

**THE COMMISSION ON
THE NATIONAL GUARD AND RESERVES**

**PUBLIC HEARINGS
SAN DIEGO, CALIFORNIA**

WEDNESDAY, SEPTEMBER 20, 2006

**1:00-3:00 PM ROLE OF RESERVE COMPONENT
PERSONNEL IN DOMESTIC EMERGENCY RESPONSE
MISSIONS – EMERGENCY RESPONSE OFFICIALS**

WITNESSES:

**BRIGADIER GENERAL LOUIS ANTONETTI, DIRECTOR, JOINT
STAFF, CALIFORNIA NATIONAL GUARD**

**STEPHEN J. SELLERS, REGIONAL ADMINISTRATOR, SOUTHERN
REGION, OFFICE OF EMERGENCY SERVICES, STATE OF
CALIFORNIA**

**CHARLES P. MCHUGH, ASSISTANT DIRECTOR, ARIZONA
DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS,
DIVISION OF EMERGENCY MANAGEMENT**

*Transcript by:
Federal News Service
Washington, D.C.*

ARNOLD L. PUNARO: Well, good afternoon. Welcome to our afternoon session of the Commission on the National Guard and Reserves. We're focusing the afternoon on expanding the commission's knowledge of the many functions performed by the National Guard at the state level. In the May 2006 hearing, we focused on the role of the National Guard and Reserves in homeland security and homeland defense, and for the benefit of our witnesses, we heard from Admiral Tim Keating, the commander of the U.S. Northern Command; we heard from General Blum, the head of the Guard Bureau; we heard from Assistant Secretary of Defense Paul McHale, you know, the – from the DoD lead for homeland defense and homeland security; and we heard from the undersecretary for DHS, you know, who owns the national response plans. So we've heard from the high-level folks about this topic.

Then in June, we heard from several governors, particularly the governor of Rhode Island and North Carolina discussed the Guard's vital role in homeland security and disaster relief. While much attention has been directed to the aftermath of Hurricane Katrina and the magnitude of the relief effort required, I don't need to tell our witnesses today that governors routinely rely on their National Guard for a large number of other essential tasks.

Here in the West, we know that fires are an ever-present danger. Of course, they've been fighting wild fires just north of here and they've been fighting them in other parts of the West here – and earthquakes and mudslides and floods and snowstorms, and the list could go on and on and that depends on what part of the country you're in. While they may not have the kind of natural situations here, other parts of the country they're worried about floods, they're worried about agricultural damage, they're worried about tornados, so there's no part of the United States where governors don't have some natural disaster they're going to have to deal with and deal with on a fairly routine basis. Ice storms can bring out the National Guard, and of course we're all worried about manmade threats to the homeland.

The National Guard is the governor's go-to force in such natural disasters to assist local first responders and both rescuing survivors and protecting lives and property from looting or other lawless acts. Yet, its role with sometimes limited visibility, particularly in the Pentagon when decisions are being made about resourcing, training and equipping the National Guard. A lot of the people that make decisions on budgets – they don't have the frame of reference. I mean, they're looking at it through primarily and you would expect them to – their entire careers are active duty and they're focused on the major diplomats overseas, and when they're looking at resources in the Army, Navy, Air Force, Marines. They're looking at it not through the lens of the governor, but through the lens of a combatant. And actually in a way that's the way the law is set up: the secretary of the Army, Navy, Air Force are required under Title 10 to organize, train and equip their forces in support of the requirements of the combatant commanders. Perhaps that's something we ought to look at in terms of how they prioritize funding.

To better understand this role and the challenges it poses, we wanted to hear from some state officials that are more directly involved in the day to day than the witnesses we had in Washington – state officials directly responsible for emergency response. And our panel members today are: Stephen J. Sellers, regional administrator for the California Office of Emergency Services; Chuck McHugh, assistant director for operations from Arizona Division of Emergency Management; and Brigadier General Louis Antonetti, director of the Joint Staff of the California National Guard.

Again, we hope to explore in greater depth how the National Guard, as well as other reserve and active duty military forces support the states during emergency response mission and the role the military has played in past state emergency response efforts. The commission will continue to examine lessons learned to determine how the National Guard and Reserve units might be better funded, organized, equipped and trained to respond to natural or manmade crises in the future. So I want to thank all of our panel members for being here this afternoon, for your services to the people of your states and to the nation, and we look forward to your candid recommendations. Your testimony is important to us and we'll put your prepared statements without objection in the record and look forward to getting your summary comments.

I'm not sure how we're organized here, so maybe if it's okay with everybody we'll just start on that end and go this way, or, General, however you will prefer to organize yourself, whatever works. So if that's – is that acceptable to everybody? Okay, we'll start with you Mr. McHugh.

CHARLES P. MCHUGH: (Off mike.)

MR. PUNARO: You have to push it, hold it while you talk.

MR. MCHUGH: Okay. I'm a little uncertain on the format. Would you like me to start with summary comments?

MR. PUNARO: I think that would be helpful because we can put your prepared statement in the record, but please don't – make sure you give us all the key points you wanted to give us, so however that works best for you. As most congressional committees, we prefer not have people read a long statement; we prefer to get kind of a summary of key points, but I don't want to cut you short on anything you want to tell us.

MR. MCHUGH: I sat down last night and wrote something up. It's fairly brief. I think I can go through it in about five minutes, if that's okay with everybody.

MR. PUNARO: That's fine.

MR. MCHUGH: Just starting out in terms of background, to provide a little bit of perspective of where I'm coming from, early in a 20-year law enforcement career I was a commissioned sheriff's deputy in Southern Arizona and early on I was assigned as the

Department Search and Rescue Manager. Over a span of 11 years, I managed about 1,200 wilderness search and rescue missions for the department. Those were throughout the state of Arizona and also in the Republic of Mexico. My success in this role has depended upon the ability to mobilize resources suitable to the mission. Many of these resources were military assets, to include National Guard and Reserve air and ground assets. What I found as a commissioned deputy sheriff – I found an abundance of military assets to support search and rescue missions. These include Air Force, Army, Marine resources, including National Guard and Reserve Units.

In a world of abundance, my responsibility was to manage a combination of civilian and military assets that were the most effective, safe and efficient. Later in my law enforcement career, I worked in the Special Weapons and Tactics Unit. I was a beneficiary of excellent training from Air Force, Army, National Guard and Reserve units in both ground operations and aviation related operations as well. For the past 12 years, I managed the operation section for the Arizona Division of Emergency Management in our Department of Emergency and Military Affairs. Much of my work today involves a coordination of state assets and response to disasters. This includes ongoing interaction with the Army National Guard's Plans and Operations Military Support Officer, commonly referred to as the POMSO.

Currently, the state of Arizona averages about one presidential disaster per year. Most of these have been floods and wild land fire events, and our Arizona National Guard is a very frequent player in these disasters. In my view, the interaction between the civilian world and the military is all about developing relationships. As a 32-year veteran of response to emergencies, frontline and also from the state, that's really what it is all about. And although there are notable exceptions, most civilian emergency response authorities work infrequently with military assets. Consequently, more effort is required to develop effective working relationships.

While civilian emergency responders hold their military counterparts in very high regard, they may have unreasonable expectations of what the military can provide: expectations on response times, capability, availability, and cost effectiveness are not well understood.

In my view, military assets are underutilized in civilian emergency response. I suggest this lack of exercise in small – in moderate-scale events leads to reduced effectiveness in large-scale and catastrophic events. Success is simply a function of practice. It's also a function of practice with critical partners in a multi-agency response team. We're good at what we do on a routine basis. Effective civilian-military interaction on small-scale operations, such as search and rescue missions, contributes to the effective transition into larger scale operations. A golden rule is: let's not meet for the first time in the middle of a crisis.

How do we fix this? Pre-mission networking, training, ongoing response to civil emergencies are central to our success. With a commitment to these fundamental, issues such as communications incompatibilities and incident organization are worked out well

before the critical stages of large-scale, complex disaster response. The professional emergency response manager has a responsibility to mobilize the most effective, practical, and cost-effective assets to achieve the public safety mission. To achieve this goal, the manager should have developed a comprehensive tool box of assets. As masters of their trade, the best managers select a precise combination of tools to solve a problem.

In my assessment, most managers develop a limited variety of tools, and frequently leave out key military assets. It's a lot like a bunch of neighborhood kids getting together for an impromptu game of sandlot baseball. Kids want to play with their best buddies. Fundamentally, it's not much different in the professional world of multi-agency response to emergencies. We'd like to work with those that we've networked with, those that we have confidence with throughout our careers.

Our National Guard and Reserve units need to become a central component of the civilian emergency response community. The interaction may begin at the basic training levels and continue throughout a public safety careers in-service training. Ongoing training is an important first step. Furthermore, live mission interaction is required to be truly effective as a cohesive team. These missions do not need to be large-scale disasters. They may be on a smaller scale, such as wilderness search and rescue missions. Clearly, interaction on small-scale missions lends itself to strong performance on moderate to large-scale events.

To achieve this will require a commitment on both civilian and military commands. Currently, Arizona's National Guard assets are heavily multitasked with commitments overseas and U.S.-Mexico border security missions. While the overseas missions take resources out of our state, the border security missions do contribute to effective civilian-military interface on the home front, simply because they're working together day in and day out.

In conclusion, I've experienced successful interface with military assets on frontline search and rescue missions through state-level disaster missions. The success was developed through reasonable efforts to develop working relationships. It's an achievable task. The same relationships need to be developed at the national level between players such as FEMA and their national-level military counterparts. And those are my introductory comments.

MR. PUNARO: Thank you very much.

General Antonetti?

BRIGADIER GENERAL LOUIS ANTONETTI: Well, good afternoon, Mr. Chairman, distinguished members of the commission. I appreciate the opportunity to provide testimony on the readiness, training and emergency preparedness as well as the California National Guard's role in the interagency processes and approach to defending the United States against acts of terrorism as well as protecting from the effects of natural disasters.

Members of the California National Guard have served with distinction and honor on all of the major theaters of operations. California National Guard sent over 8,000 members to Operation Iraqi Freedom and Enduring Freedom in Afghanistan. We've fulfilled NATO peacekeeping missions in the Balkans and supplemented active duty forces in Europe, Korea, and the Horn of Africa and Gitmo. In addition to responding to the call of an active service, we continue to fulfill our relationships with our state partnership program with the country of Ukraine, as well as a newly emerging country in Nigeria.

