

ON BEHALF OF THE ADJUTANTS GENERAL  
STATEMENT OF  
MAJOR GENERAL ROGER LEMPKE  
BEFORE THE  
COMMISSION ON THE NATIONAL GUARD AND RESERVES  
3 May 2006

Good afternoon, Chairman Punaro and members of the Commission. I am Major General Roger Lempke, Adjutant General for the state of Nebraska. I am here today in my capacity as President of the Adjutants General Association of the United States (AGAUS). The AGAUS is organized to provide the Adjutants General of the fifty states, three territories, and District of Columbia a means to address national issues relevant to the National Guard. I will present a summary of issues we believe vital to continued vitality of the National Guard in its new role as an operational reserve and long standing role in homeland defense and homeland security.

It is now generally agreed that the National Guard has transitioned from a strategic to an operational reserve. The term "operational reserve" may not yet have an official doctrinal basis, but from the field the Adjutants General already see key changes to training, equipping and operations being necessary to meet the obligations implied of an operational reserve.

- a. National Guard units must sustain a higher state of readiness to meet state and national responsibilities. This includes the added responsibility for special training and equipment for the homeland security mission.
- b. The 39-day training time available each year must be used efficiently and be productive. National Guard units and members cannot afford to neglect training because of lack of modern equipment, planning, or training schools. Nor will training with older generation equipment, weapons, and tactics suffice.
- c. Families and employers must understand that National Guard members will be called to serve more often. But they must all be confident the National Guard will not be over used and be assured that duty models exist that strike a balance between service and life at home.
- d. Active component leaders must better understand the capabilities of the National Guard and more readily accept National Guard leadership at all levels. They must accept that the National Guard is a resource shared between state governors and the President. Both have vested interests in sustaining a strong National Guard, though different factors drive motivations for funding and equipping. They can leverage inherent National Guard capabilities not present in the active component.
- e. Certain laws need updating to clarify the role of the National Guard in supporting the Army and Air Force in federal missions never envisioned during the Cold War. Certain language which restricts the ability of National Guard resources to respond to homeland security matters or provide for unified command must also be changed.

Recommendations for Law Changes

First, and foremost, the Adjutants General agree with testimony previously made to the Commission that no changes are necessary to the Posse Comitatus Act which generally prohibits Federal military personnel from acting in a law enforcement capacity within the United States, except where expressly authorized by the Constitution or Congress.

Two major pieces of legislation already in work are necessary to enhance the ability of the National Guard to meet state and federal missions. The first has not yet been introduced as this testimony was being prepared. It seeks to amend and clarify Title 10 and Title 32 to allow the National Guard in a federally funded status to participate as full partners in the entire spectrum of homeland defense, homeland security, and national defense activities. It clarifies and expands the role of National Guard full-time personnel in training military and civilian personnel across the total force. It eliminates ambiguities that are hindering the Air Force from bringing the Air National Guard into new missions essential with the changing nature of warfare and shrinking manpower. It also clarifies certain aspects of “dual hat” command by National Guard officers such as that accomplished during the G8 conference and the national political party conventions in 2004.

The second piece of major legislation has already been submitted as S. 2658 in the Senate and H.R. 5200 in the House. Known as the “National Defense Enhancement and National Guard Empowerment Act” this legislation seeks to secure a stronger voice for the National Guard, strengthen its ability to secure essential items unique to military response to civilian authorities and improve the integration between the nation’s civilian and military emergency responders. Under this legislation the National Guard Bureau would be recognized as a joint activity of the Department of Defense rather than strictly of the Departments of the Army and Air Force. It would elevate the Chief, National Guard Bureau to four-star rank with the additional duty as an advisor to the Chairman of the Joint Chiefs of Staff. It would mandate that the deputy commander of Northern Command be a National Guard officer and make several other associated changes. Most importantly, it would require the NGB to coordinate with the state adjutants general in identifying gaps between federal and state emergency response capabilities which might best be filled through military assistance to civil authorities and to make recommendations for National Guard programs and capabilities to fill those gaps, in coordination with the States.

### National Guard Force Structure

The Commission has received testimony on re-structuring and re-balancing the force. The Adjutants General agree this must be done periodically. However, it must be accomplished with a clear understanding of what Governors need for homeland security and what the National Guard is being called to do in the fight against terrorism overseas.

An Army proposal earlier this year would have eliminated six National Guard combat brigades and replaced them with Combat Support or Combat Service Support brigades. Primary arguments for this change centered on re-balancing forces for the lengthy war against terrorism and a contention that CS/CSS brigades provide resources more commonly needed for homeland security missions.

The argument for re-balancing centers around a short conflict rather than a long, drawn out affair as the coalition forces are facing in Iraq. At the very same time the Army is seeking to reduce combat structure in the National Guard it is calling for more combat structure in the form of security forces. National Guard CS and CSS units are being tasked to cross train into infantry skill sets in order to meet future needs in Iraq. Current planning shows over forty National Guard security forces being needed for future operations in Southwest Asia. Most of these will come from National Guard units trained and qualified for CS and CSS missions. What the Army needs most from the National Guard when stretched is the combat skill set. The Commission

should look long and hard at rationale for reducing National Guard combat structure. National Guard combat units taken down become impossible to re-build. Armories are closed and community ties are lost, the make up of non-combat units includes females, and the critical fighting ethos of proud and decorated combat units slowly fades.

