefs of Staff. The report also describes the main categories of three-star positions to provide the basis for assessing whether the CNGB's job significantly exceeds them in functions, scope, and responsibility.

The series of descriptions of four-star positions sheds light on both their magnitude and variety, and sets the stage for a winnowing process whereby the positions that are least comparable to the job of the CNGB can be set aside, in favor of those more aptly compared. In general, the billets of force deployers—i.e., at the top level, the commanders of the unified combatant commanders—are less usefully compared to the CNGB's job than the billets of force providers—i.e., at the top level, the chiefs of the military services and their vice chiefs. However, the top-most positions among the force providers may not make the most valuable comparison with the CNGB's position. The line of responsibility for force provision runs down from the service chiefs to the "Major Commands" that are also responsible for development, acquisition, recruiting, and training of troops and units. Certain of the major commands are four-star billets and most of these have specialized functional responsibilities related to force provision. For example, the Army's Training and Doctrine Command (TRADOC), a four-star billet is charged with service-wide and service-specific unit and individual training and education, and doctrine

development. The subset of four-star functional major commands is one that deserves particular attention in the debate about the CNGB's rank.

Other commands that offer possibilities for fruitful comparisons with the CNGB's job are the two most "service-like" commands among the military's top-level force deployers, the unified combatant commands, all of which are four-star commands. Two of the unified combatant commands, the Special Operations Command and the Joint Forces Command, play significant roles not just in deploying troops, but also in developing and training them. They develop and train units and troops not for service-specific roles, but to work across service boundaries. Nonetheless, they have functions that bear comparison with those of other force providers, including the Chief of the National Guard.

The debate about the rank of the CNGB—a debate that antedates the attacks of 9/11—has not hitherto involved an overview of four-star positions to identify an appropriate set for comparison, let alone a detailed comparative job analysis of the delineated set. Opponents of higher rank for the CNGB are satisfied with the status quo and, thus, lack the incentive to carry out such detailed comparative job analysis. The opponents also have not needed to develop such analysis in response to arguments put forward by the proponents of the higher rank. The proponents have not offered such analysis, contenting themselves with references to a few features that the job of CNGB has in common with other four-star positions. Generally, the proponents of higher rank liken the CNGB's job to that of a service chief on the grounds, often more implied than stated, that the service chief is also a force provider. The comparisons between the position of service chief and CNGB do not go much beyond mentions of their organizations' overall troop strength, number of installations and facilities, and budgets. For example, the proponents of higher rank, suggesting that sheer troop strength is relevant, underscore that the troop strength of the National Guard is roughly equal to that of the Army, the largest of the services, much greater than the Marines, and ten times greater than the Coast Guard.

It is beyond the scope of this study to provide the kind of detailed comparative job analysis that ultimately is necessary to determine the appropriate level of a given officer position. The study, however, suggests a source that could provide the basis for such detailed analysis, a 2003 General Accounting Office (GAO) report to Congress on general and flag officer requirements, specifically the section entitled "Sixteen Factors Used to Validate General and

Flag Officer Requirements." The current study, by comparing categories of four- and three-star billets, also is a contribution to the identification of the set of positions that is best compared with that of either the CNGB's current position or a CNGB position with revised responsibilities.

NUMBERS AND TYPICAL DUTIES OF THREE- AND FOUR-STAR BILLETS

The U.S. military has 10 ranks for officers, each of which corresponds to a separate pay grade ranging from O–1 (the lowest) to O–10 (four-star rank). Officers with the rank of general serve in the O–7 to O–10 grades. Officers at the three-star level (O–9 pay grade) hold the title of lieutenant general in the Army, Air Force, and Marines, and the title of vice admiral (VADM) in the Navy, Coast Guard, and Public Health Service.[1] (The abbreviations of lieutenant general differ, being, respectively, LTG in the Army, Lt Gen in the Air Force, and LtGen in the Marines). Officers at the three-star and four-star rank serve in the two broad categories of positions, top-level command positions and senior staff positions.

When holding command positions, Army officers in the three-star rank may command corps-sized units (20,000 to 45,000 soldiers), a base, or organizations at the next higher echelon, numbered armies, e.g., the Third Army. A corps, the Army's highest tactical command, consists of two or more divisions and organic support brigades, while an army encompasses two or more corps or up to 100,000 personnel. A U.S. Air Force lieutenant General may command a numbered air force (NAF), e.g., the 12th Air Force, if such an organization—a division-equivalent warfighting unit—doubles as the military service component of a unified command.[2] A vice admiral may command a numbered fleet. Alternatively, in all three services, officers at the three-star level may hold senior deputy staff positions at the Pentagon, with oversight of a particular area, such as operations or personnel. Three-star officers also may serve as deputy commanders and chiefs of staff in "Major Commands," commands in each military service that

[1] Promotion to the three-star rank of lieutenant general or vice admiral usually comes after three to five years as a major general or rear admiral (upper half). Such two-star-level general or flag officers usually reach this rank as they approach the three-decade mark in their careers. In the Army and Marine Corps, a two-star officer commands a division or a base. In the Air Force, two star officers have often commanded NAFs. The status of NAFs is currently in flux.

[2] The Air Force is undergoing a reorganization that makes the future of NAFs uncertain.

often are charged with facilitating the provision of forces to the commanders of unified combatant commands and joint task forces.[3]

A four-star officer (pay grade O–10) is a general in the Army, Air Force, and Marines and an admiral in the Navy, Coast Guard, and Public Health Service. Four-star generals and admirals, like three-star officers, serve in both command and staff positions, with a number of the four-star billets reserved for a four-star general by statute. Officers in the four-star rank serve as the Chairman and Vice Chairman of the Joint Chiefs of Staff, as well as the four four-star uniformed military service leaders (Army and Air Force Chiefs of Staff, Chief of Naval Operations, and Marine Corps Commandant), and their Vice Chiefs, and the head of the Coast Guard. Other four-star generals hold down command slots that may involve command of an army-sized force or a joint or combined headquarters. Four-star generals hold the nine command slots of the Unified Combatant Commands (such as the U.S. European Command and U.S. Strategic Command). Four-star officers also command unique headquarters such as the Combined Forces Command Korea or the Navy's Nuclear Propulsion Program.[4] Other four-star officers serve as commanders of the major military service component commands under the Unified Combatant Commands (e.g., U.S. Pacific Air Forces, U.S. Pacific Fleet, U.S. Army, Europe). In addition, four-star generals head some of the large commands—Major Commands—into which the military services are divided, especially the functional Major Commands that provide support to their respective military services. The Army's Major Commands, for example, include three four-star "Army Commands"—Forces Command (FORSCOM), Training and Doctrine Command (TRADOC), and Army Materiel Command (AMC). The Air Force's Major Commands—a larger number—include similar four-star functional commands, as does the Navy's smaller complement of Major Commands.

[3] The abbreviations for Major Command differ among the military services, with, for example, the Air Force using MAJCOM and the Army using MACOM. The Army's Major Commands structure is currently in flux. The Army is revising *Army Regulation 10–87: Major Commands in the Continental United States*, which was in effect until October 1, 2006. The designations Major Army Command and MACOM will no longer be used. Henceforth, three types of Major Commands will be distinguished by the three terms: Army command, Army service component command (ASCC), and direct reporting unit (DRU).

[4] On the Nuclear Propulsion Program, see U.S. Code, Title 50, Section 2511. This section includes the language of Executive Order, No. 12344, "Naval Nuclear Propulsion Program," February 1, 1982. Section 4 of that order reads, "An officer of the United States Navy appointed as director shall be nominated for the grade of Admiral." A civilian may also head the program. <http://www.law.cornell.edu/uscode/50/usc_sec_50_00002511----000-notes.html>

The U.S. Armed Forces' four-star slots are subject to some shifts over time, either because of statutory changes or because the President shifts a slot from one military service to another. Below is a list of the current four-star slots:

Active-Duty Four-Star Officers

Joint Chiefs of Staff

Chairman, Joint Chiefs of Staff
Vice Chairman, Joint Chiefs of Staff

Unified Combatant Commands

Commander, U.S. Central Command (CENTCOM)
Commander, U.S. European Command (EUCOM) and Supreme Allied Commander, Europe (SACEUR)
Commander, U.S. Joint Forces Command (JFCOM) and Supreme Allied Commander, Transformation (SACT)
Commander, U.S. Northern Command (NORTHCOM) and Commander, North American Aerospace Defense Command (NORAD)
Commander, U.S. Pacific Command (PACOM)
Commander, U.S. Southern Command (SOUTHCOM)
Commander, U.S. Special Operations Command (SOCOM)
Commander, U.S. Strategic Command (STRATCOM)
Commander, U.S. Transportation Command (TRANSCOM)

Other Joint Positions

Commander, U.S. Forces Korea (USFK): [a subordinate Unified Command of PACOM]
Deputy Commander, U.S. European Command (EUCOM)
Commanding General, Multi-National Force – Iraq (MNF–I)
Director of the Central Intelligence Agency

U.S. Army

Chief of Staff of the U.S. Army
Vice Chief of Staff of the U.S. Army
Commanding General, U.S. Army, Europe (USAREUR)/Seventh Army
Commanding General, U.S. Army Forces Command (FORSCOM)
Commanding General, U.S. Army Materiel Command (AMC)
Commanding General, U.S. Army Training and Doctrine Command (TRADOC)

U.S. Navy

Chief of Naval Operations
Vice Chief of Naval Operations
Commander, U.S. Fleet Forces Command (USFLTFORCOM)
Commander, U.S. Naval Forces Europe (USNAVEUR)/Sixth Fleet
Commander, U.S. Pacific Fleet (USPACFLT)
Director, Naval Nuclear Propulsion

U.S. Air Force

Chief of Staff of the U.S. Air Force
Vice Chief of Staff of the U.S. Air Force

Commander, Air Combat Command (ACC)
Commander, Air Education and Training Command (AETC)
Commander, Air Force Materiel Command (AFMC)
Commander, Air Force Space Command (AFSPC)
Commander, Air Mobility Command (AMC)
Commander, Pacific Air Forces (PACAF)
Commander, U.S. Air Forces in Europe (USAFE)

U.S. Marine Corps

Commandant of the U.S. Marine Corps
Assistant Commandant of the U.S. Marine Corps

U.S. Coast Guard

Commandant of the U.S. Coast Guard[5]

U.S. Public Health Service Commissioned Corps

Assistant Secretary for Health[6]

The Pentagon has a limited number of four-star billets and needs congressional authorization either to create a new billet or to eliminate an existing one. Title 10 of the U.S. Code strictly limits the total number of general officers that may be on active duty at any time and specifies numbers for each military service and each rank. Title 10 establishes service-specific ceilings for active-duty general and flag officers that total 877.[7] Title 10 also authorizes 12 general and flag officer positions to be allocated by the Chairman of the Joint Chiefs of Staff to the military services for joint duty positions. These authorizations for joint four-star billets do not count against the service ceilings. In recent years the ceilings are set at about 300 for the Army, slightly fewer than 300 for the Air Force, and about 80 for the Marine Corps. (The Marine Corps has the fewest appointed generals in part because the Marines are logistically a component of the Department of the Navy). Title 10 establishes maximum limits on the percentage of general and flag officers that may serve in certain pay grades. Specifically, no more than 50

[5] The Commandant of the US Coast Guard, unlike the Commandant of the Marine Corps, is not a member of the Joint Chiefs of Staff. He reports to the President, the Secretary of Homeland Security, and the Secretary of Defense. Prior to the creation of the Department of Homeland Security in 2003, the Coast Guard Commandant reported to the Secretary of Transportation. See U.S. Department of Homeland Security, U.S. Coast Guard, "Commandant's Corner." <http://www.uscg.mil/comdt/>

[6] U.S. Public Health Service Commissioned Corps, "Grades, Titles, and Billets in the Commissioned Corps," <http://www.usphs.gov/html/grades.html#ranks>. The Public Health Service Commissioned Corps is a uniformed personnel system. Corps officers are health professionals whose pay and allowances are equivalent to those of the armed forces, as authorized by Title 37 of the U.S. Code. Health care professionals hired under this system are given rank and compensation equivalent to those of U.S. Navy officers. Corps officers' military-like compensation is based on the Corps' temporary service with the armed forces during World Wars I and II. Corps officers are entitled to wear uniforms similar to those of naval officers, with PHS insignia, but they do not belong to the military.

[7] Title 10, Section 526.

percent of all general or flag officers in each military service may serve in a pay grade above O–7, i.e., above the rank of brigadier general or one-star. The cap for a service's general or flag officers in pay grades O–9 and O–10, or ranks higher than major general or two-star, is between 15.7 and 16.2 percent. Finally, of a military service's general or flag officers in grade O–9 and O–10, a maximum of 25 percent may be in grade O–10.[8] This limit typically works out to somewhat more than 30 to about 40 four-star generals on active duty in the four military services at a time.

The table below presents the distribution of general officer positions as of December 31, 2006:

Department of Defense
Active Duty Military Personnel by Rank/Grade
December 31, 2006

Rank/Grade - All	Army	Navy	Marine Corps	Air Force	Total Services
GENERAL – ADMIRAL	12	10	6	12	40
[redacted]					
MAJ GENERAL REAR ADMIRAL (U)	94	71	22	92	279
[redacted]					

Source: Based on Department of Defense, Defense Manpower Data Center, Statistical Information Analysis Division. <http://siadapp.dior.whs.mil/personnel/MILITARY/rg0612.pdf>

Numerous factors are relevant to determining the authorized rank of a particular general officer billet. In 2003 the General Accounting Office (GAO) drew up a list of criteria that can play a role in such a determination. The GAO presented its list of criteria as an appendix to its report *Military Personnel: General and Flag Officer Requirements Are Unclear Based on DOD's 2003 Report to Congress*.[9] The "Appendix I" to the GAO report reads as follows:

[8] U.S. General Accounting Office (GAO), *Military Personnel: General and Flag Officer Requirements Are Unclear Based on DOD's 2003 Report to Congress*, GAO–04–488, April 2004, and U.S. General Accountability Office (GAO), *Military Personnel: DOD Could Make Greater Use of Existing Legislative Authority to Manage General and Flag Officer Careers*, GAO–04–1003, September 2004.

