



Commission on the National Guard and Reserves

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Chairman Punaro, distinguished members of the Commission, I appreciate the opportunity to join you today to discuss how best to integrate the capabilities of the National Guard and Reserves into homeland defense and security. The Commission's charge is an important one. As we find ourselves engaged in the long term campaign and war on terror, effective coordination among all military forces, federal agencies, state governments and first responders is essential to ensuring the Nation's preparedness for terrorist attack on American soil. Homeland defense and homeland security are two sides of the same coin. As stated in the *National Security Strategy*, "Our military's highest priority is to defend the United States – the threats and enemies we must confront have changed, and so must our forces."¹

Citing its highest priority of protecting the United States homeland from attack, the Department of Defense (DoD) Total Force approach in the *Strategy for Homeland Defense and Civil Support (June 2005)*, concentrates first on incorporating the capabilities of Active Duty, National Guard and Reserve forces for warfighting missions abroad, and second to be prepared for domestic civil support missions. This articulation of DoD's homeland mission does not fully recognize and embrace the permanent reality of the potential for a catastrophic incident within the United States, and its impact. The dominant fact underlying DoD's homeland mission must be predicated upon whether or not a catastrophic event – be it terrorist attack or natural disaster – occurs on U.S. soil, regardless of from where the threat emanates. These fundamental premises must be fully internalized throughout the chain of command.

Domestic catastrophic events and wars prosecuted overseas are similar in several notable respects: they happen infrequently; both require rapid mobilization of labor-intensive resources; and most importantly, both directly threaten the lives of American citizens, our sovereign territory, and our economic vitality. The question for this Commission and subsequently for Congress, the Administration, and state governments is what are the end state capabilities and capacities needed to meet the needs of their particular "customers" following a catastrophic event and how should the National Guard and Reserves figure into this equation consistent with their missions? Further, how is success measured and defined? Whether it is a no-notice event or a fierce hurricane with a forty-eight hour

¹ George W. Bush, *The National Security Strategy of the United States*, Washington, DC: The White House, September 2002

warning of landfall, the need for robust, sustainable, scalable and agile response is a constant.

Our collective challenge is to implement a Total Force approach to homeland defense and security – one that effectively marshals and integrates the assets not only of DoD, but the Department of Homeland Security (DHS), other federal agencies (such as the Department of Health and Human Services, and the Department of Transportation) and state and local governments as well. Article IV, Section 4 of the Constitution establishes the following covenant: “The United States shall guarantee to every State in this Union a Republican form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.” Our duty becomes, and rightly so, to draw upon all national assets to protect our citizens from “invasion” whether manifested domestically or abroad. Article IV does not specify any single agency of the federal government, but envisions a unified effort to accomplish this mission.

Therefore, we need to first determine where DoD fits into the broader picture of homeland security, and then how to integrate the National Guard and Reserve. Starting with an understanding of end-state capabilities, we must create a genuine Total Force for the homeland that engages all relevant players in planning, training, exercising and operating together to form a truly unified response. Capabilities and assets that the military has amassed over time as a result of years of deliberate investment and experience, including: troops, transportation for evacuation and distribution of lifesaving resources (ice, water, food, medical supplies) and situational awareness must be effectively harnessed and integrated into our domestic catastrophic plans. Only then will the whole be greater than the sum of its parts affording this country the homeland defense and security that is vital to its future. Catastrophic events of low probability and high consequence do not require us to build two separate systems. There is no sense in recreating and duplicating military capabilities and assets specifically for the domestic homeland security mission, when economies of scale can be realized by incorporating those currently in existence. To not do so would be an irresponsible waste of limited taxpayer dollars.

The work of this Commission is distinctive from that of many other deliberative bodies in that it looks far beyond the here and now, to well over the horizon. All too often in recent times, the “crisis du jour” has consumed us and rendered myopic our next steps and mid-course corrections. Plainly, this is to our detriment as a nation. An ideal posture, by contrast, would have us pause thoughtfully to consider what is in our collective best interests not only in the short term but in the long run as well. Put in context, what was primarily a focus on preventing and preparing for terrorism has given way, following the devastation of Hurricane Katrina, to an equally intense focus on catastrophic natural disasters. In less than five years, the pendulum has swung a full arc, lurching from one peak to another.