As we get in the discussion of where we cross the lines between readiness and preparedness, I would like to make the distinction between the two. Readiness reflects the current ability of a military unit to **deploy** and complete the federal mission for which it is organized. Measuring the levels of readiness is well documented and directed by the service components by policies and regulations. Preparedness, on the other hand, is the ability of the National Guard to leverage the readiness conditions of the organization with its federal resources, to be able to translate that into actions for providing support to civil authorities in times of disasters and emergencies. These two, readiness and preparedness, are inextricably linked to the success of the National Guard.

The California Air National Guard has been resourced at a somewhat higher level than our Army component. As a critical partner in the success of the United States Air Force by **deploying** over 8,600 personnel in OCONUS missions. This represents over 700 separate OCONUS **deployments** since September 11th. Despite this increased federal op tempo, members of our California Air National Guard have supported 55 state emergencies between 2000 and today. They have completed at least 27 air rescue operations, formerly out of AFRCC, for over-water and as well as over-land search and rescue. The California Air National Guard has been vital in forming the air bridge for California's significant response to Hurricane Katrina last year, bridging the gap of over 1,800 air miles supporting our nearly 1,200 men and women that were forward **deployed** in our joint taskforce. Now the Air National Guard is even supporting, as we speak, the federal wild land fire operations with the use of their C130-Echo Aircraft and the mass units providing our droppable retardants on our fires around the nation.

At the national level, the National Guard Bureau is closely monitoring each state to ensure that the state remains sufficient for a structure and readiness in key areas of capabilities within their federal structure. These include aviation, engineering, civil support teams, security, medical, transportation, maintenance, logistics, command and control and communications.

I'm pleased to report that the California National Guard possesses all of these unit types and works constantly to maintain the readiness of its unit capabilities. We're now in the process of developing plans and refining our plans to utilize these ten unit types to provide 18 key response capabilities to support California and other states in times of emergencies. The 18 are: continuity of operations and (coup ?); responding to pandemic incidents; providing mass care and shelter; search and rescue for air, ground and water;

mass transportation of personnel and material; providing security operations; mass decontamination; emergency command and control and communications; establishing temporary medical facilities; supporting wild land fire operations; responding to the weapons of mass destruction potentials; supporting mass casualty operations; quarantine support operations; mass distribution operations of supplies and services; providing limited imagery support; and providing EOD support as necessary; and finally, conducting critical infrastructure assessments of key facilities within the state and federal government.

All military forces are charged to maintain readiness. It is the unique ability of the National Guard to translate the readiness into preparedness at the responder level that creates the extended value of our reserve components in its citizens-soldiers to the states and nation. The National Guard in each state is linked to the responder communities on a daily basis, often by virtue of residing in the same agency, as you've heard, from the previous testimony of panel witnesses. But always through constant and detailed communication, coordination and planning is where we meet our success. The National Guard provides linkages between readiness, preparedness, between DOD, the state government, the communities, the first responders and our local employers. It's critical that this commission in its deliberations and recommendations make every effort to maintain the strength that those linkages bring, and to that end I would suggest three key outcomes.

The Congress needs to enact a National Guard Empowerment Act of 2006. This means placement of the National Guard and Reserve's issues on the priority of consumer with the operational demands of the guard that we have faced for the last five years. It is imperative that the guard have a seat at the table to influence decisions on behalf of the Army and Air National Guard to achieve a success with the resources.

Second, the control of the National Guard during emergencies must rest with the governor. To empower the president to federalize National Guard members during a, quote, "serious natural or manmade disaster, accident or catastrophic event that occurs in the United States without prior consultation with a governor is not supportable." This means the inherent and habitual relationships that exist between the National Guard today and the emergency response community within the states are somewhat severed by an unwarranted expansion of federal authority. Additionally, the flexibility that exists within a National Guard during emergency operations, permits a unique response that cannot be replicated by the Title 10 forces.

Third, the readiness of the Guard must be brought on par across two – there are two components of the Army and air. With the resourcing of the Army National Guard reflecting the levels of operations demonstrate over the past five years rather than that of the Cold War era when the guard was considered the strategic reserve.

This means funding the replacement of equipment not yet returned from our **deployments**, concurrent **deployment** of systems of the Guard and active force at the same time; increase resources for the recruiting, retention, training and full-time

manning. It is through maintaining optimal readiness that the Guard can maintain the most effective preparedness for its – (unintelligible) – support operations in the state and across the nation.

As I stated earlier, I appreciate the opportunity to address this commission on these key issues. If I were to summarize my points, it is that the Guard, although never resourced as such, quickly became an expeditionary force and moved from a strategic reserve to fully **deployed** and continues to serve with distinction today. There are critical – (audio break) – at the federal level if the Guard is to remain the nation’s only true dual-capable force. I would encourage this commission to strengthen our ability to maintain readiness while not adversely impacting our ability to maintain preparedness.

As I said at the outset, readiness and preparedness are absolutely linked, but the responsibility for each is discrete. The federal government is responsible for the prioritization and resourcing of our readiness. It is the responsibility of the National Guard in each state to translate that readiness into preparedness. The Guard will be the first military responder to any emergency or event in the state. It is the Guard that coordinates with and trains with the local responders on a daily basis. It is the Guard that represents each and every community that might be affected. And it is the Guard that is the best prepared to translate the readiness into preparedness, which is most needed for that community or state.

By addressing these three recommendations, we can collectively and collaboratively leverage the unique capabilities of the National Guard to meet both the federal readiness requirements and state preparedness needs to respond to whatever may come within our state and our local community.

Thank you.

MR. PUNARO: Thank you, General.

Mr. Sellers.

STEPHEN J. SELLERS: Thank you, Chairman. It’s a pleasure to be here today representing the California Governor’s Office of Emergency Services. We, as you said earlier, are very experienced in disaster work. We do have a fire – there are many fires going on right now. Luckily, it didn’t keep me away today because I really would like to get some important points across for your work here. I would like to start out by saying I reinforce what has already been said from my co-panelists here, and I don’t want to be redundant, but I do want – I will kind of tailor my remarks in terms of expediency, but will reinforce a couple of comments that have been made.

The State Office of Emergency Services for California is a lead emergency management agency for the state. Our role is to assist local government with the – to provide them the resources they need in any natural or manmade disaster in the state,

whether those resources be from state agencies or in collaboration with FEMA from the federal government.

I would like to really reiterate the important role of the California National Guard in our state's emergency toolbox. They have been an important player for us for many – more years than I can recall and we have a really strong and positive relationship with our California National Guard. We mission-tasked the Guard for a variety of things; most recently as you've heard from General Antonetti, some of the fire support, which is active as we sit here today. We primarily used them in the past for things like flooding, with – for transportation support, air support, search and rescue, and a variety of other missions. We would not like to see that system changed in any significant way.

And when I talk about systems, I want to talk a little bit of what Charles said. California established mutual aid in 1950. We know what mutual aid is in California; we know how to use it. We do not – we had established through our fire services something called the Incident Command System. The federal government has kind of taken that recently and shaped something out of that called the National Incident Management System. That system started in California in the 1970s after our wild fire experience. After the Oakland Hills fire in the 1991, we established something in the state called the Standardized Emergency Management System. That defined how we worked together from a local, regional, and state perspective in managing our disasters in California.

I don't have to tell you I don't think about our experience. We've practiced these systems and refined them to where they are, probably, I would say, the most effective in the country. I think with California and Florida, you would see model emergency management programs. And I say this because we do – there's a lot of talk about reinventing things in a significant, fundamental fashion. I really don't think we need to do that and I certainly – the California Governor's Office of Emergency Services, the way we collaborate with our National Guard, the way we mission-task, the way we work with the federal government – it's well established. As Charles said, it's more about working on the – with the military units and so forth, practicing more, having them be familiar with how we work. We know how to manage disasters and we don't really need a lot of reinvention, but certainly we can do some practicing, tweaking, redefining, sort of retooling a little bit.

But I think, again it's important for you to know that our perspective is all disasters are local. Our goal at the state, and I think our partners are the federal government, our role is to support local government. We want to do this in collaboration. And I want again echo what General Antonetti said about federalizing the Guard resources: it really is not necessary and it's an undue complication, as we learned in the 1992 Los Angeles riots. It causes more problems than it solves in our estimation.

I would like to also, though, point a little bit to the reserve component, and that was something that wasn't talked about yet, so I can highlight that. Some of the questions we have are something Charles already mentioned is and for the Department of the Defense resources is how do we – how do we use the Department of Defense

resources? I mean, where are they? What are their capabilities? How do we access them? Are they available? Some of these fundamental questions you have on resource management are some things we would need to look at.

I would think that our existing structure and processes with the Department of Defense would be something we'd utilize. We now have Defense coordinating officers at every FEMA region office in the country. They are key players for us at the state level and coordinating with the military side in terms of managing resources and working together with us to provide for the best application of resources, especially, as Charles said, as we scale up. It's one thing to provide immediate response if you're a base commander; it's another thing when we go to a multi-agency, multi-jurisdiction, mass scale disaster where we need to prioritize resources and be coordinated in what we do, and that's where we really need to focus on that Defense coordinating officer and their role.

I would also like to emphasize the role of the emergency preparedness liaison officers, which we haven't mentioned yet. For me, in California, on a daily basis these, are the people I talk to. These are those partners. When they hear there's a fire going on they often call – picking up the phone and calling me and say, "What's going on? Do we need to be worried?" These are kind of boots on the ground people that we may not have anything happen, but they're kind of looking in and partnering up with us and kind of getting an idea of what might come their way, and I think that's that critical – those roles are in place.

We probably need to do a better job of reinforcing their role, making sure these people are supported, making sure they're practicing with us in terms of our exercise and preparedness programs. But, again, that Defense coordinating officer and those EPLOs are really key players for us and that's a system in place, very effective, practiced, proven, that I think is a good thing look at if we were looking at how we better manage military resources in support of state and local government during disasters.

So again, I – there's a lot to do, always – as we always learn in our disaster response in California. I think we do have effective systems in place. Our partner at the National Guard is a critical player in our mutual support to local government in the state. We certainly appreciate the work they do and how they partner with us and it's a very positive relationship, and there are some things we need to do in terms of military assets including the reserve components.