[9] U.S. General Accounting Office (GAO), "Appendix I: Sixteen Factors Used to Validate General and Flag Officer Requirements," *Military Personnel: General and Flag Officer Requirements Are Unclear Based on DOD's 2003 Report to Congress*, GAO–04–488, April 2004, 29–31.

Sixteen Factors Used to Validate General and Flag Officer Requirements

Nature of the Position

1. Characteristics of function
    a. Type (e.g., command, general or coordinating staff, special staff, manager, deputy, specialist, etc.)
    b. Scope (e.g., operational command, training command, installation command, personnel management, officer personnel management, legal affairs, information, etc.)
    c. Level of function (e.g., national, secretarial, service, theater, field command, etc.)
2. Grade and position of
    a. superior
    b. principal subordinates
    c. lateral points of coordination (relative position within the military or governmental structure within which the position's function is performed)
3. Supervision over position
    a. Proximity (remoteness or closeness of supervision)
    b. Degree (independence of operation)
4. Official relations with U.S. and foreign governmental officials and with the public
    a. Nature (e.g., reports to, works for, keeps informed, provides liaison, etc.)
    b. Extent (e.g., primary function, frequent requirement, continuous additional duty, occasional requirement, etc.)
    c. Level of official relations with U.S. and foreign governmental officials and with the public (e.g., governmental department or agency, national or local government, civil organizations, industry, press, non-governmental organizations [NGO], private volunteer organizations [PVO], etc.)
5. Reflection of national emphasis and determination (relation of position to national objectives and programs, special conditions under which the position was first established or other reasons why the position reflects national will)
6. Special qualifications required by the position (any special qualifications such as advanced education, or particular training or experience, which are essential to the proper execution of positional responsibilities)

Magnitude of Responsibilities

7. Mission(s) of organization and the special requirements of the position . . .[e.g.,] multidimensional "executive skills." . . . .
8. Number, type, and value of resources managed and employed. Data should be displayed within three categories: operational control, administrative control, and immediate staff within each subsection.
    a. Military forces (number and type of forces normally assigned or programmed for planned or special operations)
    b. Personnel (number of personnel by officer and warrant officer, enlisted, and civilian)
    c. Value of equipment and properties (total value of equipment, supplies, and real property displayed in millions)
    d. Total obligation authority
    e. Foreign resources (scope and type of foreign resources involved, if any)
    f. Other important resources

9. Geographical area of responsibilities (the size, location, and, if appropriate, the criticality of the land, sea, or air spaces involved)
10. Authority to make decisions and commit resources (the scope of the position with respect to specific authority delegated to or withheld from the position in either routine or emergency situations)
11. Development of policy (involvement in the development of policy within the specific functional areas associated with the position, e.g., budget, program, communications, or manpower)
12. National commitment to international agreements (authority to make commitments to foreign nations or involvement in negotiating such commitments for the United States)
13. Auxiliary (supporting) authorities and responsibilities inherent in the position (inherent requirements charged to the position by virtue of situation, location, proximity, tradition, etc.)

Significance of Actions and Decisions

14. Impact on national security or other national interests (effect of mission accomplishment or position performance on the protection of national interests or the advancement of national programs)
15. Importance to present and future effectiveness and efficiency of the national defense establishment (effect on the force structure, operational capabilities, status of combat readiness, quality of personnel and equipment, cost effectiveness, command and control means, management procedures and techniques, responsiveness to national needs, or other factors)
16. Effect on the prestige of the nation or the armed forces (how effectiveness or accomplishment reflects on the stature of the nation and its armed forces, and influences the credibility of national aims and capabilities)

PRIMARY DUTIES AND RESPONSIBILITIES FOR SPECIFIC FOUR-STAR BILLETS

Chairman of the Joint Chiefs of Staff (CJCS)

The broad functions of the Chairman of the Joint Chiefs of Staff are set forth in Title 10, United States Code, and detailed in DOD Directive 5100.1.[10] The Chairman of the Joint Chiefs of Staff (CJCS) is by law the highest ranking military officer of the United States military and, as such, the principal military adviser to the President, the Secretary of Defense, and the National Security Council. The Chairman leads the meetings and coordinates the efforts of the Joint Chiefs of Staff (JCS), which is made up of the Chairman of the JCS, the Vice Chairman of the JCS, the Chief of Staff of the Army, the Chief of Staff of the Air Force, the Chief of Naval Operations, and the Commandant of the Marine Corps.

Neither the Chairman nor the Joint Chiefs of Staff—whether as a collective body or as individual military chiefs of services—have any command authority over combatant forces. The

[10] Title 10, Section 151, "Joint Chiefs of Staff: Composition; Functions."

1986 reorganization of the military laid out in the Goldwater–Nichols Department of Defense Reorganization Act deprived the members of the Joint Chiefs of Staff, including the Chairman, of operational direction or command of U.S. military forces.[11] The chain of command or the responsibility for conducting military operations runs from the President to the Secretary of Defense directly to the commanders of the several combatant commands and thus bypasses the Joint Chiefs of Staff. The combatant commanders report up the chain of command, not to the military chiefs of services or the Chairman of the JCS. However, the Chairman may function within the chain of command by transmitting communications or orders to the commanders of the combatant commands from the President and Secretary of Defense. The Chairman also can act as a spokesman for the commanders, especially on the operational requirements of their commands.

The advisory role of the Chairman to the President and the Secretary of Defense entails numerous functions. DoD Directive 5100.1, Section 4, lists 52 such functions. Among these functions are the following:

- Assisting in the preparation of policy guidance to DoD components for the development of program recommendations and budget proposals;
- Aiding the President and the Secretary of Defense in providing for the strategic direction and planning of the armed forces, including the direction of operations conducted by commanders of the combatant commands;
- Assigning resources to fulfill strategic plans;
- Preparing joint logistics and mobility plans and recommending the assignment of responsibilities to fulfill the plans;
- Comparing the capabilities of American and allied armed forces with those of potential adversaries;
- Preparing and reviewing contingency plans that conform to policy guidance from the President and the Secretary of Defense;
- Advising the Secretary of Defense on critical deficiencies and strengths in force capabilities and assessing the effect of such deficiencies and strengths on realizing national security goals and strategic plans;
- Setting up a uniform system for checking the preparedness of each unified and specified combatant command to carry out assigned missions;

[11] U.S. Congress, *Public Law 99–433, Goldwater–Nichols Department of Defense Reorganization Act of 1986*, Section 201.

- Advising on whether budget proposals and program recommendations of DoD components conform to strategic priorities;
- Recommending budget proposals for activities of each combatant command, e.g., such activities as joint exercises, force training, contingencies, and operations;
- Advising on manpower questions;
- Conducting a review of the Unified Command Plan (UCP) no less often than every two years, and submitting recommended changes to the President through the Secretary of State;[12]
- Formulating doctrine and training policies and coordinating military education and training; and
- Representing the United States on the Military Staff Committee of the United Nations.

In carrying out the duties of the position, the Chairman of the Joint Chiefs of Staff consults with and seeks the advice of the other members of the Joint Chiefs of Staff and the combatant commanders when making appropriate recommendations. The Chairman presents the range of advice and opinions received, along with any individual comments of the other JCS members.

The high level and expansive nature of the CJCS's statutory role makes a summary statement of his responsibilities difficult. However, the Chairman's role is clearly distinctive compared to the role of, for example, the military service chiefs. The CJCS is charged with doctrinal development, with establishing a uniform system of evaluating preparedness, with assessing military service capabilities, and with formulating policies for training but not overseeing its conduct or conducting it.

Vice Chairman of the Joint Chiefs of Staff

The Goldwater–Nichols or DoD Reorganization Act of 1986 created the position of the Vice Chairman of the JCS and established its holder as the second-ranking officer of the armed forces. As described in DoD Directive Number 5100.1, the Vice Chairman replaces the Chairman of the Joint Chiefs of Staff during the Chairman's absence or disability, presiding over the meetings of the JCS or performing other such duties as the Chairman may prescribe. Although the Vice Chairman was not originally included as a member of the JCS, Section 911 of

[12] Title 10 USC 161.

the National Defense Authorization Act of 1992 made the Vice Chairman a full voting member of the JCS.[13]

Candidates for the position of Chairman must have served as Vice Chairman, military service chief, or commander of a combatant command, unless the President waives the requirement.

Unified and Specified Combatant Commanders

A unified or specified combatant command (COCOM) is a command structure distinct from the military services—Army, Navy, Air Force, and Marine Corps. The President sets up unified commands to bring about unity of effort among the military services. The military services, in turn, are responsible for preparing their forces and providing them to the unified and specified commands and their commanders. The commander conducts the actual military operations in his area of responsibility (AOR). The Goldwater–Nichols Department of Defense Reorganization Act of 1986 placed the authority of combat command (COCOM) firmly in the hands of the combatant commanders. The commander of the combatant commands is in the operational chain of command and reports to the President through the Secretary of Defense.

A combatant command, whether unified or specified, is a command with a broad continuing mission. A unified command is composed of forces from two or more military services. The unified command is established and designated by the President, through the Secretary of Defense, and operates on the advice and assistance of the Joint Chiefs of Staff. The commander of a combatant command communicates through the Chairman, Joint Chiefs of Staff, to the National Command Authority. When the Joint Chiefs of Staff authorizes a unified command, a commander of an existing unified command establishes it. Prior to October 2002, such a commander bore the title of Commander in Chief (CINC). After a directive reserved that title solely for the President, combatant commanders are called simply commander.

Unified commands may be geographic or functional. The geographic (or regional) combatant commands have geographical AORs assigned by the Unified Command Plan. A revision of the Unified Command Plan, issued biannually by the JCS, establishes the missions and geographic responsibilities among the combatant commanders. The five current regional unified commands are the following:

[13] <http://www.jcs.mil/vice_chairman/vice_chairman_resp.html>

- United States Central Command (CENTCOM), responsible for the Middle East and the Horn of Africa;
- United States European Command (EUCOM), responsible for Europe, Russia, and Africa south of the Sahara;
- United States Northern Command (NORTHCOM), responsible for the United States, Canada, and Mexico;
- United States Pacific Command (PACOM), responsible for Asia and the Indian Ocean; and
- United States Southern Command (SOUTHCOM), responsible for Latin America and the Caribbean.

Functional or global commands have worldwide functional responsibilities not bound by geographical AORs. The four functional combatant commands, each with global responsibilities for specialized areas and high demand resources, such as transportation, space, and special forces, provide these resources to geographic combatant commanders. The functional commands, working as a team with the geographic commands, provide essential support in almost every one of these operations.

The functional combatant commands are the following:

- United States Joint Forces Command (JFCOM);
- United States Special Operations Command (SOCOM);
- United States Strategic Command (STRATCOM); and
- United States Transportation Command (TRANSCOM).

A specified combatant command has a broad, continuing, usually functional mission and is normally composed of significant forces from only one military service. The commander of a specified combatant command has the same authority and responsibilities as the other commanders of combatant commands except the authority to establish subordinate unified commands.

The current nine unified combatant commands are described in the Unified Command Plan (UCP) of 2006. The 2006 revision of the Unified Command Plan recognizes the same nine combatant commands as the 2002 UCP and introduces only minor changes. The UCP of 2002 introduced the largest changes since the establishment of the unified commands. Among revisions to the plan that took place in 2002 were the following:

- U.S. Northern Command—created as a new combatant command assigned to defend the United States and to support military assistance to civil authorities.
- U.S. Joint Forces Command—focus became transforming U.S. military forces. The command's geographic responsibilities shift to Northern and European commands.
- U.S. Strategic Command—expanded through a merger with U.S. Space Command.

The commanders of the combatant commands exercise combatant command and obtain support from the military services. Combatant command is the non-transferable command authority established by Title 10, United States Code, Section 164, detailed in other sources, such as DoD Directive 5100.1 and vested by law in the commanders of combatant commands, either unified or specified.[14] Only the commander has COCOM authority, the authority to perform functions of command over forces assigned to the command.[15] COCOM involves the statutory command functions of organizing and employing commands and forces, selecting and assigning tasks to subordinate commanders, and designating objectives. It also involves giving authoritative direction over all aspects of military operations, joint training, and logistics that are necessary to complete the assigned mission. When exercising the authority of organizing commands and forces, the commander of a unified command prescribes the chain of command within the command.

The commander exercises command authority through some combination of the following types of commanders, who are usually three-star officers:

- Subordinate unified commanders,
- Service component commanders,
- Functional component commanders,
- Commanders of single-service forces, and
- Commanders of joint task forces.

[14] Department of Defense, *Directive, Number 5100.1, Functions of the Department of Defense and Its Major Components*, August 1, 2002. <http://www.dtic.mil/whs/directives/corres/rtf/cr2>
Until 2003, the functions of the commanders were spelled out not only in Title 10 but also in Title 32 of the Code of Federal Regulations, specifically Section 368.5, "Functions of the Unified and Specified Combatant Commanders." After 2003, the section was eliminated from the code and superseded by a DoD Directive 5100.1.
<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/cfr_2002/julqtr/32cfr368.5.htm 32CFR368.5>

[15] COCOM is defined in *Joint Publication 1-02, "DOD Dictionary of Military and Associated Terms,"* amended through August 8, 2006. <http://www.dtic.mil/doctrine/jel/doddict/>

The commander of a unified command delegates an appropriate level of command authority to these subordinate commanders, while retaining responsibility for broad operational matters. Major responsibilities for administration and support remain with the military service components. The commander of a unified combatant command maintains forces and units that are ready to respond to a full range of crises, e.g., noncombatant evacuations, and to conduct the full spectrum of military operations, war, including regional contingencies, or operations other than war (OOTW). These commands conduct operations from peace enforcement operations to humanitarian relief operations to counterdrug operations. They conduct numerous military training exercises with partner nations and participate in military-to-military exchange programs.