The arguments favoring CS and CSS brigades for homeland defense and homeland security also lack merit. Compare a Heavy Combat Brigade Team (HCBT) with a Combat Support Brigade (CSB). An HCBT has over 90 more trucks; greater lift capacity; nearly 300 more HUMVEES; additional communications equipment; key imbedded capabilities such as medical, maintenance, and security forces not found in all CSB organizations; and a command and control headquarters capable of directing combat and support forces. Whereas a CSB provide pieces of what is needed for homeland security missions a BCT provides the full range of needs.

The bottom line to this issue is simply that the nation should not shed National Guard combat capability on a whim. If anything, more combat capability in the National Guard would lower overall Army force structure costs while ensuring sufficient forces for multiple contingencies and long conflicts.

### Readiness

United States ground forces are facing recruiting and retention challenges. 2005 was a tough year for recruiting. While the Army continues to struggle the Army National Guard is rebounding to its former strength of 350,000. Some innovative programs unveiled by LTG Clyde Vaughn and the Army National Guard Directorate have provided the means for states to re-invigorate recruiting. The Army National Guard end strength is 350,000 and all Adjutants General are committed to meeting it as we did for many consecutive years prior to 2005. Retention is also holding strong thanks to bonuses and other incentives offered mainly to first term soldiers.

However, a disaster is brewing in the more senior and experienced ranks as more mid-level NCOs and officers are leaving the National Guard at their twenty year career point instead of staying in. Many are electing to retire at twenty years rather than contend with the disruption to family and civilian life from another mobilization. And why should they stay? A vested retirement at age 60 after twenty years of service is the final incentive to serving. After that milestone most reserve component service members will not significantly add to their retirement benefit unless they receive several promotions.

Service members on active duty receive substantial improvements in retirement benefits for extended service because their retirement pay increases as a percentage of active duty base pay as their years of service increase beyond twenty. Reserve component members receive no comparable increase in point value. The reserve component retirement system has existed virtually unchanged since the beginning of the Cold War. Previous attempts to change reserve component retirement have argued for change as an overall reward for service and have focused on a reduction from age 60 to age 55.

Assistant Secretary for Reserve Affairs, Tom Hall, testified before the Commission about the principle of "parallelism" when comparing reserve component and active duty benefits. This principle needs to be applied to retirement benefits. The reserve component retirement needs to be changed to help retain those with the experience to manage and command at the next level in

the next conflict. A system that reduces retirement age by one year for every two years served beyond twenty would be a significant motivating factor in getting our most experienced and battle hardened veterans to serve longer.

### Equipping the National Guard

The Army, let alone the National Guard, faces a significant challenge in resetting and modernizing the nation's army. Certainly, the situation in Iraq will continue to cause equipment losses due to combat and wear and tear. The Army can no longer focus on equipping active forces and giving what is left to the reserve component. In fact, the Army is tasked to provide \$21 billion of new equipment to the Army National Guard. A group of active duty and National Guard general officers (including Adjutants General) are currently working force structure and equipping issues.

One intriguing issue uncovered by the GOSC is that the Army lacks a reliable means of determining if equipment originally intended for the National Guard is indeed winding up in states or not. We are all aware that the National Guard was dramatically under equipped before 9/11. And we all know of the huge amounts of equipment left in Iraq by the National Guard. The next three years is vital to restoring the National Guard to sufficient capability to train and support homeland security missions. The intent is clearly there to get it done—the issue will be managing the system to ensure the National Guard is ready for future contingencies and disasters.

### Conclusion

For this session I have focused on issues related to homeland security and readiness as requested. I suggest the Commission consider at least two other topical hearings.

One hearing should deal strictly with the Air Force and how its transformation and modernization plans intend to utilize the reserve component—especially the Air National Guard. The Air Force is struggling with budget issues as is the Army. The Air National Guard may be forced to take a reduction of over 14,000 military positions—fourteen wing equivalents—over the next five years. At the same time the Air Force is trying to integrate the Air National Guard into new mission areas and make greater use of the Air National Guard to save money. The Air National Guard plays a vital, though often less publicized, role in homeland security. A separate hearing will ensure the Commission has a full understanding of Air Force issues related to the reserve component.

The second hearing should be to hear from those best able to articulate the independent voices of our reserve component service members and their families. I suggest receiving testimony from the major reserve component professional organizations—NGAUS, EANGUS, MOAA, and ROA (to name some). The senior leaders you have heard from so far, including me, deal with strategic, tactical, and personnel issues. Sometimes the intensity of budget and equipping discussions can cause us to forget momentarily the one element that makes our nation so great—the citizen-soldier. Hearing from the organizations dedicating to listening to our service members will provide insight to the Commission unavailable anywhere else.