Fighting yesterday’s wars alone is no way to march into the future. Instead, we must define our center of gravity and strengthen that core. This means building a national emergency response system – and a supporting culture of preparedness – that is truly all hazards and risk-based in nature. With lives and livelihoods at stake, our response system cannot focus on one threat to the exclusion of the other. Rather, we need to plan and prepare for all hazards, and build our capabilities to respond to the widest range of possible threats. In the case of multiple events, gaps in resources available for response will inevitably appear. These must be identified

beforehand and consensus reached on how to plug them. The bottom line is that to be able to act when action is needed is our most fundamental mission.

Unrealized Synergies

Following Katrina's massive hit on the Gulf Coast, state and local resources were overwhelmed. Along with the U.S. Coast Guard, National Guard units provided vitally needed support to federal, state and local government agencies struggling to meet the basic needs of their citizens. The National Guard was the first significant out of state capability to reach Louisiana and Mississippi, ultimately requiring the deployment of personnel from every state in the Union and the District of Columbia. In the wake of Hurricanes Katrina and Rita, The George Washington Homeland Security Policy Institute's (HSPI) Center for Emergency Preparedness (CEP) deployed 20 member multidisciplinary relief medical teams to the region to provide medical care to victims and first responders. According to Dr. Christina Catlett, Executive Director of CEP, the teams had no sense of confidence until troops arrived on the ground to provide necessary support.

As impressive as the military's response to Hurricanes Katrina and Rita was however, the National Guard's introduction into theatre could have been better defined and integrated in advance. The Guard is not organized, trained or equipped for a domestic response mission on the catastrophic scale of that encountered following Hurricane Katrina – a scale that will be similar or less than that of a catastrophic terrorist attack.

As General Dwight Eisenhower once said, "In preparation for battle I have often found plans to be useless, but planning indispensable." That is to say that the challenge is to train to meet a capability, not a specific mission. Only through unified planning, training, and exercising can the requisite capabilities and capacities be identified and developed. The integration of military capabilities into homeland security is to supplement, not supplant state and local governments and the first response community. In addition, we must be careful not to fall into the trap of "no good deed goes unpunished" – which is to say that while our military forces proved to be able and responsive in the aftermath of Katrina, we must not inappropriately expand their role to offset the failure of other agencies at the federal, state and local levels.

Bolstering and Marshalling Capabilities

The unique skills of active duty, National Guard and Reserve forces are relevant to both war fighting abroad and catastrophic preparedness response at home. Similar to our all hazards approach to preparedness and response, the role of reserve components is not an either/or proposition – either domestic disaster response or overseas deployment. The National Guard has traditionally played a critical overseas role – a mission that it has historically been reluctant to relinquish. In recent years however, the Guard and Reserves have stepped up to play both the "home and away games" simultaneously with more than 50,000 soldiers called up in response to Hurricane Katrina alone and many more for roles around the world after 9/11. At the same time they have been required to step in and fill personnel deficits in our Active Duty forces brought about via planned reductions in personnel and facilities.

The oldest of all components of the U.S. Armed Forces, dating back to pre-colonial times, the National Guard brings a number of valuable skill sets to domestic needs, as well as those showcased in Iraq including: critical infrastructure protection, CBRNE response, intelligence, surveillance, situational awareness and medical support. In any crisis the ability to master logistics – everything from getting the boots on the ground to rescue and reconstitution – is of the utmost importance and reserve components situational awareness for the on-the-ground realities in their respective states and localities are imperative to the response mission of turning victims into patients and survivors. With slight enhancements, skills built and bolstered abroad can be brought to bear at home (in coalition with current domestic skills) without the need to create a separate capacity at the local, state or federal level.

Concurrently, we must create a method of documenting, incorporating and teaching lessons learned and skills developed by our forces abroad into support here on the homeland. Among other skills, Reserve and Guard forces in Iraq are bringing back valuable intelligence on the methods terrorists use to recruit members, case potential targets and plan and execute strikes – information valuable to defending domestic assets. In transforming the Guard and Reserve for catastrophic response and other key homeland security needs, it is vital we conduct a qualitative inventory of the reserve components for current comparative advantages as well as the newly obtained knowledge capabilities.