The Geographic Commands

United States Central Command (CENTCOM)

Headquarters: MacDill Air Force Base, Florida.

Geographic Area of Responsibility: CENTCOM's AOR includes more than 25 nations that stretch from the Horn of Africa through the Persian Gulf region and Southwest Asia, into Central Asia. The AOR includes the waters of the Red Sea, the Persian Gulf, and the Western portions of the Indian Ocean. The region comprises a climactically and topographically diverse area larger than the continental United States, stretching more than 3,600 miles east-to-west and 4,600 miles north-to-south.

Composition: The Commander of CENTCOM commands five—generally three-star—component commands, which make up CENTCOM's primary warfighting and engagement organizations. The command consists of forces from each of the four military services and a special operations command: U.S. Army Forces Central Command/Third Army, U.S. Central Command Air Forces, U.S. Naval Forces Central Command, U.S. Marine Corps Forces Central Command, and U.S. Special Operations Command Central. During exercises or contingency operations, the military services provide forces to each of these component commands. The U.S. Central Command carries out its missions and objectives through its component commands and its joint-service headquarters staff of more than 900 personnel at MacDill AFB, Florida. CENTCOM has few permanently forward-deployed forces in the AOR.

Those consist mainly of U.S. Navy Central Command or U.S. Marine Central Command missions.

United States European Command (EUCOM)

Headquarters: Stuttgart–Vaihingen, Germany. Note: EUCOM is the only regional combatant command with a headquarters forward deployed outside the United States.

Geographic Area of Responsibility: EUCOM has responsibility for all of Europe, most of Africa, and parts of the Middle East. The AOR covers more than 13 million square miles and includes 91 countries and territories. This territory extends from the North Cape of Norway, through the waters of the Baltic and Mediterranean Seas to the Cape of Good Hope in South Africa. Effective October 1998, the AOR of EUCOM expanded to include six Western Slavic and Caucasus states of the former Soviet Union: Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine. Another six European countries and territories are considered to be within EUCOM's Area of Interest (AOI), defined as an area of concern to the commander because of the possibility of current or planned operations or because of the presence of threatening forces. These countries are Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, and Uzbekistan. With the Unified Command Plan of 2002, EUCOM also picked up responsibility for the Atlantic area off the U.S. East Coast to the shores of Europe and primary responsibility for Russia, previously handled by the Pentagon.

Composition: The Commander of EUCOM commands five U.S. components, including three four-star commands—U.S. Army Europe/Seventh Army, U.S. Navy Europe, and U.S. Air Forces in Europe—and the lower level commands—Special Operations Command Europe and Marine Forces Europe. The commander of EUCOM is also NATO's Supreme Allied Commander Europe. The joint EUCOM staff and its direct reporting units consist of well over 1,000 military personnel from all four of the military services. The command center at Patch Barracks is the focal point where the EUCOM commander or his deputy maintains contact with EUCOM forces, with other combatant commands, Supreme Headquarters Allied Powers Europe (SHAPE), and component headquarters. The command center coordinates and directs the employment of strategic forces assigned to the command and committed to U.S. and NATO missions.

Unique Responsibilities: EUCOM is responsible for enhancing transatlantic security through support to NATO, promoting regional stability, and advancing U.S. interests in EUCOM's AOR. EUCOM's primary mission in support of NATO is to provide combat-ready forces to support U.S. commitments to the NATO alliance. To further its mission, EUCOM conducts a variety of engagement activities with NATO allies, partner countries, and other friendly nations throughout its AOR. The headquarters also is responsible for theater-wide coordination of intelligence activities.

United States Northern Command (NORTHCOM)

Headquarters: Peterson Air Force Base in Colorado Springs, Colorado.

Geographic Area of Responsibility: NORTHCOM's AOR includes the United States, Canada, Mexico, parts of the Caribbean, and the contiguous waters in the Atlantic and Pacific Oceans out to approximately 500 nautical miles. The AOR includes air, land, and sea approaches to the AOR. (The defense of Hawaii and U.S. territories and possessions in the Pacific is the responsibility of U.S. Pacific Command. The defense of Puerto Rico and the U.S. Virgin Islands is the responsibility of U.S. Southern Command). The Commander of NORTHCOM is responsible for theater security cooperation with Canada and Mexico.

Composition: NORTHCOM has a number of component commands, including the three-star Army Reserve Command, a Major Command, referred to as U.S. Army North/Fifth Army.

Unique Responsibilities: NORTHCOM's mission is to provide command and control of Department of Defense (DoD) homeland defense efforts and to coordinate defense support of civil authorities (DSCA). The NORTHCOM commander's responsibilities include land, aerospace, and sea defenses of the United States and commanding U.S. forces that operate within the United States in support of civil authorities. The commander provides civil support not only in response to attacks, but for natural disasters. In addition, the Commander of NORTHCOM is responsible for the following functions:

1. In coordination with STRATCOM, providing technical assistance to geographic combatant commanders responding to chemical, biological, radiological, nuclear, and high-yield explosive events outside the continental United States.
2. Planning for the binational Canada–U.S. defense of the Canada–U.S. region.
3. The NORTHCOM commander is normally also designated Commander, North American Aerospace Defense Command (NORAD), a binational U.S.–Canada command. When the

> commander of NORAD is a Canadian, the commander of NORTHCOM will be designated Deputy Commander NORAD. The commander of NORAD is responsible for the employment of forces made available by the United States and Canada with the support of the Commander, STRATCOM, and other combatant commanders.

NORTHCOM was established October 1, 2002, and was the most significant of the sweeping changes that the 2002 Unified Command Plan effected. NORTHCOM took the homeland defense role from the U.S. Joint Forces Command (JFCOM), whose Joint Task Force–Civil Support was the first domestic joint task force. JTF–Civil Support was created to provide military assistance to civil authorities, such as Federal Emergency Management Agency (FEMA) and Federal Bureau of Investigation (FBI), for the management of weapons of mass destruction (WMD) incidents in the United States. JFCOM's Joint Task Force–Civil Support and related activities now report to NORTHCOM.

The United States Northern Command is unlike any other combatant command in that it does not interface exclusively with foreign countries but also interacts with U.S. federal agencies and, of particular note, with the elected governments of the U.S. states. The NORTHCOM headquarters has established liaisons with the homeland security directors of each state and has ties with related federal and state agencies. This interface with the states demands sensitivity to the prerogatives of the states and local governments.

NORTHCOM plans, organizes, and executes homeland defense and civil support missions but has few permanently assigned forces. The command is assigned forces whenever necessary to execute missions, as ordered by the President and Secretary of Defense. When tasked by DoD, the command provides assistance to a lead agency. Per the Posse Comitatus Act, military forces may provide civil support, but may not become directly involved in law enforcement. In providing civil support, NORTHCOM generally operates through established Joint Task Forces subordinate to the command. When the scope of the disaster is reduced to the point that the lead agency can again assume full control and management without military assistance, NORTHCOM exits.

United States Pacific Command (PACOM)

Headquarters: Honolulu, Hawaii

Geographic Area of Responsibility: PACOM's AOR extends from the west coast of the United States mainland to the east coast of Africa, and from the Arctic Ocean to Antarctica,

including Alaska and Hawaii. PACOM is the largest of the U.S. unified commands in area. PACOM's AOR covers about 50 percent of the earth's surface, or more than 100 million square miles, including 43 countries, 10 U.S. territories, and 20 territories of other countries that together make up nearly 60 percent of the world's population.[16]

Composition: The commander of PACOM commands a total force of about 300,000 military personnel—nearly 20 percent of all active-duty U.S. military forces—drawn from all the military services, organized into a headquarters and four component commands: the four-star U.S. Navy Pacific Fleet and U.S. Pacific Air Forces, as well as U.S. Marine Forces Pacific, and U.S. Army Pacific. PACOM's forces are in three categories: forward-deployed (about 100,000), forward-based, and continental United States (CONUS)-based.

Unique Responsibilities:

(1) Providing Defense Support of Civil Authorities (DSCA), as directed.

(2) In coordination with EUCOM, planning and conducting noncombatant evacuation operations, conducting counterterrorism planning for all U.S diplomatic missions, and carrying out force protection in areas of the Russian Federation.

United States Southern Command (SOUTHCOM)

Headquarters: Miami, Florida

Geographic Area of Responsibility: SOUTHCOM's AOR encompasses 32 nations (19 in Central and South America and 13 in the Caribbean), of which 31 are democracies, as well as 14 U.S. and European territories, covering more than 15.6 million square miles. With the creation of the Department of Homeland Security in 2002, SOUTHCOM's AOR decreased slightly in area. SOUTHCOM is responsible for all U.S. military activities, including theater security cooperation, on the land mass of Latin America south of Mexico; the waters adjacent to Central and South America; the Caribbean Sea, with its 13 island nations, European and U.S. territories; the Gulf of Mexico; and a portion of the Atlantic Ocean.

Composition: The Southern Command, which has about 3,000 permanently assigned military and civilian personnel, has the following component commands provided by the military services: United States Army South/Sixth Army (a two-star billet), U.S. Naval Forces Southern

[16] U.S. Pacific Command, "PACOM Facts: Headquarters, U.S. Pacific Command." <http://www.pacom.mil/about/pacom.shtml>

Command, and Special Operations Command, all in Puerto Rico, as well as the12th Air Force, and U.S. Marine Forces South. In addition, under SOUTHCOM, there are joint four task forces and 26 security assistance organizations (SAO) throughout the region.

Unique Responsibilities:

(1) Providing Defense Support of Civil Authorities (DSCA).

(2) Defending the Panama Canal and the Panama Canal area.

The Functional Commands

United States Joint Forces Command (JFCOM)

Headquarters: Norfolk, Virginia

Geographic Area of Responsibility: None

Composition: JFCOM has four component commands, a subordinate unified command, the Special Operations component, and eight subordinate activities, such as the Joint Warfare Analysis Center. JFCOM's Service components are the U.S.-based commands that provide forces to other combatant commands and have primary responsibilty to their military services for requirements validation. The four components include three four-star commands: the Army's Forces Command (FORSCOM), the Navy's Fleet Forces Command, and the Air Force's Air Combat Command, as well as the lower echelon Marine Corps' Marine Forces Command. The Special Operations component is the Special Operations Command Joint Forces Command, and the subordinate unified command is JFCOM Special Operations.

JFCOM is a force of more than 1.16 million active and reserve soldiers, sailors, airmen and marines, spanning JFCOM's four military service component commands and eight subordinate activities. JFCOM personnel include members from each branch of the U.S. military, civil servants, contract employees, and consultants.

Unique Responsibilities: Prior to 2002, JFCOM was the only unified command with both a geographic area and functional responsibilities. In 2002, JFCOM relinquished the geographic responsibilities, namely, responsibilities for homeland defense, to NORTHCOM and retained only its more functional role as a "transformation laboratory" and "force generator" to the geographical commands. The change has freed the command to focus on its unique mission of leading the transformation of U.S. military capabilities. The commander of JFCOM oversees the command's four major mission areas, all keys to transformation. Because of the position's

leading role in transformation, the JFCOM commander wears two hats, serving in the second hat as Supreme Allied Commander Transformation within NATO.

The four mission areas that the JFCOM commander oversees in JFCOM are the following:

- joint concept development and experimentation,
- joint training, including with simulation and modeling,
- improving joint interoperability and integration, and
- preparing battle-ready joint forces.

JFCOM develops joint operational concepts, tests these concepts through rigorous experimentation, educates joint leaders, trains joint task force commanders and staffs, and recommends joint solutions to the Army, Navy, Air Force, and Marines. The joint force trainer role allows JFCOM rapidly to introduce new doctrine and receive immediate feedback from the warfighters, while preparing warfighting commanders for their missions in a realistic joint environment. JFCOM also has led the way in developing a joint national training capability that ties together existing military service training sites so that forces can train in a common joint environment. As the joint force integrator, JFCOM helps develop solutions to the interoperability problems that plague the joint warfighter. This activity entails working closely with combatant commanders, military services, and government agencies to identify joint warfighting deficiencies.

JFCOM's role of primary conventional force provider, established in the Unified Command Plan in 2004, assigned nearly all conventional forces based in the continental United States to the command. With that responsibility, the command assists military commanders to identify potential readiness problems and advises national decision makers on support to operations.

United States Special Operations Command (SOCOM)

Headquarters: MacDill Air Force Base, Florida

Geographic Area of Responsibility: None

Composition: SOCOM is composed of Army, Navy, Air Force and, since 2006, Marines Special Operations Forces (SOF). All SOF of the Army, Navy, and Air Force based in the United

States are placed under SOCOM. SOCOM has four Service component commands: Army Special Operations Command, Naval Special Warfare Command, Air Force Special Operations Command, Marine Corps Forces Special Operations Command, and one subordinate unified command, Joint Special Operations Command (JSOC). The special operations community numbers about 47,000 personnel and is slated for considerable growth in both personnel and funding. The command has seen dramatic budget increases in recent years. In FY2002, SOCOM had an annual budget of $4.9 billion, about 1.3 percent of the overall DOD budget. As plans have developed to use special operations forces to eliminate terrorists around the world, the annual allocation has nearly doubled and may soon reach $50 billion.

Unique Responsibilities: The commander of SOCOM has two roles, being in a sense both a supporting commander, like a military service chief, and a supported commander, like the commander of a unified combatant command. As a supporting commander, the SOCOM commander provides trained and ready SOF. SOCOM exists to provide special operations forces to the National Command Authority (NCA), to the geographic combatant commanders, and to U.S. ambassadors and other government agencies for the conduct of both wartime and peacetime special operations, including civil affairs and psychological operations. At the same time, as a supported commander, the commander of SOCOM must prepare SOCOM to exercise command of special operations missions when so directed by the NCA. Such missions likely involve augmentation of a nucleus of SOF forces with other SOF forces and additional funding.

