107TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
107–771

REPORT

OF THE

COMMITTEE ON ARMED SERVICES HOUSE OF REPRESENTATIVES

ON

H.R. 5132

together with

ADDITIONAL VIEWS

[Including cost estimate of the Congressional Budget Office]

NOVEMBER 4, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
19–006 WASHINGTON : 2002

HOUSE COMMITTEE ON ARMED SERVICES

ONE HUNDRED SEVENTH CONGRESS

BOB STUMP, Arizona, *Chairman*

DUNCAN HUNTER, California
JAMES V. HANSEN, Utah
CURT WELDON, Pennsylvania
JOEL HEFLEY, Colorado
JIM SAXTON, New Jersey
JOHN M. MCHUGH, New York
TERRY EVERETT, Alabama
ROSCOE G. BARTLETT, Maryland
HOWARD P. "BUCK" MCKEON, California
J.C. WATTS, JR., Oklahoma
MAC THORNBERRY, Texas
JOHN N. HOSTETTLER, Indiana
SAXBY CHAMBLISS, Georgia
VAN HILLEARY, Tennessee
WALTER B. JONES, North Carolina
LINDSEY GRAHAM, South Carolina
JIM RYUN, Kansas
BOB RILEY, Alabama
JIM GIBBONS, Nevada
ROBIN HAYES, North Carolina
HEATHER WILSON, New Mexico
KEN CALVERT, California
ROB SIMMONS, Connecticut
ANDER CRENSHAW, Florida
MARK STEVEN KIRK, Illinois
JO ANN DAVIS, Virginia
EDWARD L. SCHROCK, Virginia
W. TODD AKIN, Missouri
RANDY FORBES, Virginia
JEFF MILLER, Florida
JOE WILSON, South Carolina

IKE SKELTON, Missouri
JOHN M. SPRATT, JR., South Carolina
SOLOMON P. ORTIZ, Texas
LANE EVANS, Illinois
GENE TAYLOR, Mississippi
NEIL ABERCROMBIE, Hawaii
MARTIN T. MEEHAN, Massachusetts
ROBERT A. UNDERWOOD, Guam
ROD R. BLAGOJEVICH, Illinois
SILVESTRE REYES, Texas
TOM ALLEN, Maine
VICTOR F. SNYDER, Arkansas
JIM TURNER, Texas
ADAM SMITH, Washington
LORETTA SANCHEZ, California
JAMES H. MALONEY, Connecticut
MIKE MCINTYRE, North Carolina
CIRO D. RODRIGUEZ, Texas
CYNTHIA A. MCKINNEY, Georgia
ELLEN TAUSCHER, California
ROBERT BRADY, Pennsylvania
ROBERT E. ANDREWS, New Jersey
BARON P. HILL, Indiana
MIKE THOMPSON, California
JOHN B. LARSON, Connecticut
SUSAN A. DAVIS, California
JAMES R. LANGEVIN, Rhode Island
RICK LARSEN, Washington

ROBERT S. RANGEL, *Staff Director*

CONTENTS

	Page
Purpose and Background	00
Legislative History	00
Section-by-Section Analysis	00
Section 1—Findings Concerning Fiscal Year 2003 End Strengths Needed for the Armed Forces to Fight the War on Terrorism	00
Section 2—Sense of Congress	00
Committee Position	00
Fiscal Data	00
Congressional Budget Office Estimate	00
Committee Cost Estimate	00
Oversight Findings	00
Constitutional Authority Statement	00
Statement of Federal Mandates	00
Record Vote	00
Additional Views of John M. McHugh	00

107TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
107–771

EXPRESSING THE SENSE OF CONGRESS CONCERNING THE FISCAL YEAR 2003 END STRENGTHS NEEDED FOR THE ARMED FORCES TO FIGHT THE WAR ON TERRORISM

NOVEMBER 4, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. STUMP, from the Committee on Armed Services, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 5132]

[Including cost estimate of the Congressional Budget Office]

The Committee on Armed Services, to whom was referred the bill (H.R. 5132) to express the sense of Congress concerning the fiscal year 2003 end strengths needed for the Armed Forces to fight the War on Terrorism, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment (stated in terms of the page and line numbers of the introduced bill) is as follows:

Page 5, beginning on line 5, strike "so long as the Nation is at war against terrorism".