I could probably give you an example. We had a Reserve unit out of Miramar recently – a communications unit; I think it was MAG 46 – worked with the county of Los Angeles Sheriff's Department to say, how can we help you during disaster? They found out that they really should be working with our regional mutual aid coordinators, but it came out – they called up, they made their own relationship. They went to this exercise.

Of course, we have a system in California, the Sheriff's Department reminded them that – and we need to talk to OES, but by practicing we found out how that we could better utilize that unit in a coordinated response. Otherwise, you're going to have all these units out there making all these independent relationships and we're not going to be coordinated when something happens, and that is our worst-case scenario.

And I want to end with – I'm very confident in California you will get a coordinated response and I'm sure in most states in the country that would be the same case. Thank you.

MR. PUNARO: Thank you. Before I get to my questions, General, if you would pass our appreciation back to the governor and to the adjutant general for the superb work that the Guard is doing down on the border. Colonel Ellsworth (sp) was our great host taking us down there last night. It was highly informative and actually very enjoyable visit because you could see the incredible dedication of our Guard personnel serving down there, some that have been there under the counter-drug program and some that are new to the border protection program.

The other thing that we did come across a real gem: the organic road grater that the Guard had down there was clearly 1920 vintage model. I called the Smithsonian. They're anxious to get their hands on it. Fortunately, somebody had a little money for them to rent some commercial real combat engineering equipment, so kind of pointed out a little bit on the equipment side, but they are doing a terrific job down there – highly motivated – so we pass along our appreciation. Again, Colonel, thank you for taking us down there last night.

I want to kind of explore this issue – General, you hit on it in your testimony as the other two witnesses did. The concern about usurping the role of the governor. I mean this issue on who's in charge and the role of the federal government, the role of state government that's been around for a long time. But I think it's come to the fore post-9/11, not only because of the threats to the homeland, but because of our operational **deployments** of our Guard and Reserve units overseas and sometimes the conflicts with the state priorities.

I know one governor that we spoke to, basically his brigade had just returned from a highly successful tour in Iraq and he was told it'd be four years before he got any of his equipment back and he says, what am I supposed to do if I have a natural disaster in my state in that timeframe? You know, it's just unacceptable.

The governors that we've talked to personally – not surprising, I don't think, to those of us on the commission – they see their role as commander-in-chief in their own state just like our president sees his role as commander-in-chief of the nation. And it doesn't mean they're in conflict, it just means that they're looking at it from their perspective. And it's been the testimony we've received as well as our experience over a long period of time that in the natural disasters or manmade disasters, it's the personnel on the scenes – the first responders, the National Guard, the federal assets that are

available to respond immediately. I'm not telling you all anything you don't know because you're the duty experts. They're the ones that are going to do the immediate and take care of the immediate situation. They've got the eyes and ears on the ground. They're going to have the command and control. They're going to have to deal with the situation.

You're not going to parachute the 82nd Airborne in from Ft. Bragg to deal with a situation in California or Arizona. And by the way, why would we want to do that anyway? The 82nd Airborne is trained to basically parachute into Afghanistan and do things over there. So for those that suggest that, oh, heck, we've got it covered on the active duty side of the house. These guys could defeat the Soviet Union and the Warsaw Pact, so surely they can deal with a forest fire, doesn't work.

The testimony we have on the commission is if you're prepared for the big one, it doesn't necessarily mean that you're trained and skilled to deal with natural disasters or manmade disasters at home, so I don't think – at least as one commissioner, I don't buy that model.

The question then is, how do you best organize for combat at the local level with the kind of coordination and the practice in peacetime that you talked about? Northern Command and Wade Rowley and Stan Thompson have been doing a lot of work on this homeland defense, and looking at how what – how could NORTHCOM better help facilitate some of this coordination.

But I guess my real question is, General, give me a little understanding in your joint taskforce or your joint headquarters hat – are you for the state of California the commander of the joint taskforce if a joint taskforce was put in place? I know General Blum established these joint headquarters in each state – (audio break) – Soviet Union and the Warsaw Pact, so surely they can deal with a forest fire. The testimony we have on the commission is if you're prepared for the big one, it doesn't necessarily mean that you're trained and skilled to deal with natural disasters or man-made disasters at home. I don't think – at least as one commissioner, I don't buy that model. The question, then, is how do you best organize for combat at the local level, with the kind of coordination and the practice in peacetime that you talked about?

Northern Command and Wade Rowley and Stanton Thomson have been doing a lot of work on this homeland defense, and looking at how could NORTHCOM better help facilitate some of this coordination? But I guess my real question is, General, give me a little understanding in your joint task force, or your joint headquarters hat, are you, for the state of California, the commander of the joint task force, if a joint task force was put in place? I know General Blum established these joint headquarters in each state, and the theory was that it would be a multi-service agency, and in an emergency that could be the command and control module for the immediate response, if not the longer-term response. You could always turn it over – Russ Honore came in down in New Orleans. He was the Title 10 command and control, but the state of Louisiana still – so is that, in fact, what you are? Are you the joint task force commander?

BRIG. GEN. ANTONETTI: Mr. Chairman, my position in the headquarters is the director of the joint staff for Major General Wade, the adjutant general.

The scenario that you have painted, it's really the call, in coordination with the governor of the state, along with the adjutant general, to determine who that commander of that joint task force would be. Right now, as the commission did its border tour yesterday at our Operation Jump Start mission, Colonel Kevin Ellsworth is our task force commander on the ground, doing ground operations along that border with the 1,350 men and women that supporting it.

Kevin – Col. Ellsworth reports to me as the joint staff director, where I provide the joint staff perspective and resourcing. So, in essence, I am the joint task force commander of our emergency operations program for California, as it speaks, even though we don't have a standing joint task force.

Additionally, working with National Guard Bureau and the United States Northern Command, we've had two officers that have gone through a Title 10, Title 32 joint commanders course for certification and validation. I am one of those officers, along with another colonel, that is also one of our assistant adjutant generals, who would be fully trained and validated as a joint commander.

MR. PUNARO: Okay, in essence, you're going – right now you would be – if the governor decided to activate a joint task force, you could, in fact, be the joint – and you're certified to be the joint task force commander?

BRIG. GEN. ANTONETTI: That is correct.

MR. PUNARO: Okay, let me ask you this question. Now, you're certainly qualified to command National Guard units, correct?

BRIG. GEN. ANTONETTI: Yes.

MR. PUNARO: Is there anything different about commanding an infantry battalion from the 23rd Marines located up in Northern California than an infantry battalion in the National Guard? I mean, I guess my question to you, and I'm not trying to put you on the spot, is there any reason why you couldn't command a Marine infantry battalion as part of your – in your task force hat?

BRIG. GEN. ANTONETTI: No, sir. There is nothing that would stop me from being able to do that.

MR. PUNARO: Right. How about a Navy Reserve Seabee unit over at Coronado?

BRIG. GEN. ANTONETTI: No, sir. Nothing would stop me.

MR. PUNARO: How about a Coast Guard search-and-rescue helicopter unit?

BRIG. GEN. ANTONETTI: No, sir. All services.

MR. PUNARO: How about an Air Force Reserves C-130 unit?

BRIG. GEN. ANTONETTI: No, sir. The organization is capable of handling a multi-agency, as well as multi-service aspect.

MR. PUNARO: How about an Army Reserve Chemical Decontamination unit?

BRIG. GEN. ANTONETTI: No, sir. No problem.

MR. PUNARO: Okay. And my understanding is, the way it works, the governor of California or the governor of Arizona is the commander in chief of their guard force when they're in a state status or Title 32 status. Correct?

BRIG. GEN. ANTONETTI: That is correct.

MR. PUNARO: And we trust those governors to command those units in peacetime and to prepare those units to **deploy** and be activated into a Title 10 status in wartime. Is that correct?

BRIG. GEN. ANTONETTI: That's correct.

MR. PUNARO: And we trust those governors to basically, when those units come back and are coming out of a Title 10 status and they're mobilizing – demobilizing back into either a Title 32 or state status, we trust them to be the commander in chief of those forces in that respect. Correct?

BRIG. GEN. ANTONETTI: That is correct.

MR. PUNARO: Is there any reason why a governor couldn't be – since we trust them to command National Guard forces that rotate in and out of state status, Title 32 status, and Title 10 status, and they **deploy** as brigades over to Iraq and Afghanistan, just like brigades from the 82nd Airborne or battalions from the Marine Corps Reserve – is there any reason why we couldn't trust those same governors to command Title 10 forces under a joint task force hat, just like the active-duty military does under a joint task force commander? Is there any reason you would know of why we couldn't trust them to do that?

BRIG. GEN. ANTONETTI: Well, Mr. Chairman, the governor's really the commander in chief. The commander in chief, he himself or herself, would not be providing the actual command and control issue, but through a commander of a joint task force, absolutely.

MR. PUNARO: Right, but you'd be working for the governor?

BRIG. GEN. ANTONETTI: Absolutely.

MR. PUNARO: Right. What about the – so you believe you could trust your governor to carry out that role, correct?

BRIG. GEN. ANTONETTI: Absolutely.

MR. PUNARO: What about the governor of Arizona?

MR. MCHUGH: Most definitely the case is the same in the state of Arizona.

MR. PUNARO: Would that not – if you had such a model, would that not facilitate some of this peacetime training and interoperability that all three of you have testified is so essential in terms of being prepared for man-made or natural disasters? Would it –

MR. MCHUGH: I believe it would.

MR. PUNARO: How about you, General?

BRIG. GEN. ANTONELLI: Not necessarily. As I see it, and through my years of practicing this profession of providing military support to civil authority here in California, I have found that the active-component focus, when coming into the discussion of unity of effort versus unity of command.

One uniform itself does not always indicate one department or one agency of the United States military. The California National Guard, when responding to the call of the governor, is a state agency: California Military Department and State Active Duty. Yet, I wear the uniform of the United States Army, as well as my brethren in the Air Force – or the Air National Guard wear the uniform of the Air National Guard of the United States Air Force.

When the active forces move in to California in Title 10 to provide military support to civilian authority at the same time the National Guard is responding as a state entity, we have ended have two levels of command: an active-component command and a National Guard command. That is not necessarily unity of effort, nor is it necessarily unity of command. The concept of establishing a joint task force with a dual commander, Title 10 and Title 32 qualification and certified and agreed to by the president and the affected governor of that state, is a key component because, as I said in my testimony, the National Guard is the only military force that has dual authority and responsibilities in defending the Constitution of the United States and of the constitution of the state in which they are organized in.