In 1987 when a congressional mandate activated SOCOM, each military service transferred its special operations forces and funds to the new organization. Although SOCOM was established as a combatant command, the organization was given significant service-like responsibilities and authorities. The initial mandate of the command resembled that of a military service in that SOCOM had the responsibility to organize, train, and equip forces, specifically, U.S. Special Operations Forces (SOF) from the Army, Navy, and Air Force. The command executed and still executes its own program and budget (its funding comes directly from Congress and not from the military services).[17] More recently, the mission of SOCOM has evolved. While still preparing SOF to carry out assigned missions, the command has taken on a greater role in planning and conducting special operations. SOCOM serves currently "as the lead

[17] VADM Eric T. Olson, Address to Armed Forces Communications and Electronics Professionals by the Deputy Commander, United States Special Operations Command. Web site of the Armed Forces Communications and Electronics Professionals. <http://www.afcea.org/events/pastevents/documents/Olsonaddress.pdf>

combatant commander for planning, synchronizing, and as directed, executing global operations against terrorist networks."

When carrying out assigned missions, the commander of SOCOM has responsibilities that go beyond the general command authority of combatant commanders prescribed in Title 10, Section 164 and in DoD Directive 5100.1. These SOCOM-specific responsibilities are prescribed in Title 10, Section 167. The commander of SOCOM is responsible for, and has the authority to conduct, the following activities, among others:[18]

- Developing strategy, doctrine, and joint special operations forces tactics.
- Submitting program and budget proposals for special operations forces.
- Submitting a budget proposal that includes requests for the 1) special operations-peculiar equipment and 2) acquisition of special operations-peculiar materials, supplies, and services. This selective, component-specific budgeting and resourcing authority makes the commander of SOCOM unique among combatant commanders.
- Exercising authority and control over the expenditure of funds for special operations forces.
- Training assigned forces.
- Conducting specialized courses of instruction for all SOF.
- Validating and establishing the priorities for requirements.
- Ensuring the interoperability of equipment and forces.
- Formulating and submitting requirements for intelligence support.
- Monitoring the professional development—promotions, assignments, retention, training, and military education—of special operations forces officers.
- Monitoring the combat readiness of special operations forces, regardless of whether they are assigned to SOCOM or to another unified combatant command.
- Including on the staff an Inspector General who conducts internal audits and inspections of purchasing and contracting actions.
- Conducting research, development, and acquisition of special operations peculiar items.

SOCOM's head is the sole commander of a unified combatant command with responsibility for planning, programming, and budgeting of military forces. In addition, the commander has the authority similar to that of a military service chief for the development and acquisition of special

[18] Title 10, Section 167, "Unified combatant command for special operations forces."

operations-peculiar equipment, materials, supplies, and services. The commander of SOCOM identifies, budgets for, and procures those special items of equipment unique to conducting special operations. In short, as one analyst remarked, "he is the only COCOM commander with a checkbook."[19]

The commander of SOCOM exercises military service-like authority vis-à-vis the so-called theater Special Operations Commands (SOC), subordinate unified commands under each of the geographic unified commands. Since 1988 each of the geographical unified commanders has established a separate SOC to meet its theater-unique special operations requirements. As subordinate unified commands, the theater SOCs provide the planning, preparation, and command and control of SOF from the Army, Navy, and Air Force. The theater SOCs also serve as a nucleus that can be built up when SOCOM is called upon to augment SOF in a unified command by providing additional funding and personnel.

United States Strategic Command (STRATCOM)

Headquarters: Offutt Air Force Base, Nebraska

Geographic Area of Operations: None.

Composition: STRATCOM has eight components that offer support to other commands. The components are Global Strike and Integration; the Special Operations Command; Intelligence, Surveillance and Reconnaissance; Space; Integrated Missile Defense; Network Warfare; Joint Task Force–Global Network Operations; and Joint Information Operations Warfare Command. A ninth organization under STRATCOM is the Center for Combating Weapons of Mass Destruction.

Unique Responsibilities: The current United States Strategic Command (STRATCOM) is an expanded version of the command, resulting from a merger of U.S. Space Command and Strategic Command in accordance with the Unified Command Plan of 2002. STRATCOM has the primary responsibility of overseeing the strategic nuclear force structure in support of U.S. deterrence policy, and is prepared to employ those weapons should deterrence fail. The commander of STRATCOM works with the Secretaries of Defense and Energy in overseeing the nuclear stockpile and provides weapons of mass destruction planning expertise to U.S. agencies.

[19] Chief of the National Guard Bureau, "NGAUS Response To OSD Talking Points," May 19, 2006. <http://www.ngaus.org/ngaus/files/ccLibraryFiles/Filename/000000001557/NGAUS%20Response%20to%20OSD%20Talking%20Points.doc>

STRATCOM also provides planning expertise for countering nuclear, chemical, and biological weapons and supports the geographic combatant commanders in theater planning and in shaping intelligence collection.

The expanded STRATCOM also has the responsibilities that formerly belonged to the United States Space Command, namely, responsibility for U.S. military satellite systems, important space-based assets that provide information and communication capabilities to geographic combatant commanders.

United States Transportation Command (TRANSCOM)

Headquarters: Scott Air Force Base, Illinois.

Geographic Area of Responsibility: None.

Unique Responsibilities: TRANSCOM is the sole manager of America's global defense transportation system and is responsible for coordinating personnel and transportation assets necessary to project and sustain U.S. forces. TRANSCOM supports the full spectrum of military operations worldwide.

Composition: TRANSCOM has three component commands through which it provides airlift, sealift, and land transportation to send troops to exercises and other engagement activities. The component commands include the four-star Air Mobility Command and the lower ranked commands, Military Sealift Command and Military Traffic Management Command.

Other Senior Joint Commanders: Commander, U.S Forces, Korea, and Deputy Commander, EUCOM

In addition to the unified combatant commands, the U.S. military has subordinate unified commands that fall under the unified commands, as well as combined commands involving the military cooperation of multiple nations. One of these subunified commands, U.S. Forces Korea (USFK), is a subordinate unified command under Pacific Command (PACOM). Although subordinate to PACOM, U.S. Forces Korea enjoys a four-star billet. Among the reasons is that the commander of USFK simultaneously commands the unique headquarters, Combined Force Command Korea, (CFC), a bi-national Republic of Korea (ROK)/U.S. command. The CFC, now the combined warfighting headquarters, evolved from the multinational United Nations

Command, which remains in existence in a diminished role. The Untied Nations Command is also under the command of the USFK commander.

Another four-star billet that is similarly joint and combined is that of the officer who is second-in-command to the commander of EUCOM, namely, the deputy commander. The deputy commander of EUCOM is the only four-star second-in-command officer. This exceptionally high rank presumably reflects the exceptional responsibilities of his superior officer, the commander of EUCOM. The head of EUCOM wears a second hat as the Supreme Allied Commander Europe (meaning, NATO), the most important military alliance of the Western powers.

Commander, U.S. Forces Korea, A Subordinate Unified Command

The commander of U.S. Forces Korea (USFK) holds one of only a few senior joint positions—other than the nine combatant commands—that are reserved as four-star positions by statute. Title 10, Section 604, of the United States Code singles out a number of senior joint officer positions, specifying special procedures that must be followed in making appointments to them. The procedures apply to 1) the commander of a combatant command, 2) the commander, United States Forces Korea, and 3) deputy commander, United States European Command, "but only if the commander of that command is also the Supreme Allied Commander, Europe."[20]

United States Forces Korea (USFK), a subordinate unified command of PACOM, is the joint headquarters through which U.S. combat forces would be sent to the fighting components of the Combined Forces Command (CFC) in the event of an attack from North Korea. The CFC is the bi-national warfighting headquarters of the ROK and the United States that has operational control over more than 600,000 active-duty military personnel of all services from both countries.[21] In wartime, augmentation could include some 3.5 million ROK reservists, as well as additional U.S. forces deployed from outside the ROK. If North Korea attacked, the CFC would provide a coordinated defense through its Air, Ground, Naval, and Combined Marine Forces Component Commands, and the Combined Unconventional Warfare Task Force. In-country and

[20] Title 10, Chapter 35, "Temporary Appointments in Officer Grades, " Section 604, "Senior joint officer positions: Recommendations to the Secretary of Defense."
[21] See "Combined Forces Command: Mission of the ROK/US Combined Forces Command," Web site of the U.S. Forces Korea. <http://www.usfk.mil/org/cfc.html>

augmentation U.S. forces would be provided to the CFC for employment by the respective combat component.

The commander of USFK, a four-star general in the U.S. Army, is also the Commander in Chief, Combined Forces Command, with a four-star ROK Army general serving as the deputy. The commander of USFK, in his role as commander of the CFC, reports to the national command authorities of both countries. Additionally, the commander of USFK serves as the commander of the United Nations Command and, as such, is responsible for maintaining the armistice agreement that suspended the Korean War in 1953.

The USFK includes more than 85 active installations in the Republic of Korea and has about 37,500 U.S. military personnel assigned in Korea. Major U.S. units in the ROK include the U.S. Eighth Army, a three-star billet, and Seventh Air Force. More limited manpower and equipment are allocated in peacetime to the USFK's other military service components, U.S. Naval Forces Korea, U.S. Marine Forces Korea, and Special Operations Command Korea. In the event of a crisis, the U.S. Pacific Command would augment these forces and commands, providing them with a higher combat capability. The USFK regularly participates in exercises that ensure the ability of the United States to move forces onto the Korean Peninsula and the USFK's ability to receive, prepare, and integrate newly arrived forces.

The military power of the Combined Forces Command resides collectively in the U.S. Forces Korea, U.S. augmentation from the Pacific, and the Republic of Korea Armed Forces. The security cooperation between the United States and the ROK is extensive. Some of its key elements are combined defense planning, combined training exercises, intelligence integration and sharing, logistical interface, educational exchanges, and defense industry cooperation. Notwithstanding such extensive cooperation, the South Korean military operates independently of the CFC in peacetime. Only during time of war would South Korean units fully subject themselves to the CFC.

Deputy Commander, U.S. European Command

The commander, U.S. European Command is a U.S. four-star general with an additional role as NATO's Supreme Allied Commander Europe (SACEUR).[22] As holder of the latter title,

[22] Since 1952, all SACEUR have also simultaneously been Commander in Chief, now simply Commander, United States European Command.

the commander of EUCOM is the senior commanding officer of Allied Command Operations, one of two commands into which NATO is divided, one for operations and one for transformation. Allied Command Operations (ACO), located at Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium, is the command for operations. In 2003 the responsibilities of Allied Command Operations (formerly Allied Command Europe) were extended beyond Europe to all Allied operations worldwide. The SACEUR retained the traditional title that included reference to Europe. The SACEUR, like the Secretary General of NATO, holds "Head of State" status in order to be able to cut red tape and contact anyone in the world, as needed.

The deputy commander of EUCOM—the deputy to the dual-hatted head of EUCOM and SACEUR—is a four-star officer. EUCOM's is the only deputy commander who holds that rank. The four-star designation for the billet is a matter of statute. The same Title 10 USC 604 that singles out other senior joint positions, namely, combatant commander and USFK commander, also singles out the position of deputy commander EUCOM, "but only if the commander of that command is also the Supreme Allied Commander, Europe."[23]

The reasons that the EUCOM deputy commander outranks other deputy commanders, who are normally in the O–9 pay grade, appear to be related to the importance of the dual-hatted position of the commander of EUCOM, who commands a combined command involving the United States' most important allies and, in economic terms, near-peers. In and of themselves, the statutory duties of the deputy commander of EUCOM are not exceptional compared to those of other deputy commanders in a combatant command. As in the other combatant commands, the EUCOM deputy commander is second-in-command and oversees the day-to-day operations of EUCOM. Like other deputies, the EUCOM deputy commander performs some duties that the commander can delegate only to the deputy commander, for example, rating and evaluating the combatant command inspector general.[24] As in other commands, the deputy is required to perform the duties of the commander in the absence of the commander or in the event of a vacancy.

[23] Title 10, Section 604 "Senior joint officer positions: Recommendations to the Secretary of Defense." The qualification in the law "but only if the commander of that command is also the Supreme Allied Commander, Europe" is unnecessary, because the head of EUCOM is always SACEUR.

[24] See *DoD Directive 5106.04*, June 19, 2006, especially Section 4.2.4.: "Each Combatant Command shall have an Inspector General who reports directly to either the Commander of the Combatant Command or to the Deputy Commander." <http://www.dtic.mil/whs/directives/corres/pdf/510604_061906/510604p.pdf>

Four-Star Officers in the Military Services

Service Chiefs of Staff

The Chief of Staff of a military service is the senior uniformed officer of his particular service. The service chiefs, as well as their vice chiefs, are appointed by the President, by and with the consent of the Senate, and serve, normally for four years, in the grade of general or admiral.[25] A military service is responsible for ensuring the readiness of that service. As with the Chairman of the Joint Chiefs of Staff, a military service chief has no operational military command authority. That is, the service chief is not in the operational chain of command that runs from the President to the Secretary of Defense to the commanders of the combatant commands. However, although not in the operational chain of command, the chief of a military service has jurisdiction over all the service's forces and is responsible for providing forces to the combatant commands. In the words of Army Vice Chief of Staff General Richard Cody, the military service chief has responsibility for "the manning, the equipping, the readiness, the training of forces, to include mobilized Guard units."[26] The chief's responsibility extends to the service's active-duty, National Guard, reserve, and civilian forces serving in the United States and overseas.

The military service chiefs are often said to "wear two hats." As members of the Joint Chiefs of Staff, they offer advice to the President, the Secretary of Defense, and the National Security Council. As the chiefs of the military services, they are responsible to the secretaries of their military departments for management of the services. The duties of the military service chiefs as members of the Joint Chiefs of Staff take precedence over all their other duties.