PURPOSE AND BACKGROUND

The purpose of H.R. 5132 is to express the sense of Congress that, in light of the global war against terrorism: (1) the increases in military personnel end strengths recommended by the Senate and House of Representatives in their respective versions of the National Defense Authorization Act for Fiscal Year 2003 are appropriate and justified; (2) the President and Secretary of Defense should not reduce end strengths; and (3) the President should support the recommended end strength increases.

H.R. 5132 is a direct outgrowth of the committee's long-standing concerns about the inadequacy of the force structure and strength of the Armed Forces for carrying out the national military strategy, while also trying to sustain their long-term readiness and viability. Such concerns predate the September 11, 2001, commencement of the Nation's global war on terrorism. For example, committee initiatives led to the establishment of minimum end strength levels for each of the military services in the National Defense Authorization Act for Fiscal Year 1996, Public Law 104–106. More recently, a majority of committee Members in an August 2001 letter expressed to the Secretary of Defense their strong opposition to any effort to reduce Army force structure. Since the terrorist attack on the United States of September 11, 2001, the extent and scope of operations undertaken by the Armed Forces in the global war on terrorism, the impact of new missions related to Homeland Defense, and the testimony of senior U.S. military commanders have convinced the committee that additional military forces and strength will be required to adequately carry out the missions assigned to our Armed Forces. In addition, the committee became concerned that military manpower reductions were being considered within the Department of Defense as part of the department's overall transformation efforts. As a result, the committee recommended and the House of Representatives adopted, in H.R. 4546, the Bob Stump National Defense Authorization Act for Fiscal year 2003, increases in active duty end strength totaling more than 10,300 above the budget request. The Senate also adopted active end strength increases totaling 12,000 more than the budget request as part of S. 2514, its version of the National Defense Authorization Act for Fiscal Year 2003.

LEGISLATIVE HISTORY

H.R. 5132 was introduced on July 16, 2002 and was referred to the Committee on Armed Services. On July 18, 2002 the Committee on Armed Services held a mark-up session to consider H.R. 5132. The committee adopted the bill with an amendment and reported the same favorably by voice vote.

SECTION-BY-SECTION ANALYSIS

The following is a section-by-section analysis of those sections of H.R. 5132 amended by the Armed Services Committee.

Section 1—Findings concerning fiscal year 2003 end strengths needed for the Armed Forces to fight the war on terrorism

This section presents the Congressional findings in support of H.R. 5132. Among those findings are that: (1) Prior to September 11, 2001, the uniformed chiefs of the Armed Forces testified that they did not have sufficient military personnel to carry out all their operational requirements, and that since September 11, 2001, senior operational commanders have testified that the war on terrorism has further highlighted the insufficiency of the Armed Forces to meet operational requirements; (2) The war on terrorism has become global in scope, requiring not only thousands of active duty personnel but also the mobilization of more than 80,000 reservists; (3) The President has repeatedly stated that the war on terrorism will continue for some time; (4) Prosecuting the war on

terrorism will require, among other things, increased expenditures for military personnel, and in recognition of that both the House and Senate versions of the National Defense Authorization Act for Fiscal Year 2003 increased the authorizations for military end strength above the levels requested by the President; and (5) Press reports indicate that the Secretary of Defense has under consideration substantial reductions in military end strengths.

Section 2—Sense of Congress

This section would express the Sense of Congress that: (1) the increases in military personnel end strengths recommended by the Senate and House of Representatives in their respective versions of the National Defense Authorization Act for Fiscal Year 2003 are appropriate and justified; (2) the President and Secretary of Defense should not reduce end strengths; and (3) the President should support such increased end strengths.