The other point I'd like to make is that we found during most of our federal responses, federally declared emergencies in California where active forces were employed and **deployed**, the National Guard is there at the beginning and is there at the end. The active forces come and go. What is key to that is that they are providing support to the state versus the California National Guard. The National Guard in any other state is actually supporting the state in either a general or reinforcing role. And they're doing that on a daily basis.

MR. PUNARO: I guess I'm not sure where I see the daylight here because you have agreed you're qualified to command reserve-component forces. Are you saying you're not qualified to command Title 10 forces? Say the 82nd Airborne sent a company, a rifle company or a truck company; you wouldn't feel, as the joint task force commander, you'd be qualified to command them?

BRIG. GEN. ANTONELLI: Sir, I am fully qualified to command Title 10 forces in this state or out of this state.

MR. PUNARO: Right. That's what –

BRIG. GEN. ANTONELLI: My point I am making to you, sir, is that it's not the culture of the National Guard that needs to be discussed, it's the culture of the active component of the forces that need to be discussed.

MR. PUNARO: I understand; I understand. But again, my point, Mr. Sellers, is that the whole thing is train as you fight. And, I mean, when you're dealing with natural disasters or man-made disasters, you've got to plan and coordinate for those just like we have to train for Iraq and for Afghanistan, and use training time – as we heard from the two premier training commands in our military today, active, guard, or reserve, 29 Palms and National Training Center at Ft. Irwin, they basically said there isn't enough time to train our forces.

We heard from three battalion unit training commanders; they said there isn't enough time to train the forces. So, we're going to have to have a new construct because you're not going to be able to – and I believe that the testimony shows we need to have people train for these back home homeland security training missions. So, I guess, Mr. Sellers, my question to you is the same. Do you believe that having access, having the states have better access to reserve component, would facilitate this improved coordinating and training before an incident occurs?

MR. SELLERS: It could, but again, I think it's important that they understand their roles and responsibilities and limitations. Working for an incident commander is not necessarily like working for the general. When we have mission task in California, we do it for very specific purposes and we assign them to an incident commander, or a unified command. It's a lot different in that natural disaster world than fighting on a battlefield. And I agree with that cultural aspect to it. And it does take training and

exercising and practice. But we've got to be confident we're able to do that training, exercising, and practice.

MR. PUNARO: But would you agree that all the resources that the nation had should be brought to bear if the circumstances warranted? Would you agree with that?

MR. SELLERS: Absolutely. In systems like – new systems are – fairly new in terms of their stretching their capabilities and improving them, like the Emergency Management Assistance Compact. It's in place; it just needs to be better improved. We have that ability to reach out to every single resource in every state right now because all 50 states have signed that compact.

MR. PUNARO: Thank you all. I may come back for a second round.

Commissioner Rowley.

WADE ROWLEY: Thank you, Mr. Chairman. Mr. Chairman, you just pretty much covered most of my questions. (Chuckles.)

MR. PUNARO: I'm sorry, I didn't realize –

MR. ROWLEY: No, that's okay. And that just leads to another question. From your perspective, what are the circumstances under which you believe the Department of Defense should take control of a natural disaster, or i.e. a nuclear strike or something like that, or is there a situation where they should or shouldn't be left to the states to manage their own incidents?

BRIG. GEN. ANTONELLI: This becomes the most difficult question to answer, because yes, if there is a nuclear disaster, then most definitely, the federal government has a right responsibility to step in and to provide relief for the pain and suffering that the citizens, or whatever the affected area, have been charged with and are dealing with.

The key is, I think, the discussion of the federal versus the state perspective, of when is there no longer a true continuity of government of operation existing in that jurisdiction, where the federal government has deemed, I need to come in, as the federal agencies and departments, to come in and provide that support without the request of the government of that state in order to carry out the business. That becomes the balancing act, I believe.

I think when our founding fathers established the Constitution, they did a miraculous job in identifying that governors – the states themselves would have states' rights versus the federal authority. And there has to be a constant balancing act between federal rights and state rights and protection. And that's the role of the two commanders in chiefs of the president of the United States and the governors of those individual states.

The National Guard is uniquely qualified in dealing with the duality of the issue. That's the reason why we're always in discussions with our active-component counterparts from whatever service, on the roles and relationships and the responsibilities we each have as we bring to the table. It becomes a very complicated issue, philosophically, but when we get it on the ground in dealing with our office of emergency management and the local first responders it is seamless because we're there to do our job. With the resources we have available, performing the services to our state, which ultimately provides a service to our country.

MR. ROWLEY: Thank you. Do you believe that we're outfitted and organized and trained as well as we should be to deal with the homeland security mission, especially in light of the **deployments** that we've been having overseas? One of the reports that's come out of the White House is the recommendation that the National Guard train for homeland security, homeland defense, as a priority mission. Well, aren't we already doing that, or do we have a way to go to pick up that additional mettle other than our war-fighting mission?

BRIG. GEN. ANTONELLI: I think, as I said in my testimony, the balancing issue between preparedness and readiness is really the key thing. The federal government has the right and the authority, by the services, to organize and equip the military component to include the National Guard, to fulfill the national security-military strategy requirements.

Now, be that as it may, California, as an example, has a very robust force structure capability of units for both the Army and the air of about 20,000 men and women; about 16,000 – just under 16,000 for the Army National Guard and about 4,000 for the Air National Guard. And we have a great balance of capabilities. All 18 of those capabilities that I addressed in my testimony, the California National Guard maintains force capability to provide that response. What we have to balance, and the National Guard Bureau is working very diligently to that, is watching the federal **deployments** for our overseas operations, to ensure that the individual states do not lose more than 50 percent of their force capability in a state, specifically to support the state's response requirements for disasters and for homeland security.

I will tell you that one time, at the peak of our **deployments** in the last five years, the California National Guard had just over 6,000 Army National Guardsmen **deployed** of its force of about 15,500. That did put a stretch, but what it meant was we did an active job at the senior-staff level to review our force capabilities to ensure that we could sustain a force of 6,000 men and women in the Army National Guard, in combination with the air component in our state, to provide a sustainable package to our state in looking at military police, transportation for ground, air-aviation support, engineering support, and security, which are the basic components of what every state needs to maintain in order to have a positive success in its response to a civil emergency or to homeland security issues.

MR. ROWLEY: Now, this question is for any one of the three of you, or all three. What do you feel – in light of this, what do you feel that the role of NORTHCOM should be at the DOD level in managing these types of incidents? There seems to be a lot of different opinions out there right now of what level authority lies at which command, and so forth. What are your opinions on that? What would work best for you?

BRIG. GEN. ANTONELLI: Just from my perspective from the background of the front-line responder, command is on scene. Command is in the hands of the local jurisdiction, and that's where it needs to stay. The only exception to that would be if the front-line entity, the front-line jurisdiction is just completely overwhelmed. I understand in Mississippi and some locations in Louisiana we did experience that back in the Katrina event.

In terms of NORTHCOM, sir, my view is they're there in a support capacity ultimately to support the states, and the states are there to support the local incident commanders.

MR. SELLERS: I'd agree with that, and the worse thing we could do is add another layer or level or another entity we'd have to coordinate with. If we have a defense coordinating officer of the system, use it. I know there's differences between forward, three-stars, and all that stuff, but for the states, keep it simple.

MR. MCHUGH: Well, my view's slightly different. I look at Northern Command as really the strategic command that provides the strategic view of coordination of resources and allocation of the entire military forces of the United States. Therefore, with their view, and understanding that they have a common operating picture of what's going on in the individual state, or states, where a disaster or an event is unfolding, they have a better opportunity to influence the major pieces of the moving parts of the federal government to provide support to that state or to that region.

But again, in order to do that, they need to have entry points at the state level, and not so much entry points at the local jurisdiction level, because then it becomes contrary to the good order and discipline of the coordination and collaboration that has occurred over the years with the emergency management incident command processes. The entry point in the state is either the governor's office, the governor's office of emergency services or department of public safety, and the adjutant general. And that would streamline the support effort because as an example that was used, if we brought in the 101st or the 82nd Airborne and parachuted them into California for some type of security operations, who do you think is going to support them when they're on the ground? The National Guard.

In order to make that happen, there has to be detail coordination going on with the RSOI, the Reception and Staging Onward Integration, of the forces. That takes detail coordination and planning, especially when you're mixing federal forces in with the state force, which has two different mechanisms for providing supplies and services to its

force, which is also a compounding issue. So, I see them as a strategic-level command, rather than a operational- or tactical-level command.

MR. ROWLEY: Okay, gentlemen, thank you very much for your answers. I appreciate the candor.

That will be all, Mr. Chairman.

MR. PUNARO: Thank you.

Mr. Thompson.

J. STANTON THOMPSON: Gentlemen, I'm going to narrow our discussion to a pretty small or narrow topic.

We have had subject-matter experts and at least one governor recommend to us – and I'm looking in the maritime domain; I'm not going to look at the land or air domain – have recommended to us that a naval militia, or a naval component, of the National Guard be developed to fill what is perceived to be gaps in the seams in our maritime homeland-security matrix. There has been a number of opinions, pro and con, to that. The two states, we understand, that have a maritime militia are Connecticut and New York. We have heard that the governor of California is also considering the formation of a similar organization.

Yesterday morning – or yesterday afternoon, rather, we had a full afternoon with the United States Coast Guard here in San Diego and saw their perspective in terms of harbor defense and harbor security of this particular area. So I would like, Mr. Sellers – and just kind of go down the – I know it may not be an Arizona thing, necessarily, – (laughter) – but certainly a California thing. If you would kindly go down and give me your perspective, because we're really getting – I think we're getting kind of bookends. You know, yeah, it ought to happen on one end of the book or shelf, and not only no, but heck no, on the other side. So I'd like your perspective if you had a maritime militia that reported to the governor, would that, in fact, in your perspective, have some positive effect on how the coastline of the state of California is secured?

