

United States Senate

WASHINGTON, DC

**Remarks of U.S. Senator Kit Bond and Patrick Leahy
Commission on the National Guard and Reserve
March 8, 2006**

Thank you, Commissioners, for giving us the opportunity to testify before you. We commend each of you for dedicating your time to serve on this important panel, which we believe will help inform a much-needed debate and discussion about how to properly use and equip our military reserve.

We hope that this joint testimony will underscore the bipartisan nature of the National Guard Caucus, which includes 82 members of the U.S. Senate, and which remains one of the largest, long-standing, and influential caucuses in the Senate. When the Caucus speaks, it is not a Republican statement. It is not a Democratic statement. It is a unified message about what the Senate believes is in the best interest of the National Guard, and the country as a whole. As recently as last month, for example, more than 75 members of the Senate joined us in successfully opposing the idea of shrinking the end-strength of the Army and Air National Guard.

Central Message

Our own view — which comes from the kind of issue that the Guard Caucus has had to continually address since September 11th — is that there is indeed a multi-faceted problem with how we are utilizing the reserves, particularly the National Guard. The challenge, however, is not a case of overuse, but our failure to harness and tap into the enormous capability that the Guard brings to the country.

Our policymakers and, in some cases, Congress, are not listening to the Guard. Nor are they making a strong enough effort to understand the force's unique capabilities. Worse, we are not giving the Guard the ability to contribute to discussions about force structure, personnel, equipment and readiness, including the nation's governors, who serve as the day-to-day Commanders in Chief of their state National Guard organizations. With respect to the domestic civil support mission of the Guard, decision makers who do not fully understand these paramount state missions are making the decisions that affect the governors' abilities to respond appropriately to natural and man-made disasters.

Background and Problems

We all know that the National Guard is making a vital contribution to the nation's defense. We see that Guard forces comprised almost 50 percent of the troops on the ground in Iraq during the high-water mark, serving in almost every capacity imaginable. At the same time, the National Guard performed impeccably during the response to Hurricanes Katrina and Rita. It was the Guard — serving with unique flexibility under Title 32 — that mobilized and delivered more troops and equipment to the storm-damaged areas than various federal agencies, including the active military. The Guard is a unique dual-mission force that can work effectively at home and abroad.

Despite these enormous contributions, we are seeing policy recommendations from the Department of the Army, the Department of the Air Force, and the Office of the Secretary of Defense that seem to fly completely in the face of logic.

In terms of the Guard's role as a strategic reserve to the active military, we see the Guard often treated as some kind of lesser partner. We see recommendations to cut end-strength, as well as ideas about how to help this critical force meet its recruiting needs. We see the Guard continuing to deploy under a World War II era system, with Guard troops leaving from mobilization stations that are half-way across the country before heading to a theater of operations. Last year, the regular Air Force imposed a new force

structure on the Guard through the Base Realignment and Closure process with little consultation with the States.

We have similar problems in ensuring that we harness the Guard's unique capabilities as a homeland security force. The Guard has an enormous shortfall in equipment on hand to deal with emergencies at home because we have historically never provided the Guard with the ideal level of equipment to respond to natural disasters and other emergencies. What equipment the Guard does possess has been sent to Iraq or Afghanistan as part of the war effort, and it will likely never return home. The Guard Caucus worked to add \$1 billion in emergency funding for the Guard to buy new equipment that will have homeland security application. Yet that funding is barely enough to scratch the surface of what is needed to best utilize the Guard's capabilities.

At the same time, some policy-makers suggest that the active military needs to be placed in charge of the military effort to support civilian authorities in an emergency. That recommendation goes against well-found posse comitatus laws that prevent the use of the active military in emergencies. Further, it goes against all of the evidence since September 11th that demonstrates the National Guard can significantly improve security and respond to emergencies effectively when it serves under the command-and-control of the nation's governors on a Title 32 status. Governors from across the country have stated emphatically time and time again that they should remain in command of their National Guards, and that such an arrangement is optimal in the event of a natural or man-made disaster.

The record more than suggests that the Guard should and must be the lead of the military's support to civil authorities in these catastrophic situations. We would go so far as to say that Guard commanders should be in charge of active forces working in domestic capacity, not the other way around as others are suggesting.

An Alternative Approach

This situation is complex, but the National Guard Caucus is actively exploring a legislative option that we believe will provide a relatively simple solution. Quite plainly: We need to empower the National Guard. We need to give the Guard more bureaucratic muscle, so that the force will not be continually pushed around in policy and budget debates within the Pentagon.

This elevation and empowerment of the Guard would involve four central planks. First, we should allow the National Guard Bureau to establish more formal relationships with the Office of the Secretary of Defense and the Joint Chiefs of Staff.

Second, we should give the Guard some more muscle in the existing relationships, elevating the Chief of the National Guard to a four-star position and adding the Chief to the Joint Chiefs of Staff.

Third, we should ensure that the Deputy Commander of U.S. Northern Command is a member of the National Guard.

Finally, we should give the National Guard a budget that is separate from the service procurement accounts, allowing the Guard to buy items particular to its duties in a manner similar to the Special Operations Command.

We have to allow the National Guard to make its case during the budgeting process and have the flexibility to do the job that we know the force can do so well.

We look forward to your questions, and we would like you to know that we and our staff are available to discuss these important matters with you at any point.

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