A typical enumeration of the duties of a military service chief is the list for the Chief of Staff of the Army presented in the Army's General Order No. 3, "Assignment of Functions and Responsibilities Within Headquarters, Department of the Army."[27] The section on the Chief of Staff's duties in General Order No. 3 mentions such major responsibilities as ensuring the

[25] Title 10, Chapter 505, Section 5033, Chief of Naval Operations, and Section 5035, Vice Chief of Naval Operations.
[26] U.S. Congress, House of Representatives, "Panel I of A Hearing of The House Armed Services Committee Subject: H.R. 5200, The National Defense Enhancement And National Guard Empowerment Act of 2006," June 13, 2006." Accessed through Lexis–Nexis Congressional.
[27] U.S. Department of the Army, General Order, No. 3, "Assignment of Functions And Responsibilities Within Headquarters, Department of The Army," July 9, 2002. <http://www.army.mil/leaders/leaders/go0203.pdf>

efficient functioning of Army organizations and commands; serving as the senior military leader of the Army and its components; assisting the Secretary of the Army in presenting and justifying Army policies, plans, and budgets; ensuring the efficient functioning of the Army headquarters staff, "to include integrating Reserve Component matters into all aspects of Army business;" representing Army capabilities, plans, etc. in joint fora; supervising the execution of Army policies and activities, etc.; and assessing the performance of Army commands. The section on the Chief of Staff's duties in General Order No. 3 reads as follows:

> The Chief of Staff, Army (CSA) serves as the senior military advisor to the Secretary of the Army (SA) in all matters and has responsibility for the effective and efficient functioning of Army organizations and commands in performing their statutory missions. Among the responsibilities of the CSA are—
>
> 1. Serving as the senior military leader of the Army and all of its components.
>
> 2. Assisting the Secretary of the Army in the SA's external affairs functions, including presenting and justifying Army policies, plans, programs, and budgets to the Secretary of Defense, executive branch, and Congress.
>
> 3. Assisting the SA in the SA's compliance functions, including directing The Inspector General to perform inspections and investigations as required.
>
> 4. Presiding over the Army Staff (ARSTAF) and ensuring the effective and efficient functioning of the headquarters staff, to include integrating Reserve Component matters into all aspects of Army business.
>
> 5. Serving as a member of the Joint Chiefs of Staff (JCS) and providing independent military advice to the Secretary of Defense, President, and Congress. To the extent that such action does not impair the independence of the CSA in the performance as a member of the JCS, the CSA keeps the SA informed of military advice rendered by the JCS on matters affecting the DA. Informs the SA of significant military operations affecting the duties and responsibilities of the SA, subject to the authority, direction, and control of the Secretary of Defense.
>
> 6. Representing Army capabilities, requirements, policy, plans, and programs in Joint fora.
>
> 7. Supervising the execution of Army policies, plans, programs, and activities and assessing the performance of Army commands in the execution of their assigned statutory missions and functions.
>
> 8. Tasking the Vice Chief of Staff, Army (VCSA) and the ARSTAF and, as authorized by the SA in paragraph 2a(7), elements of the Army Secretariat to perform the CSA's assigned duties and responsibilities.[28]

[28] General Order, No. 3.

Each of the military service chiefs of staff has broad management responsibilities—similar to the Army's listed above—for the entirety of the chief's particular military service. The charge of each, in the frequently reiterated words of DoD Directive 5100.1, is to "organize, train, equip, and provide" forces of various kinds. Each military service chief oversees such activities as those that General Cody enumerates for the Army Chief of Staff, namely, an acquisition process, a testing process, a training process involving schools for specialties, and leader development programs.[29] As Cody adds, each service chief also is required to "develop doctrines and procedures . . . for organizing, equipping, training, and employing forces operating" in a particular environment (e.g., land, water, air).[30]

Service Vice Chiefs

Like the military service chiefs, the vice chiefs of the DoD military services are all four-star officers. Only in the Coast Guard, which reports to the Department of Homeland Security in peacetime, is the second-in-command a three-star officer. By custom, the vice chiefs of the DoD military services act for their chiefs in most matters having to do with day-to-day operation of the military services. The vice chief is the principal advisor and assistant to the chief of staff. A typical enumeration of the duties of a military service vice chief is the list for the Vice Chief of Staff of the Army presented in the Army's General Order No. 3, "Assignment of Functions and Responsibilities Within Headquarters, Department of the Army."[31] The section on the Army Vice Chief of Staff's duties in General Order No. 3 mentions such major responsibilities as assisting on functions related to manpower and personnel, logistics, operations and plans, requirements

[29] U.S. Congress, House of Representatives, "Panel I of A Hearing of The House Armed Services Committee Subject: H.R. 5200, The National Defense Enhancement And National Guard Empowerment Act of 2006, June 13, 2006." Accessed through Lexis–Nexis Congressional.

[30] *DoD Directive 5100.1*. Many sections of Title 10 outlining the duties of the various service chiefs largely overlap in their contents with *DoD Directive 5100.1*. Relevant sections for the Navy and Marine Corps are found in Title 10. Subtitle C, Navy and Marine Corps, Part I. The sections on the Navy are:
Section 5031, Office of the Chief of Naval Operations: function; composition
Section 5032, Office of the Chief of Naval Operations: general duties
Section 5033, Chief of Naval Operations
Section 5034, Repealed.]
Section 5035, Vice Chief of Naval Operations.
The sections on the Marines, in Chapter 506—Headquarters, Marine Corps, are:
Section 5041, Headquarters, Marine Corps: function; composition
Section 5042, Headquarters, Marine Corps: general duties
Section 5043, Commandant of the Marine Corps.

[31] General Order, No. 3.

and programs, intelligence, command and communications, and readiness; assisting on functions related to auditing, Inspector General, legislative affairs, public affairs, acquisition, financial management, and information management; assisting in the management of installations and facilities; and representing the military service's capabilities, requirements, etc. in joint fora. The section on the Army Vice Chief of Staff's duties in General Order No. 3 reads in part as follows:

> Among the responsibilities of the VCSA are—
> (1) Advising and assisting the CSA in the execution of the CSA's responsibilities for those missions and functions related to manpower and personnel; logistics; operations and plans; requirements and programs; intelligence; command, control, and communications; and readiness.
> (2) Under the authority, direction, and control of the SA, advising and assisting the CSA on missions and functions related to auditing, inspector general, legislative affairs, and public affairs activities and in the planning and coordination of matters related to acquisition and supportability, comptroller and financial management, and information management.
> (3) Assisting the CSA in the management of Army installations and facilities.
> (4) Representing the Army at OSD in those areas relating to the VCSA's principal responsibilities.
> (5) Representing Army capabilities, requirements, policy, plans, and programs in Joint fora.
> (6) Representing the Army, designated the Army general officer representative to the Joint Requirements Oversight Council (JROC).
> (7) Tasking the ARSTAF and, as authorized by the Secretary of the Army in paragraph 2*a*(7), elements of the Army Secretariat to support the CSA in the performance of the CSA's assigned duties and responsibilities.[32]

Differing Scale of the Military Services

Although the military service chiefs all have the same charge of providing the combatant commanders with prepared individuals and units, the service chiefs' responsibilities are not identical, insofar as their service's authorized troop strengths and budgets differ. Considerable differences exist among the services in troop strength. The total force of each of the military services as of December 2006 numbers as follows:

[32] General Order, No. 3.

Service	Armed Forces Strength Figures For December 31, 2006
Army	502,466
Marine Corps	178,477
Navy	345,566
Air Force	345,024
Total DoD	1,412,362
Coast Guard[33]	40,829

Source: Based on Department of Defense, Defense Manpower Data Center, Statistical Information Analysis Division, "Armed Forces Strength Figures." <http://siadapp.dior.whs.mil/personnel/MILITARY/ms0.pdf>

The breakdown of these forces by categories of rank as of September 2005 is as follows:[34]

Service	Enlisted	Officers–O-1–O-10
Army	406,923	69,175
Marine Corps	161,144	16,959
Navy	305,735	51,261
Air Force	276,117	73,252
Total	1,373,421	210,646

Source: Based on Department of Defense, Defense Manpower Data Center, Statistical Information Analysis Division, "Summary of Military Personnel by Rank/Grade," *DoD Personnel & Procurement Statistics: Personnel & Procurement Reports and Data Files, Selected Manpower Statistics (M01), Fiscal Year 2005.* <http://siadapp.dior.whs.mil/personnel/M01/fy05/m01fy05.pdf>

Also relevant to gauging the scale of a military service, and thus, as some see it, the magnitude of the responsibilities of a service chief, is the service's budget. The annual funding for the military services is specified in each year's Defense budget. The variability of funding for the services, while less marked for the three large services than differences in troop strength, is very marked when all fives services are compared. For the Army, the annual budget in recent years tends to run about $100 billion, not including the supplementals for the Iraq War. With the supplementals included, the FY05 actual obligations for the Army were $167.3 billion.[35] The

[33] The Coast Guard figures are not included in the DoD total, because the Coast Guard reports to the Department of Homeland Security.
[34] These figures do not include the several thousand warrant officers for each military service.
[35] Office of the Secretary of Defense, "Financial Summary Tables," *Budget Materials.* <http://www.dod.mil/comptroller/defbudget/fy2007/index.html>

Army's FY07 budget request was $111.8 billion. For the Air Force, recent annual budget requests have tended to exceed the Army's by about $20 billion, while actual outlays are lower. With the supplemental included, the FY05 actual obligations for the Air Force were $131.6 billion. The Air Force's FY07 budget request was $130.3 billion. For the Navy, budget requests and actual outlays are roughly equal to the Air Force's. With the supplemental included, the FY05 actual obligations for the Navy were $133.6 billion. The Navy's FY07 budget request was $127.3 billion. The Navy's budget includes the budget for the Marine Corps, which is far smaller than the budgets of the three largest services. In the Navy's budget request for FY2005, the request for the Marine Corps was $17 billion. The Coast Guard's FY2007 budget, which is not in the DoD budget, funded the Service with $7.1 billion, a six percent increase over the comparable 2006 level and an 87 percent increase since 2001.

The budgets of the two smallest services are on a scale with the budgets of the two branches of the National Guard, the Army National Guard (ARNG) and the Air Force National Guard (ANG). As with the Marines, the budgets of each of these National Guard branches are part of the budgets of their parent services. Within the annual defense appropriations of the Army and the Air Force, there are three separate lines each for the operating budgets of the Army National Guard and the Air Force National Guard, respectively. The three lines are personnel, operation and maintenance, and military construction. Within the Air Force's budget, the Air Force National Guard's operating budget for fiscal year 2007 is $2.7 billion for personnel, $4.7 billion for operation and maintenance, and $165.3 million for military construction for a total of $7.6 billion.[36] This funding covers an organization—the ANG—whose authorized personnel strength for fiscal year 2007 is 106,678 compared to active force strength of 359,300. For the Army National Guard, the total of the Pentagon's three budget appropriations is approximately $10 billion annually, an amount that funds troop strength between about 330,000 and 350,000.[37] The Pentagon's FY 2007 budget for the Army National Guard totals $10.8 billion.

[36] U.S. Air Force, *U.S. Air Force Fact Sheet: Air National Guard*, July 2006. <http://www.af.mil/factsheets/factsheet.asp?fsID=160>

[37] National Guard Bureau, *National Guard Fact Sheet Army National Guard (FY2005)*, May 2006. <http://www.ngb.army.mil/media/factsheets/ARNG_Factsheet_May_06.pdf>

"Major Commands" in the Services: Functional Four- and Three-Star Billets

Not all the four-star billets in the individual military services involve overall responsibility for the full array of activities that accomplish the service's mission. The DoD services each divide their forces into a number of "Major Commands," some of which are four-star billets, while others are three-star commands. Some of the Major Commands—at least three each in the Army and Air Force—have functional specialties related to the three major tasks inherent in the military services' mission to "organize, train, and equip" forces. The Army and Air Force use Major Commands to delegate the tasks for organizing, training, and equipping, giving each of the three functional billets four stars. The Army, for example, traditionally has had the following four four-star major commands, of which the first three are the functional commands:[38]

- Army Materiel Command (AMC)
- Training & Doctrine Command (TRADOC)
- Forces Command (FORSCOM)
- U.S. Army Europe & 7th Army (USAREUR)

The Army's major commands were described in *Army Regulation 10-87: Major Commands in the Continental United States*, which was in force until October 2006.[39] Following a 2006 revision of *Army Regulation 10-87*, some specifics concerning the Army's major commands are in flux. The Army dropped the term major Army command (MACOM) in favor of terminology that distinguishes three types of major commands: Army command, Army service component command (ASCC), and direct reporting unit (DRU). The three four-star functional commands comprise the Army commands. Notwithstanding the changes in terminology and some reporting practices, the Major Commands—in particular the four-star functional Army commands—retain their broad missions of support to the entire Army.[40]

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[38] See Department of the Army, *Pamphlet 10–1, Organizations and Functions: Organization of the United States Army*, June 14, 1994. <http://www.army.mil/usapa/epubs/pdf/p10_1.pdf>

[39] "Army Changes Major Command Structure," *Army Logistician*, September–October 2006.

[40] On the Army commands, see the following Web sites: Training and Doctrine Command (TRADOC), <http://www.tradoc.army.mil/about.htm>; Army Materiel Command (AMC) <http://www.amc.army.mil/about_amc/stratplan05.pdf>; Forces Command (FORSCOM) <http://www.forscom.army.mil/>

The current Air Force four-star Major Commands (abbreviated as MAJCOMs in the Air Force) are greater in number than the Army's, but include a similar functional set. The Air Force's four-star MAJCOM's are the following:

- Air Combat Command (ACC)
- Air Education and Training Command (AETC)
- Air Force Material Command (AFMC)
- Air Force Space Command (AFSPC)
- Air Mobility Command (AMC)
- Pacific Air Forces (PACAF)
- U.S. Air Forces in Europe (USAFE)

In the Navy, a four-star command with a functional role similar to that of the Army's and Air Force's functional Major Commands is the U.S Fleet Forces Command (FLTFORCOM).

The four-star functional Major Commands all play a supportive role vis-à-vis their parent service. The Major Commands facilitate the provision of combat-ready forces to the commanders of the unified combatant commands and to joint task forces. The Major Commands have established component relationships with some of the unified combatant commands. The Major Commands commanded by four-star general officers each have three-star deputy commanders and a three-star chief of staff and consist of different types of subordinate units, depending on the military service. In the Air Force, for example, MAJCOMs have traditionally consisted of a large headquarters and one or more subordinate units called Numbered Air Forces (NAFs)—the Air Force equivalent of Army divisions (although the status of NAFs is currently in flux).