MR. SELLERS: That's sort of a surprise to me, so I really don't have a lot of background and knowledge, and I certainly defer to Gen. Antonetti on most of that military aspect. I would say, though, that I am a member of the Area Maritime Security Committee for the ports of L.A. and Long Beach, led by the Coast Guard. And I could tell you that is a – the Coast Guard is a very unique asset, very positive. I understand there's other, maybe other issues and they can't protect the entire coastline and so forth, but that model of collaboration using the incident command system and so forth, from the Coast Guard side and my direct experience, that's been a very positive thing. I'm sure you had some of the people that are on the Area Maritime Security Committee; if you went down the street here to their operation centre and so forth, yesterday, and see how their operation works, that's part of the Maritime Transportation Security Act.

It's a little different thing, but I certainly just want to reinforce that comment you made about the Coast Guard and their ability and willingness to interact with us and work with us in a strong partnership.

BRIG. GEN. ANTONETTI: All right, a very good question, Commissioner. The California National Guard has been looking at establishing – reactivating its naval militia. It is authorized under our California Military Veterans Code to form a naval militia in California as part of its state defense force. As a matter of fact, within the next two weeks the adjutant general's having a meeting to specifically talk that with our state defense force commander and senior leaders, as well as the deputy adjutant generals for the state of California for the guard.

In our staff research and looking at this, obviously California had a naval militia back just prior to World War II breaking out, and it actually served a very well distinction in supporting the state of California during that time of uneasiness along our coastal waters in California. We believe that there is some strength of reactivating the naval militia, but in order to do that, we really have to well define its roles and its missions in collaboration with the United States Coast Guard because California does have – and not only just the 850 miles of linear coastline, but it also has many navigable waters interior to the state of California that are equally important because of our transfer of goods and services through our ports, through Stockton, Sacramento water systems. So it's something we're going to be looking at. It's a very viable issue and I think there's going to be some positive outcomes in the next few months.

MR. THOMPSON: Well, if we can kind of expand our thinking, then, it's also been told to us that of on the air and ground side, that the Department of Defense provides about 95 percent of the resources for those two domains. So, in your mind, if you develop a maritime militia, are you expecting that same support from the Department of Defense for that domain?

BRIG. GEN. ANTONETTI: No, sir, we're not. The naval militia is really a state issue. It is not resourced by the federal government, nor is our state-defense force, which is also the ground component, if you will, of the California military department. Many states do have a state defense force, which is focused mostly on the Army team, although some, including ours, does have Air National Guard members that are part of it forming a composite group representing the air component for our state defense force.

But, the naval militia and the state defense force is 100-percent funded by state dollars, which then compounds the issue, as you can see. I think the only type of federal resources we'd be looking at in standing up a naval militia is getting through DRMO, the turn-in of surplus Marine-Navy equipment that could be retrofitted to brought back to floatable operations along our littoral waters, as well as our other inland waterways for support to the Coast Guard, whether we need it on float systems or whether we just need it for ground issues for the members of the naval militia to actually just support the administrative operations of port operations. Those are all things, as I discussed, that we

have to get into the details of roles and missions and then look into the organization and equipping of that force. But it is state resources.

MR. THOMPSON: If you would please, maybe at the staff-to-staff level as you march through these loops, if you would exchange the information that you're developing with members of the commission staff so that we can get a – we haven't really had a chance to talk to Connecticut and New York in the depth that we have here today. So I would appreciate it if we could keep that dialogue moving back and forth so we can get a better understanding of how this organizes itself.

BRIG. GEN. ANTONETTI: Commissioner, I'm happy to do that. We have had discussions in California with New York and its establishment and structure of the naval militia in New York. And obviously, it's proven to be working very well in New York for a number of years. We just have not been able to translate their actions into our actions because of our discussions and deliberations of how we're going to resource it and at what level are the roles and missions it will be. We'll keep you advised.

MR. PUNARO: Thank you. The next questioner is Commissioner Larry Eckles.

LARRY K. ECKLES: Good afternoon. Thank you for being with us today. I just have an interest in your individual states' cooperation, coordination if you will, with NORTHCOM. If you would share with us whether or not you feel the cooperation and coordination with NORTHCOM has been satisfactory for your particular states to date. Let's start with Mr. McHugh.

MR. MCHUGH: Yes, sir. Very difficult for me to comment on that, sir, simply because myself, as an individual in my function within my entity, I have no direct communication with NORTHCOM. The only thing that I can say is that I do work very directly with my Army National Guard counterparts, the plans, operations, military support officer, so that ultimately would be my link to NORTHCOM. But, regrets, I don't deal with them directly, sir.

MR. ECKLES: Gen. Antonetti.

BRIG. GEN. ANTONETTI: Absolutely. Our relationship with NORTHCOM actually is very positive. We constantly – when I say constantly, weekly, if not sooner than that or earlier than that – have communications with U.S. Northern Command, as well as Army North, which is a subordinate unit out of El Paso, Texas, which is really, from my perspective, more of the actionable arm that we have more contact with on a daily basis because they are a component that is organized to provide support to not only the border – southwest border, but also the northern border. But it's been very positive. We participate in exercises, training events with U.S. Northern Com staff, as well as our sister states, representing the National Guard, to do that.

So, it's been very positive. And obviously it has to be because they are the federal component that we would be coordinating with on a routine basis in any time of emergency, providing them a common-operating picture.

MR. ECKLES: Thank you. That's all the questions I have, Mr. Chairman.

MR. PUNARO: Commissioner Patty Lewis.

PATRICIA L. LEWIS: Thank you for being here this afternoon. I understand that when National Guard assets are used to respond to a crisis under state active duty, the pay and compensation provided to those members are determined by the individual states, and that educational and other benefits differ greatly from state to state. Could you please tell me how each of your states compensates guardsmen on active duty and if there are any particular recruiting or retention enhancements that are provided?

GEN. ANTONETTI: I'll start. Well, I think you have two parts to that question that have multiple answers here, for me. First of all, when the California National Guard men and women are called into state service, they're paid in the state active duty capacity, which measures the same amount of pay they would receive as a federal member of the military, what we call the federal active duty, with one exception. In our Military and Veterans Code, any soldier or airman that is below the rank of E-5, sergeant E-5, will be paid at the rank of sergeant E-5 over two years of service, unlike, if they were on federal active duty, if they were a private PV-2 or a PFC or a specialist 4, E-4, they would only be paid for that level of pay, which is somewhat less, obviously, than an E-5 over two. So, that's a positive benefit.

I think the second part of your question is really more relating to when they are called to federal active duty and **deployment**. So, what kind of state benefits are available for them in California? If they are a member of a local jurisdiction government and/or state government, there is matching of their state pay or their local jurisdiction pay by – certainly by the state government. So if they were making \$50,000 a year in state government and they were **deployed** and only made \$25,000 a year, the state would pick up the balance of their salary. That has been a positive boon. There have been some civilian employers that are large firms that have also picked up that mantle and have carried with it and have proven to have been very effective in retaining their employee when they come back because of the continuity of services and connectivity to their employment.

Education benefits, though, I will tell you that California is woefully lacking providing support to the members of the California National Guard that are **deployed** overseas. We have been working with, through the governor's office, with the legislature to pass legislation that would provide either tuition waiver or tuition reduction, supported by state dollars to our guardsmen that are **deploying**. And we are nearing that success. So the outlook is better now that we're moving in that direction, but until we actually have the resource and the commitment in our hands, obviously it's something that we have to constantly work for.

On top of that, obviously the retention bonuses and recruiting bonuses that have surfaced over the last 18 months to two years have proven to be very effective for both gaining new members to the California National Guard Army and air team, but also retaining members. Any type of additional resources and benefits that can be provided to our men and women in uniform, whether they're active guard or reserve – and I'd focus mostly on the guard and reserve component – is a positive move in the right direction. Our OPTEMPO is such that we now have men and women in the California Army National Guard that have **deployed** three times in five years. That blows your R-4 gen (ph) model right out the air. And it just needs work. It needs work.

I appreciate the testimony of the previous panel because those commanders told you like it was. When you take a unit that stood up – that was a brand-spanking new unit that had maybe 15 people in it and was authorized 160, and it was just now standing up as a part-time force, and got a call that said, we are going to federalize you and send you off to war, we had to fulfill the remaining 140 positions from elsewhere in the state. Not only do we have to fill the positions from elsewhere in the state, we also had to find equipment that was not yet in our state to support that new unit. That new unit did not receive its equipment until it actually got into Ft. Lewis, Washington, received part of it for training, and did not receive the balance until it actually got into Kuwait, where it received it and was trained on it.

That was early on in the war effort itself, so I have to kind of capture that. But that is a model that has happened with our **deployment** operations. It goes back to the issue of readiness. When a force is only organized for success at a 80-percent level, because honestly, that's the level of resourcing we had prior to September 11, and the military is asking us to **deploy** our forces at 100-percent strength of our wartime authorization, we have to find the 20 percent from somewhere else. And that means we have to cross-level. We don't have the resources. You can only cross-level 20 percent of your force so many times before you no longer have 20 percent to go to. And that's trouble. It's troubling as a commander, it's troubling as a guardsman itself, and we need to solve that.

MS. LEWIS: Thank you.

Mr. McHugh, would you like to comment on Arizona?

MR. MCHUGH: Nothing to add, ma'am.

MS. LEWIS: On the pay and benefits, do you –

MR. MCHUGH: I'm sorry, I have no background in guard administration, benefits, compensation, that sort of thing.

MS. LEWIS: Okay.

And Gen. Antonetti, does your state budget for that as a budget item, when there's an emergency response where National Guard has to be reimbursed, or – not reimbursed, paid – or is it taken from other programs after the fact to respond to the crisis?

BRIG. GEN. ANTONETTI: It's actually a combination of both. Initially, whatever our support requirements are for responding to an emergency in California in state status, it comes from our current operating general fund budget that the California National Guard has been provided through the legislature. When we reach a certain cash threshold, we program through our department of finance and legislature for deficiency appropriation to seek additional general fund funding. And that's also where we rely very heavily on the Office of Emergency Services to provide support to that effort.

Generally, what occurs in California, though, is that our disasters go federal right away. And as such, we seek federal reimbursement at either – whatever the reimbursable cost is, 75/25 or 80/20 or whatever the split is at that time, based upon the presidential declaration. And we process our requirements, our billing requirements through the Office of Emergency Services to the federal government to seek the reimbursement. The bottom line is it comes from the state dollars first and then it gets reimbursed.

MS. LEWIS: Thank you very much.

