

TESTIMONY OF
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VICE - PRESIDENT
ADJUTANTS GENERAL ASSOCIATION OF THE UNITED STATES (AG AUS)

ARMED SERVICES COMMITTEE
U.S. HOUSE OF REPRESENTATIVES

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Chairman Hunter, members of the committee, thank you for asking the Adjutants General Association of the United States (AGAUS) to testify today on issues related to H.R. 5200, the National Defense Enhancement and National Guard Empowerment Act of 2006. On behalf of the 54 Adjutants General of the several states and territories I am proud to represent the AGAUS and its president, Major General Roger Lempke, who sends his regrets due to the untimely loss of his sister. General Lempke thanks each of you for your years of outstanding support to the National Guard.

Mr. Hunter, committee members, you have just heard testimony from several distinguished senior members of the Department of Defense. The Department of Defense is on record as opposing the National Defense Enhancement and Empowerment Act of 2006.

With all due respect to these distinguished gentlemen, we, the Adjutants General, disagree. The National Governors' Association representing the several states in a May 31, 2006 letter expressed their support for this important legislation. We ask you consider the advice of the Governors and the Adjutants General in your deliberations on this important piece of legislation.

Since the Total Force Policy was enacted in the 1970s, we saw an Air Force that embraced it, while the Army and the Army Guard engaged in fierce competition for resources. For example, in the 80s we saw the Congress recognize the need for additional airlift and took action to purchase the C-130Hs for the Air National Guard and Air Force Reserve. As we learned in every conflict,

contingency, and Desert Storm, the Air National Guard C-130Hs proved indispensable to the war fighter. With Hurricanes Katrina and Rita we again saw these same airplanes and Guard crews responding to citizens in need.

I wonder what might have happened had not Congress, AGAUS and the Governors united to provide these aircraft to the Air National Guard.

During the mid-1990s an Army initiative to dramatically reduce Army National Guard end strength by nearly 50,000 was successfully overcome by strong opposition from congress and AGAUS. About ten years later when the Guard was at its highest deployment level ever in Iraq, 50,000 militia service members were still available to save lives, restore order, and begin rebuilding New Orleans and Mississippi after they were devastated by Hurricane Katrina. I often wonder what might have happened had not Congress and AGAUS united to save force structure we sensed, but didn't know, would be needed later.

I have been the vice president of the AGAUS for just over one year—but it is beginning to seem like a lifetime. Instead of working tactical issues concerning enhancing the National Guard 'around the edges' the Association has been forced to engage in major battles with the Department of Defense with the very survival of the National Guard at stake.

In some cases the Association uncovered initiatives at work within DoD that even the Chief, National Guard Bureau (NGB) was not privy to. After outing these close hold schemes we've been called and lectured to by the Acting Secretary of the Air Force for not adhering to the DoD position, heard of

discussions to investigate the legitimacy of the AGAUS organization, and been told our travel records could be reviewed to find inconsistencies in duty status.

On behalf of all 54 Adjutants General of the several states and territories let me be unambiguously clear. Our greatest desire is to work with the Department of Defense to achieve the strong, appropriate National Guard needed to defeat terrorism and secure our homeland. We and the Governors we serve must have a voice that is heard not only in the state houses and in the Congress but within the Department of Defense.

We do not accept the premise that all good ideas relating to the National Guard are reserved for the Department of Defense. We don't want to confront DoD—we want to work with them. We also want our Chief, LTG Blum, to be permitted to fulfill the role of Chief, National Guard Bureau, which is to serve as the link of communication between the states and DoD. Just as Air Force commanders and Army division commanders, the Adjutants General are the best source for information about organizational health and readiness. LTG Blum is the most competent senior official in the nation to deal with the health and future of the entire National Guard institution.

Yet time and again during my tenure, and before, the AGAUS has been forced to come directly to Congress to either reverse wrong headed plans or to force DoD to work with the states. That is not a new issue for this Committee.

I don't like a system that must work this way, and I suspect that Congress does not like having to 'get in the middle' all the time. During the cold war years

when the Army National Guard was a strategic reserve, issues concerning readiness and equipment were important, but not vital to the nation's survival and safety of our citizens. Today, by demand everyone agrees we have become an operational reserve which cannot afford to falter.

The nation cannot continue to depend on processes that rely on strong personalities and persistence over logic and need without eventually failing to have the capabilities needed for the next round against terrorism or catastrophic natural disaster.