TYPICAL THREE-STAR BILLETS SERVING BOTH JOINT AND SERVICE HEADQUARTERS

Although looking at the nature of four-star positions is essential when considering the appropriate rank of the Chief of the National Guard, looking at the nature of typical three-star positions also can shed light on the debate about his appropriate rank. Such an examination can reveal whether the duties of the CNGB significantly exceed those of a typical three-star officer.

As indicated in an earlier brief discussion of three-star positions, they fall, like four-star positions, into the two broad categories of staff positions and positions that involve command over warfighting organizations or units. Both types of positions are found in both joint contexts and within the single military services. A particularly apt comparison for illuminating the proper status of the CNGB is with three-star billets in headquarters rather than in operational units.

The three-star positions in the U.S. military currently number about 143, including the four vice admiral positions in the Coast Guard—the Vice Commandant, the Chief of Staff, and the Atlantic and Pacific Area commanders. The total of 143 three-star officers is roughly three and a half times the current complement of 40 four-star positions. The three-star positions, too numerous to usefully list singly, comprise high-level joint positions and positions in the military services. The current distribution of three-star billets among the services is indicated in the following chart:

Department of Defense
Active Duty Military Personnel by Rank/Grade
December 31, 2006

Rank/Grade – All	Army	Navy	Marine Corps	Air Force	Total Services
General – Admiral	12	10	6	12	40
[redacted]					

Source: Based on Department of Defense, Defense Manpower Data Center, Statistical Information Analysis Division <http://siadapp.dior.whs.mil/personnel/MILITARY/rg0612.pdf>

Categories of Three-Star Positions in the Military Services

Except for the Coast Guard, the military services have two four-star uniformed heads, the Chief of Staff and his second-in-command, the Vice Chief. (In the Coast Guard, whose troop strength of 40,000 is roughly one-tenth that of the largest military services, the second-in-command is a three-star officer). The services with two four-star heads have a number of three-star deputy chiefs of staff who serve in the Pentagon and oversee particular functional areas. A military service typically has, for example, a deputy chief of staff for operations and a deputy chief of staff for personnel. The charge of such three-star deputies extends to the entirety of their particular organization, that is, the entire military service.

A typical military service headquarters, complete with three-star deputy chiefs of staff, is that of the Army. The Army has deputy chiefs of staff for operations, personnel, logistics, programs, and intelligence. Making up the Army staff, these deputies prepare plans and programs, supervise the execution of policy, plans and programs, and coordinate activities Army-wide in support of Title 10 functions. Additionally, the deputy chiefs of staff support the Chief of Staff as a member of the Joint Chiefs of Staff and the Vice Chief of Staff in his assigned Joint responsibilities. The deputy chiefs of staff assume historical G-staff designations to ensure clear relationships and facilitate coordination with the Joint Staff and subordinate Army staffs.

Other three-star officers in the U.S. Armed Forces serve as the heads of organizations or units that are subordinate units within the military services. In the Army, for example, three-star officers are the top officers in most of the Major Commands, especially those renamed Army service component commands (ASCC) in October 2006. Although, as mentioned, four Major Commands in the Army are four-star billets, most are not. Stated differently, among the now distinguished types of Army major commands, all of the "Army commands" are four-star billets, most of the nine Army service component commands are three-star billets, and most of the 11 direct reporting units (DRU) carry fewer than three-stars.[41] The following chart lists the Army's three-star Major Commands, along with their new categorical designations:

U.S. Army, Major Commands Headed by Three-Star Officers

Command	New Designation, October 2006, and Other Remarks
Corps of Engineers (USACE)	Direct reporting unit (DRU)
Medical Command (MEDCOM)	DRU
Special Operations Command (USASOC)	Army service component command (ASCC)
Space & Missile Defense Command (SMDC)	ASCC.
8th U.S. Army (EUSA), Korea	ASCC. Army component subordinate to U.S Forces, Korea, a four-star sub-unified and combined command
Army Pacific Command (USARPAC)	ASCC. Army component of PACOM
Army Central Command (ARCENT)/ Third Army	ASCC. Army component of CENTCOM
Army Reserve Command (ARC)	DRU. One of the U.S. military's five reserve components. The command's first three-star Chief was appointed in 2001.
Army National Guard (ARNG)	One of the U.S. military's five reserve components. The command's first three-star Director was appointed in 2001.

[41] The eight (out of 11) DRUs that do not carry three stars are: Network Command (NETCOM); Intelligence and Security Command (INSCOM); Criminal Investigation Division Command (CIDC); Military District of Washington (MDW); Army Test and Evaluation Command (ATEC); U.S. Military Academy (USMA); Acquisition Support Center; and Installation Management Agency (IMA).

Another role for three-star officers in the Army, besides that of the heads of Major Commands, is that of a three-star deputy commander or a three-star chief of staff in one of the four Major Commands whose head is a four-star officer. Each of these commands has at least one deputy commander and a chief of staff at the three-star level. The four four-star Army major commands—already mentioned—that have three-star deputies and chiefs of staff are the following:

Four-Star Major Commands With a Three-Star Deputy Commander and a Three-Star Chief of Staff	**New Designation of the Command Type** (as of October 1, 2006, designation replaced Major Command or MACOM)
Army Materiel Command (AMC)-	Army command
Training & Doctrine Command (TRADOC)-	Army command
Forces Command (FORSCOM)	Army command
U.S. Army Europe & 7th Army (USAREUR)	Army service component command

The Major Commands are sources of component commands, generally headed by lieutenant generals, for the unified combatant commands. Other formations that serve as three-star component commands in unified combatant commands are the traditional Armies and Corps, formations that are distinguished by numbers. Corps, such a V Corps, III Corps, and XVIII Airborne Corps, the highest tactical commands, are single-service commands that often have stable relationships with particular unified combatant commands. Several of the traditional numbered Armies—units of between 50,000 and 100,000 people—likewise operate under unified combatant commands, serving as Army components of the commands. Examples of such an arrangement include the Third Army, which serves as the Army component of CENTCOM under the designation U.S. Army Central Command (ARCENT)/ Third Army, and the Fifth Army, which serves as the Army component of NORTHCOM under the designation U.S. Army, North/Fifth Army (Reserve). Other instances of numbered armies serving as the Army component of a unified combatant command do not have three-star commanders. An example already discussed, U.S. Army Europe/Seventh Army, the Army component of EUCOM, is a four-star billet. On the other hand, U.S. Army South/Sixth Army, the Army component of SOUTHCOM, is a two-star billet.[42]

[42] Under the new Army terminology for major commands, USARSOUTH or Sixth U.S. Army is one of the Army's nine Army service component commands (ASCC), albeit not a three-star ASCC.

In the Air Force, as in the Army, the four-star Major Commands have lieutenant generals as deputy commanders as well as three-star chiefs of staff. The Air Force also has units subordinate to—or divisions of—the four-star MAJCOMs that have three-star commanders under particular conditions, i.e., when the units—sometimes numbered air forces or NAFs—serve as components of a unified combatant command or of a subordinate unified command.

Similarly, in the Navy, four-star commands, such as U.S. Fleet Forces Command, with functions like those of the Army's FORSCOM, have vice admirals as deputy commanders and three-star chiefs of staff, as well as subordinate units headed by vice admirals. In the Marine Corps, which has the fewest four-star billets among the DoD military services, only the Commandant and the Assistant Commandant always bear four-stars. Another generally four-star billet is that of the commander of Marine Corps Forces, whose major subdivisions, each headed by a lieutenant general, are Marine Forces Command (MARFORCOM) and Marine Forces Pacific (MARFORPAC). Each of these subdivisions contains and has operational control over at least one of the Marine Corps' three Marine Expeditionary Forces (MEFs). A Marine Expeditionary Force (MEF), with up to 48,000 Marines, is the main combat formation in Marine Corps operations. The MEF consists of a division of U.S. Marines, including tanks and artillery, a Marine Air Wing with a ground support contingent, plus a Marine logistics group. A lieutenant general typically commands a MEF when the MEF is a component command of a unified combatant command. Currently, for example, a lieutenant general is the commanding general of I MEF and simultaneously commander of U.S. Marine Corps Forces Central Command. Since 2003, one MEF has been deployed to Iraq at all times. As of late 2004, a three-star general headed the Marine Forces Reserve Command in New Orleans, LA, which is a NORTHCOM component. The commander is responsible for force-protection of Marine installations and coordinating Marine forces assigned to NORTHCOM, as well as for assisting NORTHCOM civil support planning. For the latter mission, the commander oversees 32 Marine Emergency Preparedness Liaison Officers (EPLO) focused on specific FEMA regions.[43]

[43] Steve Bowman and James Crowhurst, Congressional Research Service, *Homeland Security: Evolving Roles and Missions for United States Northern Command*, Updated November 16, 2006. Order Code RS21322. <http://fpc.state.gov/documents/organization/77704.pdf>

Categories of Three-Star Positions in the Joint Commands and Other Contexts

Apart from the three-star billets—staff positions and otherwise—that officers hold in the individual military services, three-star members of each of the services fill joint positions. At the highest level, the level of the Joint Chiefs of Staff itself, three-star officers serve as deputies to the service chiefs on that body. As discussed in Joint Admin Pub 1.1, *Organization and Functions of the Joint Staff*, a body of senior flag or general officers is responsible for assisting in resolving matters that do not require the attention of the JCS as a body.[44] Each Service chief appoints an operations deputy—generally the three-star chief of staff of operations for the service—who works with the Director of the Joint Staff to form the subsidiary body known as the Operations Deputies of the Joint Chiefs of Staff or the OPSDEPs. The OPSDEPs are usually Army Deputy Chief of Staff (DCOS) for Operations and Plans; Navy Deputy Chief of Naval Operations (DCNO) for Plans, Policy, and Operations; Air Force DCOS for Plans and Operations; and Marine Corps DCOS for Plans, Policy, and Operations. These deputy chiefs meet in sessions chaired by the Director of the Joint Staff to consider issues of lesser importance on behalf of the Joint Chiefs of Staff or to screen major issues before they reach the Joint Chiefs of Staff. With the exception of the Director, this body is not considered part of the Joint Staff.

Other three-star joint billets include positions in the highest-level joint warfighting formations, the unified combatant commands. Except for EUCOM, which has a four-star deputy commander, the unified combatant commands normally have three-star deputy commanders, either lieutenant generals or vice admirals.[45] Three-star officers, as mentioned, also serve as commanders of subordinate unified commands. Finally, three-star officers serve at the head of some unusual commands, such as the Defense Intelligence Agency.

CONCLUSION

A comparative overview of types of four-star positions, combined with an overview of categories of three-star positions, can serve as a significant step in advancing the debate as to the advisability and feasibility of raising the rank of the Chief of the National Guard Bureau. Such overviews can provide the basis for narrowing the field of positions to the subset that warrant

[44] *Joint Staff Officers Guide*, AFSC Pub 1 – 1997. <http://www.fas.org/man/dod-101/dod/docs/pub1_97/Chap2.html>
[45] Proposed legislation would require that the National Guard supply the deputy commander of NORTHCOM.

more detailed comparative analysis. In general terms, the position of the CNGB has the most features in common with the billets of other force providers, rather than force deployers. Force providers at the four-star level include, first and foremost, the military services and their chiefs, but also the commanders of certain of the major commands. The duties of the latter commanders, while service-wide and thus very broad, are not as all-encompassing as those of the service chiefs. The commanders of the major commands provide service-specific support to their parent military services. Like the CNGB, they serve *under* a military service chief and, for example, similarly lack a lead role in the budget process. The subordinate placement of such commanders in relation to the service chief does not in and of itself disqualify them from holding four-star rank. Thus the subordinate placement of the National Guard branches and the CNGB in relation to the Army and the Air Force is not a convincing basis for denying the commander a four-star rank.

Judgments as to the advisability and feasibility of elevating the CNGB to four-star rank require detailed analyses of properly chosen subsets of four-star positions to compare. Only such analysis can reveal whether, for example, the duties of the commander of the Army's Materiel Command (AMC) definitely exceed those of the CNGB as they currently stand. The workforce of the AMC is only about 50,000 strong and predominantly civilian. However, the AMC commander arguably bears more direct responsibility for acquisition and logistics services and the materiel readiness of Army forces than the CNGB bears for the National Guard forces he oversees and "coordinates." Opponents to raising the CNGB's rank assert that the commander only coordinates the efforts of others who have the direct responsibility for, for example, training or provisioning the admittedly huge number of National Guard troops. Determining the relative weights of the responsibilities various positions requires a systematic application of multiple criteria, not crude judgments based on a handful of dimensions, such as force size, funding levels, and the like. As noted, the GAO has suggested 16 criteria by which the ranks of general and flag officers can be assessed.

In weighing whether the duties of the CNGB merit four-stars, the same 16 criteria can be used to determine whether those duties significantly exceed the charge of other three-star billets. Three-star billets likewise resist assessment by single or few criteria. The responsibilities of the three-star deputies in the Pentagon, for example, extend to the entirety of their particular service and, in that respect, are arguably equal to those of the CNGB. At the same time, the charge of

the deputies covers only a single functional area, such as personnel and, in that respect, may be considered smaller than the CNGB's.

The participants in the debate about the rank of the CNGB have hitherto not made serious attempts to identify, let alone to analyze, the most revealing subsets to compare either of four-star or three-star positions. This report has attempted the first of these tasks.