That's all, Mr. Chairman.

MR. PUNARO: Thank you.

Commissioner Sherrard.

JAMES E. SHERRARD III: Thank you, Mr. Chairman. Most of the questions that I had all related to the support – the guard support in civil response, but as I've heard the testimony, I have two critical issues that I need some help from you on clarifying, General, if you could.

If I heard you right, you've got roughly 20,000 guardsmen – National Guardsmen and Air National Guard in the state of California. And you said you can have up to 6,000 of them at any given time being mobilized, for lack of a better word, but doing federal service somewhere else, and you could sustain yourself here in the state.

BRIG. GEN. ANTONETTI: Let me clarify that for you.

MR. SHERRARD: Okay.

GEN. ANTONETTI: Yes, currently, we have just over 20,000 men and women between the Army and Air National Guard. At one time during the war effort, about two years ago, we had 6,000 men and women from the Army National Guard **deploy** out of the 15,000 that were assigned to the Army Guard. That's one-third of our force on the Army team was **deployed**. We, at the direction of the senior officers, the adjutant

general, we did a deliberate research and analysis of what we could sustain as a reliable force to the state and still keep pace with our federal **deployment** operations. And at that time it was 6,000 we could sustain, which means, we could have 6,000 respond and then rotate forces in and out and sustain a 6,000-person force from the army team to be able to support that.

Today, we have about 13,000 Army and Air National Guardsmen that are available to respond to state emergencies today out of that force. And that's because our federal OPTEMPO for the global war on terrorism has declined. We're currently sustaining somewhere between – sorry, between 1,800 and 2,200 men and women from the Army team and about 300 from the air team, over a sustained period of time. We suspect that that sustainment level will go on for at least two more years, which helps us immensely here in the state for emergency- and disaster-planning efforts because that gives us a more robust capability in the state for service.

Out of that 13,000, approximately, men and women on the team, we have about 6,000 of those 13,000 that cannot be **deployed** in a federal operation for a war mission because of their return policy. But we are able to take advantage of them for times of state disasters and response, and have had to over the last six months in some cases.

MR. SHERRARD: I guess where my – where I'm having a difficult time in my mind, is maybe I've got – I was in programming too long, and once you get in there, it's a stamp that goes on your forehead and you never forget it.

I'm trying to figure out how can you define – are you able to define the size of the force you believe you need to meet the state needs? And us ensuring, because it sounds to me, as I hear you talk, that your entire force is predicated on a wartime requirement. That is a federal-driven issue, yet your – and you get them dual-sourced and that's exactly the way we should be doing our forces. But I'm having a difficult time in my mind. Unless there's a model that would say, for the state of California you need to have this much capability to be able to respond, whether it's a historical basis – I know you don't have a manpower standard, or I don't believe you have one, that would show for disasters, but I'm just – what I'm trying in my mind to get straight is what prevents you from not having any forces to prepare and support a state need? There's nothing that would stop that today there, is it? If in fact, somebody says we're going to mobilize the entire California National Guard and Air National Guard, there would really be nothing that either you or the governor could do?

BRIG. GEN. ANTONETTI: That is the catastrophic issue. If, for example, the war effort became such a point where the president had to federalize the entire force of the California National Guard, for lack of discussion or for issue of discussion, that would take away the ability of the governor to use his current National Guard for emergency-response operations. That is why forces such as the naval militia and the state-defense force are so important. During World War II, California had over 11,000 men and women – actually men, I should say – that were part of the state defense force for California and provided coastal security and watch during World War II. And that far

exceeded, I would imagine, at least half of what the size of the California National Guard was during the early stages of World War II. I would say that would probably be the same thing that would occur.

Currently, our state defense force has 560 men and women that are assigned to it. It's a cadre-level organization, designed so that it can grow to a robust capability based upon the mobilization, federal mobilization, of the National Guard to step up and fulfill some of its roles and responsibilities. Again, that was done at the state level, not at the federal level.

MR. SHERRARD: Okay, and just one last – one quick question, so that again, I'm trying to get straight in my mind. If there isn't a disaster response that the governor responds to, he does that with the troops and state active duty status, but when the president declares it a national disaster area, do those same troops then revert – or convert, I should say – to Title 32 status, you still retaining control over them? Or do they – what I'm trying to differentiate is when do they go from the state status to a Title 32 status? Or are they in Title 32 from the beginning?

BRIG. GEN. ANTONETTI: Well, the first part of the response is, of the National Guard, would be in a state active duty status given – I'll give you a couple of examples of how we've transitioned from Title – from state active duty to a federal status, whether it's Title 32 or Title 10.

April of 1992 in the L.A. riots, we responded with about 6,000 National Guardsmen in a state active duty status. Some number of days later, three days later, we were federalized under the Insurrection Act in Title 10 status, and that happened immediately. We, at that time, had about 10,500 California National Guardsmen on state active duty that immediately converted to Title 10, no longer under the command and control and the authority of the governor or the adjutant general.

Conversely, what you see going on in the Southwest Border Mission of Operation Jump Start, that mission began as federal Title 32, which means it's still under the call and direction of the governor and the state adjutant general for command and control and resource support, but it's funded under Title 32 funding at the authority of the Office of the Secretary of Defense, one in the middle of that. During the early stages of the after-September 11, the California National Guard provided command and control brigade headquarters and about 400 men and women supporting the southwest border, again, but in a Title 10 status. And that was because, at the time the Office of the Secretary of Defense viewed it as, this was a federal mission to protect the federal jurisdictions of the United States and our land borders. So that was done in Title 10, again, under the command and control of the president, not under the individual states themselves.

It is, a kind of, like a connect-the-dot issue, going from one's pay status, if you will, one authority to another. The key is that the presidential declaration of emergency provides an opportunity for the National Guard to discuss reimbursement within the state. Generally, we would go through the Office of Emergency Services because we'll retain

state active duty and seek reimbursement. It becomes a deliberate discussion at the senior officer level and a legal discussion of whether or not the mission should be conducted in Title 32 versus going Title 10, which requires a presidential call-up. So, it's a combination. It is not totally clear, but it's always a work in progress, but we will always respond as state active duty.

MR. SHERRARD: Thank you very much. Thank you, Mr. Chairman.

MR. PUNARO: Mr. Stockton.

DONALD L. STOCKTON: Good afternoon and thank you for being with us today. We appreciate your expert testimony.

I'd like to drill down a little bit about the funding. Funding is one of the things that Congress has asked us to look at, to assess the adequacy of the funding provided for the National Guard and the other reserve components. And Congress questions whether we are adequately funding at all times, and it seems like they find a way that they need to come around every year and add to the budget requests, the Department of Defense, in order to see that there is adequate funding, so they're questioning this.

In the execution of your homeland defense and homeland security missions, do you find that the reserve components are adequately funded to execute a mission in response to a disaster and to prepare and train for such missions? And then how do you budget for these missions and what yardsticks do you use to measure the adequacy of funding?

MR. MCHUGH: I can make some comments from a state emergency-management perspective. The governor of the state of Arizona, by statute, has a \$4 million emergency fund that she can tap into. We're hopeful that we can have that increased to \$6 million before too long. Historically our demands upon that fund do nothing but increase, so we need to put more money in that fund.

If we obtain National Guard support on emergency missions in the state of Arizona, we go to that emergency fund to seek reimbursement. The governor declares, she has the authority to put \$200,000 into that emergency immediately, and the state emergency council has the authority to increase that amount to whatever is required, up to \$4 million in any given year. Now that addresses state-level emergencies, of course, if we become engaged in a federal-level presidential major disaster declaration, as we are right now – we're currently recovering from a flood disaster in the state of Arizona. In that scenario, through the Stafford Act we can acquire a 75 federal share, 25 percent state share for reimbursement for those **deployments**.

BRIG. GEN. ANTONETTI: Commissioner, the funding issue is always an item for increased scrutiny requirements. As the National Guard was organized prior to September 11, we were funded, literally, to provide a force that was 80 percent filled. And, I was trying to find some quick – some testimony that Chief of Staff Shoemaker had

reported on, and acknowledging the fact that the guard and reserves were under-funded for a number of years, based upon Cold War-era requirements, and that there's a billions and billions of dollars of requirements to fulfill just equipment for the National Guard to bring it up to par with the active component forces.

And General Shoemaker agreed to – that they were putting in about \$20 billion each year for the next number of years in order to help bring up the equipment funding level for the National Guard specifically, to make it compatible and relevant to the federal active forces. And, I think his quote says, “This shows our commitment and long-term commitment to that deficiency that existed prior to the breakout of the war based upon September 11th.”

That example is just keen on where the National Guard sits at in resourcing. To specifically look at homeland defense and homeland security, it goes back to the age-old discussion – is it homeland defense, is it homeland security? Whose role is it, homeland security? Is it the Office of Homeland Security; is it DOD's role, who funds? Because each gets separate funding.

The National Guard has to run a balancing act to use both of those funding authorities, whether it's DOD resources and Title 32 for IDT and AT to find the right mettle tasks that allow us to do our wartime training. At the same time, we're training in a readiness condition to prepare us for responding to a disaster in our own state. We have to use the same tool sets, if you will, the same skill sets, and the same people to be able to do that. It requires some challenges with the emergency-services management folks and the local jurisdiction because they have to use their state and local resources to train with us when we have opportunities to train together in that fashion. Then we can get into the bridging issue of what the federal grant program is for the Office of Homeland Security and looking at federal training and exercise grant programs that every state participates in.

California's pretty fortunate. The California National Guard is the action agent for the Office of Homeland Security, for the state office of homeland security working with OES, to establish a training and exercise program for the entire state of California for the first-responder community, providing assistance to leverage all of the grant funding that comes into the state, both the state level and local government level from the federal government, in doing comprehensive training events and exercise events that will better prepare us in the future for dealing with a WMD event. We've been very successful with that.

We conduct a statewide exercise every year called Golden Guardian. Golden Guardian '06 is coming up in November of this year, and it's going to focus on about eight different events in Northern California, exercising a number of local jurisdictions, as well as regional jurisdictions in California on WMD, whether it's a catastrophic train rail accident and explosion with a chemical agent, or whether it's a bridge closure because a bridge has been brought down. These are things that we use the Federal Homeland Security dollar grant program for.