As the Commission moves forward with its review and recommendations for change, it is imperative that the perspectives of the Nation's governors be taken into account. I know that you will be hearing from a distinguished group of governors, so my focus here will be brief. Experience has shown us, time and again, that effective response cannot be micromanaged from Washington. As a practical matter the vast majority of disasters will be responded to by state and local governments, with the federal government stepping in to provide support only in unique circumstances. This is consistent with constitutional principles – citizen welfare and safety is first and foremost the responsibility of state and local governments. We simply cannot allow the federal government to usurp the federalist form of government. National Guard units provide primary support to their home states, and are the military entities closest to the local community. They afford federal, state and local government response agencies exceptional situational awareness capabilities because of their intimate familiarity with the local terrain. Yet by and large Governors have had little say in establishing the National Guard footprint. Effective integration of these assets into catastrophic planning and preparedness efforts at all levels of government is vital – so that when that really bad day happens, the National Guard and Reserves arrive on scene in a joint integrated package able to make an immediate impact.

Moving forward, regional focus on homeland security is crucial. Significant local capabilities already exist. The challenge is to access and integrate them. Regionalized federal preparedness and response functions, housed within an enhanced FEMA Regional Office system, can help build state and local capabilities and facilitate regional cooperation. A regional framework would also facilitate joint planning, training and exercises of a wide range of entities and constituencies, including the National Guard and USNORTHCOM.¹ Co-location of Guard assets and personnel with these regional offices would create beneficial synergies.

¹ Hurricane Katrina: Recommendations for Reform, Testimony of Frank J. Cilluffo before the Senate Homeland Security and Governmental Affairs Committee, March 8, 2006.

Let me take a moment to address two issues that have generated more heat than light in recent public policy debates. First, the authority of the President to federalize National Guard personnel under Title 10 already exists; however, it is written in as a contingency, and has not yet been operationalized. This is a work in progress, and one that will require consensus in advance of an incident as to when, and under what circumstances, the President would federalize these troops. Second, the ongoing debate in some circles over the application and implications of the Posse Comitatus Act is somewhat of a smoke screen. State government officials clearly want and need federal support when a disaster outstrips their ability to effectively respond. Posse Comitatus limits the role of federal military forces in certain aspects of law enforcement. In the event of a chemical, nuclear or biological attack within the United States, there would be a need for the engagement of these forces in limited circumstances to maintain law and order. Congress has already acted to ensure the appropriate use of federal military forces through exceptions to the Posse Comitatus Act and the Insurrection Act under these circumstances. There will no doubt come a time when the President will need to access the statutory provisions of the Insurrection Act, yet these actions could be susceptible to misperception given the very name of the Act. Enacted in another era and a different context, the Insurrection Act is widely misunderstood in today's climate. Therefore the Commission may want to consider a recommendation to Congress to rename this Act and change its terminology to include catastrophic emergencies that overwhelm the ability of the state to respond.

Effectively Leveraging National Guard and Reserves for Catastrophic Events

The National Guard represents a true dual mission force – and one which must be leveraged effectively to advance homeland security. The Marine maxim “train as you fight and fight as you train” applies to the effort to incorporate reserve component capabilities into our homeland security. At the end of the day we are talking about execution and enabling those on the front lines to respond effectively. What matters is saving lives, not the color of the uniform of the men and women doing so.

Hurricane Katrina reminded us that, in the eyes of the American people, the key performance measure for emergency response is what is referred to in business as customer wait time – the length of time it takes to get the right resource to the right customer. When resources (food, housing, evacuation assistance, medical care, financial assistance, transportation, information, etc) do not reach disaster victims promptly the response mission is viewed as less than successful. The military model offers us a number of applicable operating principles. Universally acclaimed a stellar performer during Hurricane Katrina response, the U.S. Coast Guard stood out as a success story because it operates as a model of interagency coordination. The Coast Guard functions on a daily basis as a true, interagency joint asset – the Coast Guard “thinks purple” every day of the year. The Coast Guard’s success as an agency within DHS is due in part to its mutually supportive relationship with DoD, experience acquired through numerous major deployments. While supporting DoD’s homeland defense mission, the Coast Guard is in turn supported by DoD in its homeland security mission.

The challenge of successfully executing interagency coordination is age-old. Although we probably should never transpose a military model into the civilian context, at least not wholesale,

there is substantial merit in looking to the military context in this case. Here I refer specifically to the Goldwater-Nichols Act of 1986 which reorganized the DoD and constituted its most significant organizational change since the National Security Act of 1947. In essence, Goldwater-Nichols institutionalized the concept of “jointness” in the military context. From an operational and organizational perspective, the defense structure was streamlined and unified, and budgets were realigned accordingly. Over time, the positive ripple effects have been impressive as greater cohesion has yielded fruit in the form of heightened effectiveness measured, for instance, in terms of agility and responsiveness.

