

**Testimony of
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And

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Commission on the National Guard and Reserves

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Chairman Punaro and members of the Commission, thank you for inviting me to testify today on behalf of the Adjutants General Association of the United States.

AGAUS membership consists of the Adjutants General of the 50 states, three territories, and the District of Columbia.

I will offer a perspective on legislation known as the “National Defense Enhancement and National Guard Empowerment of 2006” contained in two identical bills, H.R. 5200 and S. 2658 which I will refer to as the Guard Empowerment or just “the Act.”

Our views on national defense changed dramatically after the brutal terrorist attack against Americans in America on September 11, 2001. The entire focus of our Title 10 organization and planning was on defeating enemies away from our homeland. The last landmark legislation to dramatically change how the Defense Department organizes to fight was the Goldwater-Nichols Reorganization Act of 1986. Most notable was the establishment of Combatant Commands which served the nation well in Desert Storm, Bosnia, and Kosovo. Were it not for 9/11 we would probably not be here today. But clearly, times have changed again and our defense organizations must keep up.

In August 2005 Hurricane Katrina uncovered weaknesses in local and federal government preparedness, organization, and responsiveness to large natural disasters. Even though the Department of Defense is not generally the lead federal agency in responding to natural disasters the immensity of resources needed to save lives and restore order in Louisiana and Mississippi significantly tasked military resources, specifically the National Guard in Title 32 rather than Title 10 status.

The Guard Empowerment Act seeks to close gaps in DoD organization and operations that link with state active duty and Title 32 operations and hinder the nation's ability to bring critical resources to bear on external and internal threats. It does not seek to create a pseudo-separate service as some have claimed.

Let me be loud and clear about this point. The Adjutants General in no uncertain terms want to be different or separate from the Army or Air Force. We have spent nearly thirty years working to operate the same as the active component. We simply desire that the full spectrum of missions assigned to the National Guard be fully represented in planning, training, and resource allocation. The Guard Empowerment Act seeks to shape Title 10 practices in moderate ways to better cope with the emergence of Title 32 operations in homeland defense and homeland security missions.

Today, I will address major provisions of the Act using effects based rationale and logic.

The Chief of the National Guard Bureau serves as the principal advisor to Army and Air Force leadership on matters pertaining to the National Guard. Certainly, the current chief, LTG Blum, has served masterfully in this role. However, current roles and responsibilities place the Chief in a position having to wait until his advice is sought. Clearly, the National Guard is being used under Title 32 in innovative ways never imagined in decades prior—ways such as the airport security mission, the G-8 summit, responsibility for security operations at the Winter Olympics, the Hurricane Katrina response, and, most recently, enhanced border security known as Operation Jump Start. For the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, as well as the services, to be fully aware how the National Guard can be used in innovative ways the

Chief needs regular involvement in senior leadership activities instead of waiting to be asked. The Guard Empowerment Act contains two provisions for enhancing the Chief's ability to participate up front in homeland defense and homeland security discussions in DOD:

1. Assigns the Chief of the National Guard Bureau to be a member of the Joint Chiefs of Staff
2. Make the National Guard Bureau (NGB) a joint activity under the Secretary of Defense and the Chief the principal advisor to the Secretary of Defense and Chairman of the Joint Chiefs of Staff on National Guard matters.

We believe these actions will place the Chief in position to participate in policy and planning discussions that will lead to decisions that will better prepare the National Guard for its spectrum of missions.

The next effect sought is to ensure the National Guard is appropriately represented in the Combatant Command for which it will be the primary force provider in most situations; namely, Northern Command. Reserving the Deputy Commander position for a qualified National Guard officer accomplishes this objective while respecting the Title 10 make up of this command. While some have contended this will restrict the NORTHCOM commander's ability to select officers for the deputy position I point out that the long standing practice of specifying a senior Canadian officer for the deputy commander position of NORAD does not seem to have hurt the effectiveness of that organization. A National Guard officer in the deputy commander position will ensure NORTHCOM understands and fully embraces all National Guard capabilities

under Title 32 and Title 10 while also providing a means to achieve closer working relationships with National Guard Joint Force Headquarters in the several states and territories.