BIBLIOGRAPHY

"Army Changes Major Command Structure." *Army Logistician*, September–October 2006. <http://www.findarticles.com/p/articles/mi_m0PAI/is_5_38/ai_n16753010>

Army Regulation 10–87: Major Commands in the Continental United States. October 30, 1992. <http://www.army.mil/usapa/epubs/pdf/r10_87.pdf>

Chief of the National Guard Bureau. "NGAUS Response To OSD Talking Points," May 19, 2006. <http://www.ngaus.org/ngaus/files/ccLibraryFiles/Filename/000000001557/NGAUS%20Response%20to%20OSD%20Talking%20Points.doc>

Bowman, Steve, and James Crowhurst. *Homeland Security: Evolving Roles and Missions for United States Northern Command.* Washington, D.C.: Congressional Research Service, Updated November 16, 2006. <http://fpc.state.gov/documents/organization/77704.pdf>

Commission on the National Guard and Reserve. *Hearing on Proposed Changes to National Guard.* December 13–14, 2006. <http://www.cngr.gov/hearing121314/1214cngr-panel2.pdf>

Joint Chiefs of Staff. *Vice Chairman: Responsibilities.* <http://www.jcs.mil/vice_chairman/vice_chairman_resp.html>

Joint Staff Officers Guide, AFSC Pub 1 – 1997. <http://www.fas.org/man/dod-101/dod/docs/pub1_97/Chap2.html>

Joint Publication 1-02: "DOD Dictionary of Military and Associated Terms." Amended through August 8, 2006. <http://www.dtic.mil/doctrine/jel/doddict/>

The Military Balance, 2004–2005. Oxford: International Institute for Strategic Studies, 2004.

National Guard Association of the United States. "NGAUS Response To OSD Talking Points," May 19, 2006. <http://www.ngaus.org/ngaus/files/ccLibraryFiles/Filename/000000001557/NGAUS%20Response%20to%20OSD%20Talking%20Points.doc>

National Guard Bureau. *National Guard Fact Sheet Army National Guard (FY2005)*, May 2006. <http://www.ngb.army.mil/media/factsheets/ARNG_Factsheet_May_06.pdf>

Office of the Secretary of Defense, "Financial Summary Tables," *Budget Materials.* <http://www.dod.mil/comptroller/defbudget/fy2007/index.html>

Olson, VADM Eric T. Address by the Deputy Commander, United States Special Operations Command, to Armed Forces Communications and Electronics Professionals. Web site of the Armed Forces Communications and Electronics Professionals. <http://www.afcea.org/events/pastevents/documents/Olsonaddress.pdf>

U.S. Air Force. *U.S. Air Force Fact Sheet: Air National Guard*, July 2006. <http://www.af.mil/factsheets/factsheet.asp?fsID=160>

U.S. Congress. House of Representatives. Committee on Government Reform. *Transforming the National Guard: Resourcing for Readiness*. 108th Congress, Second Session. April 29, 2004.

U.S. Congress. House of Representatives. House Armed Services Committee. *Hearing on H.R. 5200, The National Defense Enhancement And National Guard Empowerment Act of 2006*. Panel II, June 13, 2006.

U.S. Congress. House of Representatives. House Armed Services Committee. *Hearing on H.R. 5200, The National Defense Enhancement And National Guard Empowerment Act of 2006*. Panel II, June 13, 2006.

U.S. Congress. *Public Law 99–433, Goldwater-Nichols Department of Defense Reorganization Act of 1986*. Section 201.

U.S. Department of the Army. General Order, No. 3: "Assignment of Functions And Responsibilities Within Headquarters, Department of The Army," July 9, 2002. <http://www.army.mil/leaders/leaders/go0203.pdf>

U.S. Department of the Army, *Pamphlet 10–1, Organizations and Functions: Organization of the United States Army*, June 14, 1994. <http://www.army.mil/usapa/epubs/pdf/p10_1.pdf>

U.S. Department of Defense. *Directive, Number 5100.1: Functions of the Department of Defense and Its Major Components*, August 1, 2002. <http://www.dtic.mil/whs/directives/corres/rtf/cr2>

U.S. Department of Defense. *DoD Directive 5106.04*, June 19, 2006. <http://www.dtic.mil/whs/directives/corres/pdf/510604_061906/510604p.pdf>

U.S. Department of Defense. *Joint Publication 1-02: DOD Dictionary of Military and Associated Terms*." Amended through August 8, 2006. http://www.dtic.mil/doctrine/jel/doddict/

U.S. Department of Defense, Defense Manpower Data Center, Statistical Information Analysis Division, "Armed Forces Strength Figures." <http://siadapp.dior.whs.mil/personnel/MILITARY/ms0.pdf>

U.S. Department of Defense, Defense Manpower Data Center, Statistical Information Analysis Division. "Summary of Military Personnel by Rank/Grade," *DoD Personnel & Procurement Statistics: Personnel & Procurement Reports and Data Files, Selected*

Manpower Statistics (M01), Fiscal Year 2005. <http://siadapp.dior.whs.mil/personnel/M01/fy05/m01fy05.pdf>

U.S. Department of Homeland Security, U.S. Coast Guard. "Commandant's Corner." <http://www.uscg.mil/comdt/>

U.S. Forces Korea. "Combined Forces Command: Mission of the Rok/Us Combined Forces Command." Web site of the United States Force, Korea. <http://www.usfk.mil/org/cfc.html>

U.S. General Accountability Office (GAO). *Military Personnel: DOD Could Make Greater Use of Existing Legislative Authority to Manage General and Flag Officer Careers.* GAO–04–1003, September 2004. <http://www.gao.gov>

U.S. General Accounting Office (GAO). "Appendix I: Sixteen Factors Used to Validate General and Flag Officer Requirements," *Military Personnel: General and Flag Officer Requirements Are Unclear Based on DOD's 2003 Report to Congress.* GAO–04–488, April 2004. <http://www.gao.gov>

U.S. General Accounting Office (GAO). *Military Personnel: General and Flag Officer Requirements Are Unclear Based on DOD's 2003 Report to Congress.* GAO–04–488, April 2004. <http://www.gao.gov>

U.S. Pacific Command. "PACOM Facts: Headquarters, U.S. Pacific Command." <http://www.pacom.mil/about/pacom.shtml>

U.S. Public Health Service Commissioned Corps. "Grades, Titles, and Billets in the Commissioned Corps." <http://www.usphs.gov/html/grades.html#ranks>

Wormuth, Christine E., Michèle A. Flournoy, Patrick T. Henry, and Clark A. Murdock. *The Future of the National Guard and Reserves: The Beyond Goldwater-Nichols Phase III Report.* Washington, DC: Center for Strategic and International Studies, July 2006. <http://www.csis.org/media/csis/pubs/bgn_ph3_report.pdf>

Also used in the preparation of this report were the United States Code, the Code of Federal Regulations, and U.S. Department of Defense directives. This report relies on online versions of the U.S Code and the Code of Federal Regulations, on the Web site of the Cornell University Law School: <http://www.law.cornell.edu/uscode/#TITLES>. The directives that are currently in force are available at <http://dtic.mil/wh/directives>. The author also consulted the official Web sites of all of the unified combatant commands and numerous commands at lower echelons.

United States General Accounting Office

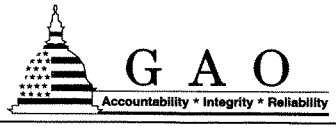
GAO

Report to Congressional Committees

April 2004

MILITARY PERSONNEL

General and Flag Officer Requirements Are Unclear Based on DOD's 2003 Report to Congress



GAO-04-488

Appendix I: Sixteen Factors Used to Validate General and Flag Officer Requirements

Nature of the Position

1. Characteristics of function

   a. Type (e.g., command, general or coordinating staff, special staff, manager, deputy, specialist, etc.)

   b. Scope (e.g., operational command, training command, installation command, personnel management, officer personnel management, legal affairs, information, etc.)

   c. Level of function (e.g., national, secretarial, service, theater, field command, etc.)

2. Grade and position of

   a. superior

   b. principal subordinates

   c. lateral points of coordination

   (relative position within the military or governmental structure within which the position's function is performed)

3. Supervision over position

   a. Proximity (remoteness or closeness of supervision)

   b. Degree (independence of operation)

4. Official relations with U.S. and foreign governmental officials and with the public

   a. Nature (e.g., reports to, works for, keeps informed, provides liaison, etc.)

   b. Extent (e.g., primary function, frequent requirement, continuous additional duty, occasional requirement, etc.)

   c. Level of official relations with U.S. and foreign governmental officials and with the public (e.g., governmental department or agency, national or local government, civil organizations, industry, press, non-governmental organizations [NGO], private volunteer organizations [PVO], etc.)

5. Reflection of national emphasis and determination (relation of position to national objectives and programs, special conditions under which the position was first established or other reasons why the position reflects national will)

6. Special qualifications required by the position (any special qualifications such as advanced education, or particular training or experience, which are essential to the proper execution of positional responsibilities)

Magnitude of Responsibilities

7. Mission(s) of organization and the special requirements of the position as it relates to the mission(s) (the nature of the responsibilities that are associated with the position and the need for multidimensional "executive skills." The mission of the organization is the key, day-to-day activities that are accomplished.)

8. Number, type, and value of resources managed and employed. Data should be displayed within three categories: operational control, administrative control, and immediate staff within each subsection.

a. Military forces (number and type of forces normally assigned or programmed for planned or special operations)

b. Personnel (number of personnel by officer and warrant officer, enlisted, and civilian)

c. Value of equipment and properties (total value of equipment, supplies, and real property displayed in millions)

d. Total obligation authority

e. Foreign resources (scope and type of foreign resources involved, if any)

f. Other important resources

9. Geographical area of responsibilities (the size, location, and, if appropriate, the criticality of the land, sea, or air spaces involved)

10. Authority to make decisions and commit resources (the scope of the position with respect to specific authority delegated to or withheld from the position in either routine or emergency situations)

11. Development of policy (involvement in the development of policy within the specific functional areas associated with the position, e.g., budget, program, communications, or manpower)

12. National commitment to international agreements (authority to make commitments to foreign nations or involvement in negotiating such commitments for the United States)

13. Auxiliary (supporting) authorities and responsibilities inherent in the position (inherent requirements charged to the position by virtue of situation, location, proximity, tradition, etc.)

Significance of Actions and Decisions

14. Impact on national security or other national interests (effect of mission accomplishment or position performance on the protection of national interests or the advancement of national programs)

15. Importance to present and future effectiveness and efficiency of the national defense establishment (effect on the force structure, operational capabilities, status of combat readiness, quality of personnel and equipment, cost effectiveness, command and control means, management procedures and techniques, responsiveness to national needs, or other factors)

16. Effect on the prestige of the nation or the armed forces (how effectiveness or accomplishment reflects on the stature of the nation and its armed forces, and influences the credibility of national aims and capabilities)

Appendix II: Adjustments Made to General and Flag Officer Requirements After LMI's Scoring Assessment

This appendix lists the 38 general and flag officer positions where adjustments were made after the Logistics Management Institute (LMI) scorers conducted their assessment. The Department of Defense (DOD) components (the military services and Joint Staff) submitted the pay grade level for each general and flag officer position reviewed. LMI scorers assessed the positions to validate the grade level. The senior panel reviewed the results of LMI's scoring assessment, made adjustments, and approved the validated requirements. The requirements were then vetted through the senior leadership of the services and the Joint Staff, who requested further adjustments. With these adjustments, the study results were finalized. Table 7 shows, for each of the 38 positions, the adjustments to the position's pay grade as approved by the senior panel and vetted through the senior leadership.

Table 7: Pay Grade Adjustments Approved by the Senior Panel and Requested by Service and Joint Staff Senior Leadership

		Pay grade			
Position	**DOD component (military service or external-joint)**	**... as submitted originally by the DOD component**	**... as assessed by LMI scorers**	**... as approved by the senior panel**	**... as vetted through service and Joint Staff senior leadership**
Active component					
President, Naval War College	Navy	O-9	O-8	O-9	O-9
Commandant, Naval District Washington	Navy	O-8	O-7	O-8	O-8
Director Marine Corps Staff, Headquarters/U.S. Marine Corps	Marine Corps	O-8	O-7	O-8	O-8
Commanding General, U.S. Army Military District of Washington	Army	O-8	O-7	O-8	O-8
Deputy Chief of Staff, UNC/USFK, U.S. PACOM/UNC/CFC/USFK[a]	External (joint)	O-8	O-7	O-8	O-8
Director, Customer Support Office, National Imagery and Mapping Office	External (joint)	O-7	O-6	O-7	O-7
Assistant Wing Commander, 1st Marine Aircraft Wing	Marine Corps	O-6	O-6	O-6	O-7
Reserve component					
Mobilization Assistant (MA) to Commander, Air Force Space Command	Air Force	O-8	O-7	O-8	O-8
Deputy Commander for Mobilization and Reserve Affairs, U.S. Southern Command	External (joint)	O-8	O-7	O-8	O-8

DOCUMENTS SUBMITTED FOR THE RECORD

MARCH 23, 2007

NATIONAL GUARD ASSOCIATION OF THE UNITED STATES, INC.

ONE MASSACHUSETTS AVENUE, NORTHWEST WASHINGTON, D.C. 20001 (202) 789-0031 FAX (202) 682-9358

January 25, 2007

Honorable Gene Taylor
U.S. House of Representatives
2311 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Taylor,

The National Guard Association of the United States continues to support the critical changes that were included in the National Defense Enhancement and National Guard Empowerment Act of 2006. We appreciate your efforts, along with Representative Tom Davis, in introducing a new bill in the House that incorporates these same areas of concern.

H.R. 5200 was a bold step in the last session to provide the National Guard with an adequate voice in the deliberations of the Department of Defense as together we meet the future threats to the nation, both here at home and overseas.

As you know, NGAUS worked vigorously in 2006 to secure passage of H.R. 5200 and we have continued that aggressive support in hearings before the Commission on the National Guard and Reserve. While we regret that their deliberations have created some delay in implementing these key solutions to National Guard issues we remain hopeful that they too will recognize the wisdom contained in the National Guard Empowerment Act of 2007.

Thank you for your assistance on behalf of the National Guard. Please let us know how we may be of further assistance in this endeavor.