Current DoD processes do not sufficiently incorporate National Guard Bureau and state inputs when determining how to structure, equip, man, train, and provide resources to the National Guard. The Chief, NGB is a lone three-star general who must contend with the office of the Secretary of Defense (OSD) while bringing some form of integrated vision to the air and ground arms of the National Guard. Each three-star service director must compete with active duty three-star counterparts for resources with one important difference. The services have one three-star for each staff discipline (personnel, intelligence, operations, etc.) while each director must alone represent these disciplines for the National Guard. By any stretch of the imagination this is simply not a fair fight.

In many cases the Department of Defense anticipates that the congress will fix what the active component did not fund. The National Guard and Reserve equipment account also provides support that the active component did not support. You deal with the Guard's MILCON program each year, because the

active component generally does not support the Guard program. Hence, the Adjutants General become involved through our Congressional delegations.

Compare the National Guard which supports two services with over 450,000 Soldiers and Airmen while having specific state missions with the Coast Guard. The Coast Guard, with less than 50,000 service members, has a four-star commandant with access to the tank and JCS, two three-star headquarters general officers, and two three-star field commanders. During the Cold War when the National Guard served as a strategic reserve and the Coast Guard mission was front-line the DoD leadership scheme was perhaps appropriate. However, today the National Guard is front-line in two missions—fighting terrorism overseas and securing our homeland. The need for changing organizational make up and processes to accommodate these front-line roles should be obvious.

There is another reason the National Guard must become more empowered. The Hurricane Katrina response highlighted again the dual, state and federal mission that is unique to the National Guard. Each state Governor has an important stake in sustaining a strong and relevant National Guard within his or her state to assure citizen safety. The only formal advocate for this within DoD is the Chief, NGB. Securing the homeland is undoubtedly the most vital joint mission this nation's military has; yet, the only component with shared resources is not represented on the Joint Chiefs of Staff.

The Department of Defense witnesses have stated that the Guard is represented in the total force senior decision making. We have also heard that the needs of the states are considered in the deliberations within the Department.

We have no doubt that this is the intent; however, the results of the current process reveal a broke process with significant shortcomings that must be fixed now.

The first step in improving is recognizing there is a problem. I suggest that the Governors, the Adjutants General, and some members of Congress have recognized there is a problem. Federal law requires the Secretary of Defense (OSD) to consult with and obtain the consent of the Governor before making any change in the branch, organization or allotment of a National Guard unit located entirely within a state and before relocating or withdrawing any unit of the National Guard aircraft and reorganized units within and among states without informing or consulting with the nation's Governors. For that matter, the Air Force made its BRAC decisions without consulting the U.S. Department of Homeland Security or the National Guard Bureau (the statutory "channel of communications" between the Secretaries of the Army and the Air Force and the Governors of the several states).

The Department of Defense has now repeated its pattern of unilateralism with Program Budget Decisions (PBDs) that cut up to 38,000 National Guard soldiers and airmen. These decisions, like the Air Force BRAC decisions that preceded them, were made behind closed doors without communicating or

consulting with the Governors, their Adjutants General or even the service secretaries' "channel of communications," the National Guard Bureau.

The House Armed Services Committee (HASC) is currently considering delaying action on the National Guard Empowerment Act by assigning it to the Commission on National Guard and Reserve (CNGR) to study and extending the Commission's completion date by six months. While hastily enacting legislation is never advisable the National Guard is at a vital point that demands the level of leadership sought by the National Guard Empowerment Act now.

The National Guard is entering a reset mode. The National Guard force level in Iraq is declining. Units now home are beginning the process of rebuilding, refitting, and re-qualifying for the next call. The equipment situation is marginal at best, as you all know. The Guard is being called upon to support more frequently and in greater numbers for homeland security missions. How the National Guard emerges from this confluence of resource and equipping issues will directly determine its readiness for the next round of the Global War on Terrorism.

The National Guard Empowerment Act must be passed this session so that enhanced leadership can overcome the myriad of issues facing the National Guard. Assigning this legislation to the CNGR will 'kick the can' down the road another two or three years—the reset period will near the end by then.

The National Guard Empowerment Act was introduced in April (S.2658/H.R.5200) to ensure the National Guard is no longer neglected. Not since the Goldwater Nichols Act of 1987 has such a sweeping change to the DoD

military organization been proposed. Of course Goldwater Nichols did not envision the end of the Cold War and the emergence of terrorism as the nation's main enemy. Nor did it anticipate fighting a war within our borders. It also did not anticipate the sudden emergence of catastrophic natural disasters in densely populated areas that quickly overwhelm local authorities. Most importantly, it did not anticipate the pivotal role the National Guard is playing in this new era. Only prompt Congressional action on this legislation will ensure the National Guard is ready for the round against terrorism and the next major catastrophe at home.

In closing, I thank you for the opportunity to appear before you today and I look forward to your questions.