More recently, in terms of civil support and in the spirit of an efficient and coordinated response, USNORTHCOM was stood up as a combatant command with operational responsibility for the Continental United States. Established in 2002 to consolidate existing DoD homeland defense and civil support missions under a single unified command, USNORTHCOM’s mission is to “Conduct operations to deter, prevent and defeat threats and aggression aimed at the United States, its territories and interests within the assigned area or responsibility; and as directed by the president or secretary of defense, provide military assistance to civil authorities, including consequence management operations.”

Near Term Recommendations

Recommendation #1: The Department of Defense must structure forces to meet current realities and direct USNORTHCOM to articulate the force structure requirements.

A General Accounting Office (GAO) study released shortly after USNORTHCOM was stood up, concluded that, “DoD must balance domestic and overseas missions with renewed emphasis on the homeland defense.”² The study found that “DOD [had] not tailored its force structure to perform domestic military missions and may not be able to sustain the high personnel tempo that preceded and followed the attacks on September 11, 2001.” Devising a scenario that takes into account the possibility of an event equivalent to a Major Theater War (MTW) on American soil, with a simultaneous MTW overseas, must inform the development of the force structure.³ This will drive the creation and implementation of an operations plan to develop capabilities necessary to support an all hazards domestic response. The DoD portion of response is not where it needs to be, but setting these requirements will increase the capability of the Guard and Reserve for all scenarios we will face domestically and overseas. More than three years after creation of USNORTHCOM, the Total Force requirements have not yet been sufficiently articulated – a critical initial step to developing an operations plan. The question needs to be asked as to what DoD capabilities can be brought to bear to prepare for and respond to a catastrophic event while not degrading DoD’s ability to prosecute war. We won’t know what deficits exist until requirements are established, and we can then act to transform the homeland mission by determining where DoD fits and subsequently the Guard and Reserves.

² GAO-03-670 Homeland Defense: DOD Needs to Assess the Structure of U.S. Forces for Domestic Military Missions Report to the Chairman, Subcommittee on National Security, Emerging Threats and International Relations, Committee on Government Reform, House of Representatives, July 11, 2003.

³ Major Chris Hornbarger, “Katrina Lessons-Learned: National Contingency Planning for Domestic Incidents,” September 23, 2005, <

<http://www.dean.usma.edu/departments/sosh/Academic%20Program/Courses/ss493/index.htm>> (May 3, 2006).

Planning and troop requirements need to be set in place in the case multiple events occur so critical assets can be strategically placed during the civilian support mission. In the process of setting requirements, the gaps created when Guard units are sent overseas in time of war must be taken into account. This planning must happen before an event occurs and federal and state governments need to establish a method of filling those gaps when they arise.

DoD and DHS exercise schedules should be better aligned in order to facilitate joint exercises. In addition, these exercises need to be lashed up with the 15 National Planning Scenarios developed in conjunction with the National Preparedness Goal, which "...[describe] plausible terrorist attacks and natural disasters that would stretch the Nation's prevention and response capabilities."⁴ To effectively coordinate a response and not overlap resources we must focus on the homeland defense mission rather than limiting ourselves to Department specific goals. This is not about turning over DoD assets to DHS and state and local authorities – it's about synergies and improved capabilities that can be derived by coordinated planning, training, exercising and response to achieve joint interagency operability under USNORTHCOM.

Recommendation #2: Leverage and scale the Air Force Expeditionary Force model to create a near term capability for the homeland.

The reserve components train intensively for the nation's defense. A significant part of that training is directly transferable to missions that may arise in response to man-made or natural events at home. These include those missions performed by Combat Support (engineers, military police, signal, civil affairs, etc.) and Combat Service Support (finance, public affairs, logistics, transport, etc.) units of the Army National Guard and airlift and mobility wings of the Air Guard tasked to humanitarian relief operations, disaster responses and noncombatant evacuation operations.

The context of this training, however, and the participants involved are not chosen with homeland security missions in mind. For example, when members of the Air Guard are not in the deployment phase of the Air Expeditionary Force cycle, they are back in their communities undergoing basic and advanced training. This is an opportune period in which they can be tasked as DoD domestic response assets and train for response operations. They should exercise not only with other components of the military but with local, state, NGO, private sector and DHS assets that they may be called upon to support in the case of an event. These efforts should not be only of the tabletop variety, however, but live realistic drills comparable to the Air Force's Red Flag exercise.