Sincerely,

Stephen M. Koper

Stephen M. Koper
Brigadier General (ret)
President

EANGUS
3133 MT. VERNON AVENUE
ALEXANDRIA, VA 22305
www.eangus.
(703) 519-38
FAX (703) 519-38

January 25, 2007

The Honorable Gene Taylor
United States House of Representatives
Washington, D.C. 20515

The Honorable Tom Davis
United States House of Representatives
Washington, D.C. 20515

The Enlisted Association of the National Guard of the United States (EANGUS) is the only military service association that represents the interests of every enlisted soldier and airmen in the Army and Air National Guard. With a constituency base of over 414,000 soldiers and airmen, their families, and a large retiree membership, EANGUS engages Capitol Hill on behalf of courageous Guard persons across this nation.

On behalf of EANGUS, and the soldiers and airmen it represents, I'd like to communicate our support for legislation to elevate the position of Chief National Guard Bureau to General, to place the Chief on the Joint Chiefs of Staff, and to enhance the responsibilities of the Chief of the National Guard Bureau and the functions of the National Guard Bureau. For years, the Chief of the National Guard Bureau, and the National Guard as a whole, has deliberately been in the shallow end of the resource pool, bearing the brunt of budget cuts to the Army and Air Force, and having to "take it out of hide" to accomplish federal and state missions that were required by statute but not fully funded by the services or Department of Defense.

Our association stands firm in support of Congressional action to remedy this long-endured and untenable situation. The lack of trust and respect of the National Guard by DOD political and military leaders, as well as the service secretaries, the consistent under-funding of National Guard appropriations accounts, and the intentional lack of communication and coordination all have the probability of being rectified by this legislation by making the National Guard a full player in the decision-making and appropriations process.

Thank you for taking legislative action that is not only timely, but unfortunately necessary, and long overdue. We look forward to working with your staff as this legislation works its way into law.

Working for America's Best!

Michael P. Cline

MSG Michael P. Cline, USA (Ret)
Executive Director

30 January 2007

The Honorable Gene Taylor
United States House of Representatives
Washington, DC 20515

The Honorable Tom Davis
United States House of Representatives
Washington, DC 20515

As you are most certainly aware the Adjutants General of the 54 states, territories, and District of Columbia have provided trained and ready National Guard forces to protect the nation inside and outside of its borders in unprecedented numbers since 9/11. Since then we have sought reform within the Department of Defense for the National Guard to fully transform from a strategic reserve to an operational reserve.

We are united in support of the National Guard Empowerment Act of 2007. The legislation contains key elements that will enhance the ability of the National Guard to equip and train for its dual role missions. Elevating the Chief, National Guard Bureau to four-star rank is needed to ensure representation at the highest levels when addressing homeland security and National Guard usage. Making the National Guard Bureau a joint activity in DoD responds directly to White House recommendations contained in its report on Hurricane Katrina. A greater National Guard presence is needed at USNORTHCOM. Your legislation does this by requiring the deputy commander to be a National Guard general. Other provisions deal with expanding opportunities for National Guard leaders to compete for top level assignments. Finally, the legislation focuses on identifying and correcting critical gaps in resources needed to protect U.S. citizens.

Recent events have demonstrated again what we all already know that the National Guard will continue to be needed at unprecedented levels for missions impossible to contemplate. The National Guard will be part of the build up in Iraq to finally defeat terrorist and sectarian elements which will require extraordinary sacrifices by families and employers. The National Guard continues to assist in securing the nation's southwest border.

The National Guard Empowerment Act of 2007 is comprehensive and visionary. It acknowledges how the nature of warfare and national security has changed and offers bold changes to reshape military leadership to meet new threats. Testimony from DoD's highest leaders to the Commission on National Guard and Reserve in December indicates that no other plan is in work to strengthen the voice of the National Guard in the halls of the Pentagon.

You can count on support from the Adjutants General Association of the United States in seeking critical changes that will assure a strong National Guard ready to serve this great nation domestically and fighting terrorism.

Sincerely,

Roger P. Lempke

ROGER P. LEMPKE
Major General
President

Governor of Arizona
Chair

Governor of Minnesota
Vice Chair

Executive Director

February 27, 2007

The Honorable Gene Taylor
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Thomas M. Davis III
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Taylor and Representative Davis:

The nation's Governors appreciate the work of the House and Senate National Guard caucuses in their support of the Guard in our states through the introduction of the National Guard Empowerment Act of 2007. Your legislation represents a major step in ensuring the men and women of our Guard are well organized, trained, equipped, compensated and supported to accomplish federal and state missions.

Governors agree with the overall objectives of the National Guard Empowerment Act. We support the goal of enhancing the role and authority of the Chief of the National Guard Bureau within the Department of Defense. The chief, as head of the National Guard and primary liaison between governors and the Defense Department, must have significant input in all decisions affecting Guard budgets and other resources to make sure it is fully prepared for all domestic and foreign missions. The chief must also be recognized as the authoritative leader on all issues regarding funding, equipping and re-equipping, and compensating the Guard.

As you work to pass this legislation to enhance the National Guard, we believe three fundamental principles should guide your efforts. First, the dual mission should be preserved and promoted. As the only reserve component that performs both state and federal missions, the National Guard has unique standing among the services. Located in more than 3,000 communities throughout the nation, Army and Air National Guard units are a ready, rapid response force already located on or near the scene for handling Homeland Security missions. They also serve as an effective added resource to state and local emergency response efforts in the event of natural disasters and acts of terrorism. These critical roles must not be forgotten in any restructuring or rebalancing of the force. The U.S. Department of Defense (DoD) should reaffirm these activities as an integral part of the ongoing mission of the National Guard and ensure they are provided the funding, training and other resources necessary to fully meet the additional responsibilities inherent in today's homeland defense environment.

Second, it is critical that the Guard receive training and equipment to handle both its state and federal missions. While Governors commend the Army and the Air Force for their efforts to enhance training and better equip and National Guard, more needs to be done. Many states and territories are experiencing equipment shortages in critical mission areas such as responding to forest fires and other emergencies because equipment remains in the combat zone after deployment. Greater attention must be paid to reequipping

Army National Guard units returning from active duty abroad to ensure they are prepared to fulfill domestic missions or train for possible redeployment.

Finally, employers who support our National Guard men and women require assistance. Governors understand and appreciate the vital role that employers of Guard members play and the sacrifice they make in supporting our citizen-soldiers. Several states are following the lead of private employers to fill gaps between civilian pay and active-duty pay for state employees who are also members of the Guard. As the War on Terror continues, we must examine relief for employers such as tax credits and enhancing federal measures to address pay gaps for activated Guard members.

Thank you again for your support and commitment to the Army and Air National Guard. We look forward to working with you to recognize, promote and enhance this critical national resource.

Sincerely,

Governor Michael F. Easley
Co-Lead on the National Guard

Governor Mark Sanford
Co-Lead on the National Guard

QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

MARCH 23, 2007

QUESTIONS SUBMITTED BY MR. MCHUGH

Mr. MCHUGHES. "The Commission recommends that the grade of the person serving as Chief of the National Guard Bureau be increased from three stars to four stars. The Commission, however, was silent on whether or not there should be a change in the manner in which the Chief of the National Guard would be appointed to the highest military grade."

Given the Commission's recommendation not only regarding the increased grade, but also the commission findings about the increased responsibility of the Chief, NGB, should the Secretary of Defense and the Chairman of the Joint Chiefs have a statutory role in the appointment process for the Chief, NGB?

General PUNARO. Section 10502(a) of Title 10 mandates that the Chief of the National Guard Bureau is appointed by the President (with advice and consent of the Senate) from a pool of qualified officers recommended by their governors. When selecting from the pool of nominated officers, the President will benefit from consultation with the Secretary of Defense and the Chairman of the Joint Chiefs. Their statutory role as advisors to the President on defense matters is already established, and the Commission has not taken a position as to whether a statutory change is necessary on this point. The Commission did note, however, that the process for nominating and appointing the CNGB may need to be changed if the NGB is made a joint activity of the Department of Defense, rather than a joint bureau of the Army and Air Force.

Mr. MCHUGHES. "The Commission's report critiques U.S. Northern Command (NORTHCOM) for not adequately promoting, or organizing for, or planning for its mission to provide support to civil authorities. The report also recommends that the NORTHCOM commander should be an advocate for civil support programs across the entire budgeting planning and execution process. Yet the Commission's report also notes that NORTHCOM's civil support role would be largely confined to providing federal Title 10 support and not directly supporting, coordinating or commanding any National Guard forces, which would remain under the control of the state governor."

So what civil support missions and requirements is NORTHCOM to advocate for? Those civil support requirements validated by DOD? Those advocated by the National Guard Bureau? Those of Homeland Security?

General PUNARO. In its March 1 report, the Commission recommends that the Department of Homeland Security generate civil support requirements for the Department of Defense. We recommend that DHS generate these requirements through a combined effort that will take advantage of DHS's insight into the preparedness capabilities present in the rest of the federal government, as well as in state and local government.

The requirements generated by DHS would then be validated as appropriate by DOD through its normal requirements process. The Commission believes that NORTHCOM—as the unified command with the responsibility for Title 10 civil support missions on the continental United States—should first play an important role in determining whether the requirements generated by DHS should be validated. And second, once the appropriate requirements have been validated, NORTHCOM should advocate on their behalf in the DOD requirements process.

NORTHCOM should advocate for those civil support requirements it believes necessary to carry out its mission pursuant to plans and programs, whether those requirements are initiated by NORTHCOM, DHS, or the National Guard Bureau. As an additional matter, the Commission believes that the Council of Governors will play an important role in advising DOD on state requirements, as transmitted through DHS, during the requirements generation process.

Mr. MCHUGHES. Is it wise for NORTHCOM to promote the support to civil authorities' missions as a priority equal to or above its other missions when NORTHCOM will not likely have command and control of the operations that execute the support to civil authorities' mission?

General PUNARO. Regardless of who directs the response to a significant incident, NORTHCOM will play a vital role. NORTHCOM currently views homeland defense as its primary mission and civil support as a "lesser-included" mission. This is con-

sistent with DOD's policy of viewing civil support as a "derivative" or "by-product" of DOD's warfighting mission. In contrast, the Commission believes that homeland defense and civil support should collectively be considered NORTHCOM's primary mission.

The Commission has recommended expanding the circumstances under which governors can direct all federal military assets operating in their states. The Commission envisions incorporating all military forces necessary to respond to a particular contingency in a state—whether active duty, Guard, or Reserves—into the plans, training, and exercises for that response. As part of that planning, state and federal officials would work out under what conditions federal forces could be directed by state officials. When a crisis occurs, the governor could request that responding federal forces be placed under the operational control of the leading Guard officer, pursuant to those plans and protocols. The state's joint force headquarters with a federally certified commander would be the likely command and control element. This process could be launched through something as simple as a phone call, or formally, through a letter to the President. The Commission envisions this request being made just as a governor might request that the President declare that a major disaster exists in the state, opening the way for federal disaster assistance. The President would evaluate the request, with the assistance of the Defense Department, in much the same way that the Federal Emergency Management Agency advises the President on requests for disaster assistance. If the President agreed that this step was necessary, the President would place responding federal forces under the control of the governor. The President would retain formal command of those federal forces; they would remain under the administrative control of their respective services and be subject to *posse comitatus* and other restrictions. They would still be part of the federal military. The only difference would be that they would be subject to the direction and control of the governor acting through his or her designated military commander. There could also be pre-planned and pre-trained scenarios in which this assumption of control, by prior agreement of the President, could be "automatic."

The Commission sees no inconsistency between its view of civil support and the possibility of states directing the bulk of the responding farces. In the extraordinary event that an incident was "federalized" with command and control vested in the President, the manpower and equipment acquired through this process would be the same.

Mr. MCHUGHES. Should NORTHCOM have operational control or even a role in civil support operations? If yes, what should that role be? Will you include this analysis in your final report?

General PUNARO. The Commission is analyzing this issue and will address it in its final report.

Enabling Duns-Hatted Command of Mixed Title 10 and Title 32 Forces

"The Commission's report recommends that efforts be made to expand the ability of governors to direct all federal military assets operating in their states. That certainly is one option for addressing the challenge of how to effectively coordinate mixed federal military forces (operating under Title 10) and state National Guard forces (under Title 32 or on state active duty) operating in the same geographic area."

"I was surprised, however, to see that while the Commission made numerous recommendations for improving NORTHCOM's role in homeland defense and support to civil authorities, and for increasing dramatically the National Guard and Reserve component manpower at NORTHCOM, and to permit a National Guard officer to command NORTHCOM, there was no recommendation to improve NORTHCOM's ability to command, control and coordinate forces comprised of mixed federal military and state National Guard forces."

"As the Commission's report notes, current law permits dual-hatted commands so that federal (Title 10) military officers can command non-federalized National Guard units. The Commission also recommends further expansion of law to better enable National Guard officers to command mixed federal and state (Title 32) forces."

Mr. MCHUGHES. Given the Commission's conclusions and recommendations aimed at improving the command, control and coordination of mixed Title 10 and Title 32 forces, did the Commission examine the course of action that would make the commander, NORTHCOM, and key personnel throughout NORTHCOM dual-hatted—that is simultaneously able to command, control sad coordinate Title 10 and Title 32 forces? If examined, what did the Commission conclude? If the Commission did not examine this coarse of action, what are the Commission's views with regard to making the commander NORTHCOM, and key personnel throughout NORTHCOM

able to simultaneously command, control and coordinate mixed Title 10 and Title 32 forces?

General PUNARO. In its March 1 report, the Commission did not make a recommendation on this point. The Commission has not thoroughly examined giving federal military forces operational control over state or Title 32 status forces, and thus does not have a recommendation on its utility or advisability.

Mr. MCHUGHES. If a National Guard officer is to be the commander of NORTHCOM, should not that officer have the ability to command, control and coordinate mixed Title 10 and Title 32 forces in response to natural disasters and in connection with the full range of NORTHCOM's missions?

General PUNARO. The Commission has recommended that the commander or deputy commander of NORTHCOM should be either a National Guard or Reserve officer. The Commission did not make a finding or recommendation in its March 1 report on this point, but will continue to explore options on the command and control of military forces and will include any pertinent findings or recommendations in its final report.

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