Additionally, the California National Guard, and I'm sure other guards within their states, have some type of general fund money from their state to provide some type of level of coordination planning and exercising with their state agencies. We do have a small amount of our general fund money to be able to do that with. We use all the resources we can find to provide that support to our men and women so that they're better prepared both at the low level of soldiering and airmen, as well as the senior level for management because after all that's where the relationship is really going to solidify itself and we're going to be able to do a lot better job.

The bottom line is, are we resourced adequately? No. But there comes a time, I believe – the chairman had talked about the issue that you run out of time, and you have to balance your time to what the priority of effort's going to be. It would be very nice to have surplus of funding every year, and know that you've got surplus of funding every year that you can dedicate to you mettle task for domestic operations. I don't think there are too many combatant commanders in Aconis (ph) that have domestic operation mettle requirements. We have in the state – we call them S-Docs, state documents of operation. And that's because we have to do it on a routine basis. It would be nice if we could have the federal resources that provide that support in a Title 32 status. It would give us a lot more flexibility, and I think we would become an actually more reliable and partner force with our state and local jurisdictions to be able to do that.

It goes back to again, I think, the question and statement that the commissioner – the chairman has already made whether or not the National Guard should have homeland security, homeland defense as a major mission. Well, I think it should be a mission of the National Guard and we have to balance that mission as a mission, along with our federal requirements, very closely. We cannot go down the path of having the National Guard be the homeland defense responders; it has to be a homeland defense responder, the one and first choice. And it should be resourced that way.

MR. STOCKTON: Mr. Sellers, could you respond, perhaps, about the responsibility of the state to funding the National Guard for homeland security missions?

MR. SELLERS: I really don't have much more to add than what the General and Charles have said. It has been a real balancing act for everyone, not only on the military side, but certainly on the homeland security side. Most of the homeland security grants – the grants do not provide for personnel, for example. So we're not only concerned about what the National Guard's capabilities might be and how that's being supported, but we can't put even a police officer on the street under that program – the first line of defense.

So we're always concerned about that level of personnel funding. Certainly it has to be based on a reasonable analysis of what our needs and current capabilities, kind of doing a gap analysis and hazard identification and risk analysis sort of approach.

It's clear that – I can speak for California directly – if you're aware, we've gone through some significant budget problems in the last few years. I've had a – our Office

of Emergency Services, for example, has been reduced by one third. So, I would just emphasize that even at a fundamental level, in terms of first responders and state-emergency management, it's been severely under-funded. I would always encourage and support more support to our guard, our key partner in our emergency response. I'm sure you've heard this from everybody – we need more money – but we do. But we've got to do it in a rational way and in a smart way, but I think it's pretty clear that we could make some improvements in that regard.

BRIG. GEN. ANTONETTI: Mr. Stockton, can I add, your opening comment of about 95 percent of our funding is federal funding. The question is, it's 95 percent of what? It's 95 percent of what we actually receive, total, in our state, but it's not 95 percent of what our requirements are to meet our needs for our federal mission alone, let alone worry about anything supporting domestic operations.

Full-timing manning in the National Guard in California is at 45 percent. That's what we're funded for. And we balanced that by shifting it around based upon leadership priorities of where we need to have the full-time manning at in order to make the best decisions for leadership and preparedness that we can. But what happens to the other 55 percent of the requirement?

Having an AGR ramp continually climbing is most important because that helps us to increase our readiness capability in the unit, as well as that translates into direct increase in our preparedness in being able to respond to emergencies in the state. But it's not just full-time manning. It's the equipping resources, it's the repair parts, it's the whole piece that goes along with it because without the people, we don't have a force. Without the equipment, we can't use the people to do anything. And without administrative support, we can't accomplish all three of those at the same time.

The training will happen, but we need to be properly resourced to be able to do that. And the expectation should be, if you want us to be doing 100 percent of the job, fund us at 100 percent of the requirements and let's move off. But if you want us to do something less, tell us that and we'll do that based upon the resources that you have given us. But don't expect us to do more than what you've resourced it to be able to achieve. That's a strong message that has to go back.

MR. STOCKTON: Thank you.

MR. PUNARO: Commissioner Stump.

E. GORDON STUMP: The after-action report for Hurricane Katrina put out by the White House, referred to as the Townsend Report, states in the report that the reserve components should be used for natural disasters, homeland security type missions. We have a problem with that the way we are currently set up. There's two pieces of legislation going through, one referred to by Gen. Antonetti where the president would be able to place the National Guard under Title 10 for national disasters, and that one was met with a great deal of opposition by the governors. Fifty-one governors signed a letter

saying they didn't think it was a good idea. Rumor has it that that one may not go through.

The second one was giving the president the authority to call up the reserves – not the National Guard but the reserves for a natural disaster such as Hurricane Katrina, so there is some mechanism to get at those reserve components that are out there. Now, there is a mechanism today that the reserves can, on a voluntary basis, come to active duty for 24 to 48 hours, and we saw that in Katrina when the Marines were called to active duty, or they volunteered to go to active duty.

Now, Mr. Sellers, you found a way around this. You went to the DCO, you found a unit in California that you thought you could use and talked to them, and now they're working with the local people and they would be ready for a disaster. But, how would they be called up? Once this law goes through, they could be called up. How would they be funded? They would have to take the training funds out. So there's still not a good way of getting about this. Now, the one program that was put into place was the dual-hat program that – congratulations; General Antonetti is certified dual-hat guy. He's worked very well in the G-8 Summit down in Georgia. The dual-hat position went very well there.

Another example – and we were in a meeting just this week with West Virginia, where the adjutant general of West Virginia had a reserve unit for a big flood in '94, but didn't know how to get to them. And he went through a lot of hoops in whether they could wear the uniforms and back and forth, and was finally was able to use them, but there was something that was jury-rigged to make that happen. Now, there been two ways that has been discussed that maybe we could go through this. I heard from North Carolina the day before yesterday; they go through the DCO, the DCO will task the reserve component, and then they will respond to the disaster.

The second point would be to have the reserve components chopped to the governor, to the adjutant general or the dual-hatted person in that state and have them work under command and control and handle the disaster. The governor of Delaware indicated that she would love to have the use of those reserve components for a natural disaster, providing they were under her command and control, or the dual-hat type issue.

So, I would ask Mr. Sellers and Gen. Antonetti, which of these two methods of using the reserve components would you prefer – going through the DCO, leaving them in Title 10, or they would still remain in Title 10, or having them report to a dual-hatted National Guard person?

MR. SELLERS: I have to say that I think the way we task federal resources now, whether they be any federal agency or military, works for us in California. That would be the work partnering with the defense-coordinating officer. And I do respect the ability of base commanders to provide immediate response. I don't want to downplay that either; I think that's an important role for the supporting local government.

I guess probably I say that because our experience in California and our systems are so strong. And I can see why you'd have variance across the country because we've been at this a long time. We've developed mutual aid; we've developed a strong relationship with the National Guard. We don't have a lot of guessing that we'd have to do. We'd rather have it folded right into our regular mode of operation.

BRIG. GEN. ANTONETTI: I think an equitable solution is the Title 10 force, reserve forces, to be placed in an OPCON or a TACON authority to the adjutant general, would be the optimum solution for the continuity of effective utilization of the force. But it doesn't really get down to, Commissioner Stump, what your real question of who pays for it? In that case, it has to be the Title 10 – it's Title 10 funding, it's federal funding.

It would be interesting to try and navigate through a process where the reserve command forces that would be called upon in a TACON tactical control or an OPCON relationship could be placed in some type of a dual status with Title 10 to state service. But I'm not too sure that's a workable issue because that then becomes a conflict of their federal oath that they have taken. Again, it goes back to the duality of what the National Guard really brings to the table.

I don't think there's an easy solution other than providing federal resources to support the effective utilization of the reserve component in that individual state. I think it's necessary. I can recall an example during the Northridge earthquake here in Southern California. We had an order for potable water delivery on a grand scale to the northern sections of Los Angeles Valley, the very north of it. And sitting right across the street from the 40th Infantry Division headquarters at Los Alamitos was a U.S. – United States Army Reserve truck company that had 10,000-gallon tankers that we couldn't use because it was not a federal authority mission.

So we had to negotiate the hand receipt of that equipment, which took us about 48 hours to do, and then use that equipment. It would have been so much easier just to reach out to the Army Reserve command and say, provide this support to the state. And it would have made it so much simpler because then the coordinated effort could occur between the California National Guard and the reserve component, the reserve force itself, and provide that support, because truly, the reserves are both citizen-soldiers, as the traditional National Guardsmen are and the militia in every state. It's just that we're more home based in some cases than the reserve forces because of their disparity of distance where they have homes of record at.

It's something that we've got to work through as a nation. I certainly think of it as a challenge that the commission is asking that level of clarity of question. It brings into mind whether or not the utility of reserve forces are really what we need. I mean reserve force, not National Guard, but reserve forces. It becomes a whole new set of dynamics when you have that level of discussion. The end stage should be they're all needed, but they have to be resourced properly to provide that support.

MR. STUMP: Thank you very much.

MR. PUNARO: Let me close out but see if I can't – I think you hit the nail on the head, General. We need some clarity here. I don't think with the kind of threats we face at home that we can kind of futz this, kick the can down, the ambiguous coordination; everybody is well intended and we've been working it for years, and we work it the best we can, do the best we can. I mean, you gave the perfect example. This is where I started from in my initial questioning. If you've got a CB unit that can be immediately called into action, it shouldn't matter. They're all eventually paid by the federal government anyway, and they're citizens and they took an oath of office to support and defend.

The federal government is required to provide for the common defense. It doesn't say for the common defense except – only when you're **deployed** in NATO and Afghanistan the common defense is right here at home. So let me ask the two civilian emergency managers, if you had a clean slate, and you're working with FEMA and DHS – and everybody has a lot of experience and we've seen FEMA in its good years, in its bad years, in its good years, and its bad years – are there certain scenarios that you face at home – and let's say at the far extreme end a pandemic or a crude nuclear bomb in a rusty freighter in Long Beach or San Francisco Harbor, scenarios that you know intuitively are going to go federal pretty quickly because the level of resources to respond only can come from a combination of state and federal. Do you prepare for, train, and coordinate for those a little differently or would you – in other words, are there certain ones that you've got a handshake with the federal government that you're going to know that they're going to take over immediately? Or how does that work? Or how should it work?