COMMITTEE POSITION

On July 18, 2002, the Committee on Armed Services ordered H.R. 5132, as amended, reported to the House with a favorable recommendation by voice vote, a quorum being present.

FISCAL DATA

Pursuant to clause 3(d)(2)(A) of rule XIII of the Rules of the House of Representatives, the committee attempted to ascertain annual outlays resulting from the bill during fiscal year 2003 and the four following fiscal years. The results of such efforts are reflected in the cost estimate prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974, which is included in this report pursuant to clause 3(c)(3) of rule XIII of the Rules of the House.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402(a) of the Congressional Budget Act of 1974 is as follows:

JULY 19, 2002.

Hon. BOB STUMP,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5132, a bill to express the sense of Congress concerning the fiscal year 2003 end strengths needed for the Armed Forces to fight the War on Terrorism.

The CBO staff contact is Matthew Schmit. If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

DAN L. CRIPPEN,
Director.

H.R. 5132—A bill to express the sense of Congress concerning the fiscal year 2003 end strengths needed for the Armed Forces to fight the War on Terrorism

CBO estimates that enacting H.R. 5132 would have no impact on the federal budget. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 5132 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

H.R. 5132 would express the sense of the Congress that the increases in end-strength authorizations for the armed forces for fiscal year 2003 recommended by the Senate and House of Representatives in their respective versions of the National Defense Authorization Act for Fiscal Year 2003 are wholly appropriate and justified by the increased missions and tempo of operations associated with prosecution of the war against terrorism. In addition, the bill would express the sense of the Congress that the President and the Secretary of Defense should not reduce, or seek to reduce, the number of members of the armed forces, and that the President should support the increase in end-strength levels for the armed forces recommended by the Senate and House of Representatives for fiscal year 2003 because of the demands of the war against terrorism.

The determination of end strengths for the armed forces will affect spending by the Department of Defense, but this legislation would neither authorize nor fund any particular end strength. Rather, it affirms Congress's support for end strengths specified in the defense authorization bill. Hence, H.R. 5132, by itself, would have no budgetary impact.

The CBO staff contact is Matthew Schmit. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d) of rule XIII of the Rules of the House of Representatives, the committee generally concurs with the estimate contained in the report of the Congressional Budget Office.

OVERSIGHT FINDINGS

With respect to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, this legislation results from hearings and other oversight activities conducted by the committee pursuant to clause 2(b)(1) of rule X.

With respect to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974, this legislation does not include any new spending or credit authority, nor does it provide for any increase or decrease in tax revenues or expenditures. The fiscal features of this legislation are addressed in the estimate prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the committee has not received a report from the Committee on Government Reform and Oversight pertaining to the subject matter of H.R. 5132.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3 (d)(1) of rule XIII of the Rules of the House of Representatives, the committee finds the authority for this legislation in Article I, section 8 of the United States Constitution.

STATEMENT OF FEDERAL MANDATES

Pursuant to section 423 of Public Law 104–4, this legislation contains no federal mandates with respect to state, local, and tribal governments, nor with respect to the private sector. Similarly, the bill provides no unfunded federal intergovernmental mandates.

RECORD VOTE

In accordance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the committee notes that no roll call votes were taken with respect to H.R. 5132.

The committee ordered H.R. 5132, as amended, reported to the House with a favorable recommendation by a voice vote, a quorum being present.

ADDITIONAL VIEWS OF CONGRESSMAN JOHN M. MCHUGH

Unlike many things in America today, the debate about military manpower does not easily divide itself between pre- and post-September 11, 2001 perspectives. Prior to the terrorist assault on our nation, the U.S. Armed Forces, already under resourced, understructured, and undermanned, were struggling to carry out the demanding missions the nation had assigned them. Following the start of the war on terrorism, those same forces now are challenged to both continue those pre-existing missions and to perform new, even more critical ones: Defending the homeland and prosecuting a war that is global in scope and, thus far, without foreseeable end.