Likewise, the Army National Guard has a similar opportunity to promote jointness in homeland security. They are not merely based in certain localities, but are members of those communities. When not deployed in support of military operations abroad, these units should interact with local officials, plan to respond to events in their own regions, and train shoulder-to-shoulder with the men and women that they may end up working along side with in response to a disaster. This

⁴ National Preparedness Guidance, Homeland Security Presidential Directive 8: *National Preparedness*, Department of Homeland Security, April 27, 2005.

vital familiarity and cooperative planning must be ingrained by repeated training if all aspects of a response are to run smoothly.

Longer Term Recommendations:

Recommendation #3: An evolution in the DOD cultural mindset is essential.

The glue that will make all of these recommendations "stick" is cultural change -- a change in the DoD mindset, and in those processes required to support it. Indeed, it is no exaggeration to say that this is the single most important change necessary to accomplish an expanded mission for the National Guard and Reserve. Yet, cultural change is notoriously difficult to bring about. Crucial to this exercise from the outset is strong leadership. This, coupled with the many supporting policy and statutory changes that the Commission has solicited and received, would drive real transformation. Fittingly, this brings me back to where I started, namely, that the role of the National Guard is not an either/or proposition, and its capabilities are generally applicable to both foreign and domestic threats. This does not degrade but rather enhances the warfighting mission and military character of the National Guard. With these fundamental premises -- and all that they entail in terms of planning, plans, integration, and so on -- internalized to the point that they are second-nature, we will have gone a very long way towards building the solid center of gravity that I referenced upfront that will serve the nation well.

Recommendation # 4: Elevate the National Guard Bureau and incorporate into the Joint Chiefs of Staff – to help achieve the vision of USNORTHCOM and Total Force for the homeland defense and security.

More than any other measure, incorporating the Guard into the JCS would make thinking "purple" a reality, and recognize the integral role that the National Guard plays both domestically and overseas. The White House *Federal Response to Hurricane Katrina Lessons Learned Report* recommended the chartering of the National Guard Bureau as a "joint activity of DoD" to support the effective integration of active duty forces for homeland security related activities.⁵ Incorporating the National Guard Bureau into the JCS would offer the National Guard of each state a channel of communication with DoD during time of crises which is vitally important to the distribution and allocation of resources and troops where they are most needed. One approach to make integration possible is to require that the Deputy Commander of USNORTHCOM be drawn from the National Guard. To be clear, we are not talking about creating a new service, but a new mission area.

To achieve a Total Force capability, we need a Goldwater-Nichols equivalent for the homeland context – at the federal level to access and integrate military capabilities with all other relevant federal capabilities, as well as between and among the States themselves to fully realize the capabilities of the Guard and Reserve. Put bluntly, to the extent that the various moving parts in preparedness and response are either not working well together or are not doing so in an optimal way, we need to remedy that, because the price to be paid for not doing so is simply too high (and the costs are not simply monetary). The House Select Committee charged with

⁵ U.S. White House. *The Federal Response to Hurricane Katrina: Lessons Learned* (Washington, DC: 2006) p. 96.

investigating the preparation and response to Katrina found their report, *A Failure of Initiative*, that “the lack of integration of National Guard and active duty forces hampered the military response.”⁶ As witnessed during Katrina, the lack of communication between the National Guard, DoD and DHS was an indication of the gaps in our ability to lead a unified, strategic response and recovery effort. As a result, there is an immediate need to develop a standard template in which the Guard Bureau can work with all states to better coordinate, train and operate in the event of any future incident whether natural or man-made.

Conclusion

The men and women in the National Guard and Reserves are a centerpiece of our Total Force to ensure national security both overseas and domestically. The congressional and White House reports following Hurricane Katrina all affirmed the significant role of the reserve components – now we need a companion budget document to translate the nouns into verbs. Defining their mission in the post 9/11 environment, and providing them with the tools and resources they need to get the job done is a top priority. This will not be achieved in the near term. Coordination of the preparedness, response and recovery missions of DoD and DHS will require significant funding, political will, and long term commitment. In closing, the Commission is to be commended for its thorough and insightful review of these important issues. Your work will leave a legacy for future generations of our military personnel. Thank you and I would be pleased to answer any questions you may have.

⁶ Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, *Failure of Initiative*, Washington DC, February 2006.