MR. SELLERS: Well, we never want them to take over. (Chuckles.) Yes, there are scenarios that we worry about and that we know would be a federal disaster declaration and we'd have heavy FEMA and federal government involvement. Typically for California it's that big earthquake. We know if we have a large-scale earthquake on San Andreas, Puente Hills, or the Hayward fault, probably in about 20 minutes we're going to have a federal disaster declaration. We have a strong relationship with FEMA over time, and I think we might be finally getting to some resolution in Congress about how FEMA is going to look in the future and I think it's probably a little more positive now than it may have been a few months ago.

So I think, yes, they immediately dispatched somebody at their state operations center. We have again, those LNOs calling me – we know what's going on, what do I need to do. But that's – so you know, it's not a matter of taking oaths; it's a matter of coordinating. And I know that's become kind of a bad word lately, but it's so important. And if you do it right and do it well – it's unfortunate what happened in the southeast. I just cannot envision in a state the size and with the capabilities of California us ever being in a position where we don't know what we need and who we need to get help from.

MR. PUNARO: Okay, but I guess my question gets back to clarity. Are you comfortable with having two commanders in a state when there's a major disaster going on – one that's the governor and the other that's the federal government?

MR. SELLERS: No.

MR. PUNARO: Okay, so I come back to my point. I mean, you can't have it both ways. You can't say that the federal government should pay for everything, but we never want to be in charge of anything, or the reverse. I mean, I guess my question is, are there certain scenarios – let's say a crude nuclear device in San Francisco Harbor. I can tell you right now the state of California isn't going to have the resources to handle that scenario. You know it and I know it. And so, at some point, we've got to all work together and the states have got to say, okay, here is a certain set of scenarios that we know immediately are going to go federal. I'm not talking about a federal disaster declaration. That's kind of a nuance. But we also know, on the converse, there's certain things in your state you're never going to need the feds for. Unfortunately, they happen a lot, but you have become tremendously expert at dealing with them and you're not going to need their help. You're going to need their money, but you're not going to need their help.

So you've got the top end and the bottom end where I think you could get agreement with the federal government on the command and control for those and do you – is that unrealistic to suggest that we might look at trying to figure that out? And then, really focus on the great unwashed middle where you don't really know which direction it's going to go because you don't know how it's going to expand. And there to me is where this dual-hatted commander comes in where the federal government is going to – in other words, if the states are willing to concede on the top end, the federal government has got to concede on all the other ends and say, in this situation the governor is going to need more resources, but we don't need to put two or three commanders in charge in the same state. We're going to have to trust the certified commanders, the military officers that wear the same uniform. If General Antonetti walked in the Pentagon and somebody saw him walking down the corridors of the Pentagon, there's no way to know he's a member of the National Guard. He's a soldier. And a soldier ought to be able to command another soldier, Marine under joint forces.

So I mean, I guess I'm not asking the question very well. You know what I'm trying to get at. So how do we get at that problem? How do we get this issue on the table and try to get it resolved?

Mr. McHugh?

MR. MCHUGH: Well, it sounds like there's a whole bunch of questions there. I'll tell you one way I look at it. In terms of the National Guard in the state of Arizona, if we are in a scenario in the state of Arizona where we're truly overwhelmed and we need to call in assets from outside of the state of Arizona via emergency management assistance contact where we have state-to-state agreements to bring in assets from other

states, if we're calling in our National Guard assets from another state, we're going to look to our adjutant general and his staff, his POMSO, to coordinate those military assets coming into the state.

The concept of unity of command is absolutely critical in missions of this nature. And the interaction from local level, county level, state level to federal level is also absolutely critical. Again, as I commented earlier today, command remains on scene. Counties act in support of local jurisdictions, states in support of counties, federal in support of states. In our state of Arizona, in large-scale operations we mobilize the state emergency operations center. We bring in the assets, the disciplines that we need to coordinate missions there. But in summary, I think if we're bringing in outside military assets to support the state, we're going to look to our Army National Guard to coordinate those assets.

MR. PUNARO: What about look to them to command those assets?

MR. MCHUGH: In terms of command, same thing. We would look to the Army National Guard to command those assets.

MR. PUNARO: General, if you were asked to teach a course at the Army War College to a lot of students that don't have a lot of understanding of these complexities, and frankly, aren't interested in Title 32, state active duty or Title 10, and you were to explain to him then that you may be called to help me in the state of California, and here's how the command and control is going to work. You had a clean slate. How would you tell him it ought to work?

BRIG. GEN. ANTONETTI: Well, I haven't taught at the War College, but I've taught at other locations.

MR. PUNARO: You give a good answer. I might get you a little gig up there.

BRIG. GEN. ANTONETTI: Not a problem, Mr. Chairman.

If you really want to have an effective model, look at the EMAC, the Emergency Management Assistant Compact, to establish a framework of how effective multi-jurisdictional, inter- and intra-agencies and departments can work together to solve a common problem, which is providing emergency support relief to an affected area. After all, that's how 40,000 men and women of the National Guard of the United States responded to Louisiana, Mississippi, Texas, and quite frankly, the whole Gulf state issue itself. And it's how we do it as a National Guard along the Eastern coast of the United States any time a hurricane operation has used the EMAC. It's a well-documented process since 1993 when it was first enacted in the first nine states. That action has to translate into what the federal authority would be.

The federal authority is not just the issue of bringing dollars to the table. A federal declaration of emergency itself, if it happens within the first minutes of an event

unfolding that would be surely catastrophic does not in and of itself bring immediate relief with federal resources for at least 72 to 96 hours, the gap between that time of the event and the arrival of federal resources is the most critical because, after all, it is about politics and egos, and it is about public expectation and anticipation of government to provide the support to its citizens. That's the piece that becomes the most critical. You could have 100,000 men and women in uniform show up five days later, and all you're going to have is 100,000 people more added to the puzzle while you're trying to resource logistically the citizens that you are trying to relieve the pain and suffering from, that local jurisdiction and the affected area. It complicates the problem. It has to be well balanced.

It all becomes situational. I don't think you can really target a specific event and say is this the threshold? A pandemic would hit the threshold, but when would it? A catastrophic issue on our ports that would shut down the Pacific region for inter- and intrastate transfer of good and services would in and of itself create a federal emergency that would require federal resource to protect our shipping industry as it's further out to sea. That definitely is a federal issue. I don't think there's any question in any governor's mind or any adjutant general's mind that that would not be protection of the ports. But who makes that decision? I think it's a collaborative decision. That's where the instant command system and the multi-agency command center function is so important. You get the group, the senior representatives of all those departments, agencies, and jurisdictions together and they collaborate to solve the problem. That's what we have to do. That's part of the democratic process. There's going to come a point in time when the government of some jurisdiction may not be capable of doing that, and that's when the military is the appropriate time to step in, at the direction of the governor or the direction of the president. We have not done that. We don't need to do that. We have plenty of resources to be able to support one another.

I may not be answering your question specifically, but the true issue becomes, there is no wrong answer.

MR. PUNARO: No, I think you've all been on this one – I know it's a difficult thing. And I think you're right, there is no right or wrong. I mean, I think what you need to do is get the issues out on the table, look at them, not so much look at how should it work now, but think about the situation we're going to be five to ten years from now and try to gradually put in place the right answer. And I think you have to bring some principle to this, and you've articulated the principle. The governors feel the responsibility; they feel the accountability. Ultimately, they're going to be held accountable, particularly in their jurisdiction.

That's why unity of command is so important, because if you have unity of command, you've got the person that's responsible and accountable and you can tap that person on the shoulder and if it goes right or wrong, when you have two commanders or three commanders and you have confusion about who is really in charge. And a lot of this is a federal perception problem, because the federal government, and particularly the

Title 10 forces, they have a almost constitutional or ingrained inability to basically let anybody else be in charge other than themselves. So this is the history of our country.

But I mean, I don't think the country can stand to let the current system sort of stay status quo without making – and this is why we don't have the answer here today, that's for sure. We certainly don't have it on the commission. Y'all's testimony has been tremendously helpful in trying to isolate some of the factors we need to look at in terms of the recommendations we're going to make.

I mean, it's clearly an issue that's come to the head. You've got provisions in the House bill that would make it a quicker trigger for the president to take over. You've got the Guard Association doing – not demonstrations, but making their presence felt in Congress here in the last couple of days of the session as the authorization bill is in conference, to basically argue more strenuously for the changes in the law you articulate, General, in your testimony. You've got Congress changing the whole FEMA organization over the objection of the administration. So it's not like these are hypothetical questions that we're talking about. They're real-world questions.

Yes, Mr. Sellers.

MR. SELLERS. And that's something we've not been ignoring in California. We've had plenty of legislative hearings. Are we prepared? Who is in charge? And I've sat in front of our own state commissions and panels answering those questions. For California, it is clear the governor is in charge. But we really don't have laws in California, for example, about if a local government is incapable of taking care of public safety. They were wiped out in this nuclear attack you talked about. Our goal would be to restore them, but we would need some immediate action to get in there and make that happen and protect citizens. But again, the goal is to restore them. And then what if you have a mayor or a governor that is capable of making decisions, but not making the decisions you like? What do you do then? And you march the Feds into the turf and we have this mess that we all want to avoid.

So these are very difficult situations and again, I wish we would have learned from success. In emergency management, we have a saying – you know, events drive policy. I know that's true in a lot of other areas. I wish successful events drove policy, because California has a successful model, and a lot of us in emergency management know where the weaknesses are, talked about the weaknesses. There are states in the country that pretty much did turn over their response to the federal government. That's not a model that the state of California – I know, Arizona took. And you can see our disaster history and our success. But I do understand the concern. We don't want to see Americans suffer if somebody is able to help, regardless they're a state, federal, or whatever.

MR. PUNARO: Well, we appreciate your tremendous service and dedication. We look forward to staying in close touch as we sort through some of these thorny issues, and hopefully we'll be able to make some recommendations in this area. We will

certainly need your help and input to do that. We appreciate everything you do for the states of California and Arizona, but for the country at large because you're the window into the rest of the world through this part of the world and it's important that you be successful here in the West in many of these activities. So again, thank you for your great service. Thank you again, General, for the tremendous work our National Guard is doing both here at home and abroad. And we look forward to staying in close touch. The hearing will stand adjourned until tomorrow morning. I believe it's 8:30.

(End of panel.)