H.R. 5132 succinctly addresses this dilemma and the inescapable reality regarding the continuing inadequacies of current levels of military force structure and manpower. The resolution also challenges the apparent view of some within the Department of Defense that significant reductions in uniformed personnel in the middle of a war will somehow contribute to a more efficient, more effective, and transformed future military. I reject such a plan and fully support H.R. 5132, which not only opposes reductions to current military end strength, but also urges support for reasonable increases to active strength—some 10,000 to 12,000 personnel—as proposed by both the House and Senate in their respective defense authorization bills for fiscal year 2003.

Prior to September 11, based on years of review, testimony and direct observation, the House Armed Services Committee understood very well the disturbing discrepancies and debilitating mismatches between a significantly reduced force structure and military personnel strength on the one hand, and the growing range of new, enduring missions, with an attendant increase in personnel and operations tempos on the other. One measure of the inadequacy of the active component forces to carry out the full range of their assigned peacetime operations is demonstrated by the fact that in each of the last several years, reservists have been required to serve more than 12 million days on active duty—replacing the equivalent of more than 35,000 active duty personnel.

In spite of such an environment, the Quadrennial Defense Review and other internal Department of Defense documents of that period somehow ignored this reality and concluded that significant manpower reductions should be made in the Armed Forces, thus exacerbating an already tenuous situation. Such cuts, it was apparently argued, were both permissible and required because technology promised a quantum increase in the operational capabilities and lethality of our military forces, and were necessary to finance the technological transformation of the services.

In August 2001, specifically in reaction to reports that the Department of Defense was considering the elimination of two Army active duty divisions, 83 House members (including 34 of 60 on this

committee) expressed "strong opposition" to reductions in Army force structure.

September 11 brought with it not only the added requirement for the military to fight a global war on terrorism, but also the need to address significant new force protection and anti-terrorism homeland defense requirements within our borders. To meet these immediate requirements, the services today have more than 85,000 reservists on active duty, as well as thousands of other personnel involuntarily retained in service beyond their normal tour end through the implementation of so-called "stop loss" initiatives. Clearly, those reservists cannot stay on active duty indefinitely, and stop loss must end. Therefore, as the committee moved towards mark-up of the National Defense Authorization Act for Fiscal Year 2003, the Army, Navy and Air Force identified their respective active duty manpower needs that were required beyond those strength levels requested by the budget. Ultimately, the House approved a good portion of those additional manpower figures the military services argued were required for fiscal year 2003. I believe the House acted judiciously and carefully in approving that increase—a growth of less than one percent in active end strength above the requested levels.

Now, with no foreseeable end to the ongoing commitments and requirements for military forces and personnel, reports again have been heard of plans within the Department of Defense for significant active end strength reductions, totaling up to 90,000 personnel.

Such suggestions are not just simply unjustified, they are frightening. The demands placed upon our military both before and since the events of September 11 are too stark to be ignored any longer.

The Secretary of Defense has taken the position that in the long term, no end strength increases are likely to be required. He has further stated that before any manpower increases are made, the services must prove that they have done everything within their ability to meet requirements from existing military personnel authorizations.

I commend the Secretary for this hard-nosed business approach. Each service should, indeed, clearly define their needs for long-term growth in manpower requirements. Further, the demonstrated success of advanced technology on the battlefield undeniably underscores the need to pursue the promise that science and research have to offer. My concern, however, lies in the fact that, too often, arguments in support of transformation have invariably called for manpower reductions based solely upon the unfulfilled promise that technology, force enhancements, and other reforms will someday eliminate or reduce the need for structure and personnel. Moreover, given the range of reforms and reductions that each service has already experienced over the past decade, fundamental questions need to be asked about how much more so-called manpower transformation can yet be wrung from the military services, especially if the current intensity and scope of the military operations does not abate significantly below pre-September 11 levels.

I would urge the Secretary of Defense and others in the department to heed the unequivocal message of H.R. 5132: Manpower reductions do not constitute a feasible course of action to transform

the military. Additional manpower, not less, will be required to sustain the Armed Forces through the global war on terrorism and beyond.

JOHN M. MCHUGH.

○