The next effect desired is to better leverage the joint experience and special knowledge National Guard officers bring to fighting against terrorism at home and responding to natural disasters. The provision in the Act that requires consideration of National Guard officers for positions through Lieutenant General achieves this. Current DOD policies and practices restrict National Guard officers from competing for certain general officer positions.

The last effect desired is enhanced ability to obtain resources to support state, federal, homeland defense, and homeland security missions. In the prior decade resources for the Army National Guard (personnel, equipment, training, and facilities) were determined based on assumptions of units having less than full capabilities. With the Army and Air National Guard engaged in the full spectrum of missions involving state active duty to Title 10 service this model is no longer feasible. But current and projected funding for the Department of Defense is not expected to grow. Spending more is not an option; spending smarter is necessary.

Increasing the grade of the Chief from lieutenant general to general will accomplish two things. First, it will place the Chief at a grade level commensurate with managing a \$21.8 billion budget, over 450,000 Army and Air Guard personnel in Title 32 operations and training them for Title 10 operations, and serving as the communications link between the 50 states, three territories, and Washington D.C., and DOD on National Guard matters. Second, the four-star grade is the proper level of the primary advocate for

homeland security resources. No one else in the DOD directly champions National Guard needs for the “home front” as the Chief of the National Guard Bureau.

Unfortunately, the National Guard has often not received resources specified by Congress concerned about citizen protection and safety. Separate budgets for training and equipping the National Guard for homeland security missions is another feature of the Act that will ensure the Guard is ready for its full mission spectrum. The purpose of this change is not to acquire new and different equipment—just the opposite is true. The Guard cannot effectively operate across its mission spectrum with different equipment for different missions. The purpose is to simply assure that Congressional expectations regarding training and equipping are met.

Finally, the National Guard charter needs updating to reflect the full spectrum of missions we are involved in and the range of governmental organizations with whom we deal.

There are sections of the Act the Adjutants General do not support or may require improved language. The first is the elimination of the National Guard advisor to the Chairman of the Joint Chiefs of Staff. This position is vital for working daily issues that are National Guard specific just as other staff members work issues specific to their expertise. This position is a staff rather than an executive level position. Second, we would like see legislation that would require DOD to establish polices that would credit National Guard officers for joint duty credit for work performed the homeland joint environment including the State Joint Force Headquarters, NORTHCOM, Combatant Commands, and OSD.

I have one final point. I was told that earlier testimony by DOD representatives highlighted the fact the Chief of the National Guard Bureau does not, technically, I suppose, have command and control of National Guard assets and forces. LTG Blum exerted superior management and leadership in the face stodgy bureaucratic impediments to get over 50,000 National Guard members and supporting resources to New Orleans over a week's time—a timely and massive movement of resources reminiscent of the Berlin Air Lift. Later he would organize and move 6,000 National Guard members to the Southwest border and engage in border patrol support in less than 60 days. This reading of fine lines of legal print gets to the crux of what the Guard Empowerment Act is all about. So long as time is wasted arguing these narrow territorial nuances the nation risks less than a first class response to a terrorist incident or natural disaster.

The fight against terrorism began with the National Guard responding in State Active Duty and Title 32. In the five years following 2001 no substantive policy or process changes for the role of the National Guard have been made to adapt to the different style of warfare or the nation's increase concerns about homeland security and the role of the National Guard. Your final report is not due out until early 2008 and then will likely be followed by a lengthy period of legislative actions before real reform begins. Meanwhile the enemy overseas continues to fight, threats to our homeland remain as great as ever, and natural disasters of even greater magnitude than Hurricane Katrina are possible. My sense from the Midwest is that the American people want to see changes that will improve the ability of the National Guard to protect our homeland and our citizens. The Guard Empowerment Act presents an opportunity to make very logical

adjustments to DOD operations that will enhance the nation's ability to fight terrorism overseas while protecting our homeland.

Thank you for hearing me today. I look forward your questions and the opportunity to with the Commission in other areas.