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SUBCOMMITTEE OF THE HOUSE ARMED SERVICES COMMITTEE

**SUBJECT:** FISCAL YEAR 2005 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST: DEPARTMENT  
OF DEFENSE RESPONSIBILITIES IN HOMELAND DEFENSE AND HOMELAND SECURITY MISSIONS

**CHAired BY:** REPRESENTATIVE JIM SAXTON (R-NJ)

**LOCATION:** 2118 RAYBURN HOUSE OFFICE BUILDING, WASHINGTON, D.C.

**WITNESSES:** PAUL MCHALE, ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND SECURITY;

LIEUTENANT GENERAL H. STEVEN BLUM, UNITED STATES ARMY, CHIEF, NATIONAL GUARD BUREAU;

MAJOR GENERAL JOHN A. "ANDY" LOVE, UNITED STATES AIR FORCE, SPECIAL ASSISTANT TO THE  
COMMANDER, NORTHERN COMMAND FOR NATIONAL GUARD MEMBERS

**BODY:**

REP. JIM SAXTON (R-NJ): Good afternoon. The Subcommittee on Terrorism, Unconventional Threats and Capabilities meets this afternoon to follow up on a topic of this committee's very first hearing which occurred almost a year ago, an overview of the role of the Department of Defense in homeland security and to follow up on those great discussions that we had last March 13th. Some of those discussions involved large policy issues and others arcane technical issues but all were important in their own way and we haven't confined ourselves to Washington. That is the committee members haven't confined ourselves to Washington but we've pursued an aggressive program to get to the field and to see for ourselves. We've worked hard, learned a lot and hope that we have begun to contribute in some measure to making America and the rest of the world safer.

While we have much to learn, even today, it's time to revisit an issue we touched on last year when the responsible organizations were in their infancy. Now that the Office of the Assistant Secretary for Defense for Homeland Security, Northern Command, and the Department of Homeland Security have been in operation for more than a year, it is a good time to check progress and see if there are any issues that Congress needs to address at this time. As I stated in that initial hearing, Secretary McHale's office, Northern Command, and the use of the National Guard in homeland security and homeland defense missions are part of this subcommittee's natural jurisdiction and we will take a continuing interest in your progress.

The subcommittee was interested to receive two recent reports published by the Department of Defense relevant to today's hearing. First is a report to Congress issued in September 2003 and the second is a Defense Science Board report of November 2003. I was gratified to note that neither report glossed over the many challenges that face the department and the nation. Given our experience as a new subcommittee, I understand how it is that initially new organizations identify problems and issues more rapidly than they can be solved. As the Defense Science Board report points out, there are many gaps that need to be filled and many new organizational relationships that must be exercised and refined.

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There is one issue that neither report highlighted that concerns me, however. While I am sensitive and sympathetic to the long-standing restrictions on federal troops performing domestic law enforcement missions, I have to say that I am less comfortable with the command and control mechanism described in the September 2003 report to Congress. In describing how Northern Command and the Joint Staff would watch over our National Guard troops on Title 32 status in an ongoing operation, the report states that Northern Command and the Joint Staff will have insight into the National Guard operation, not exactly tight control but in conformance with the law. I am not saying that change is needed but I am seeking a forthright statement on the record that these command relationships will work effectively.

I also note that the Reserve forces of the United States are undergoing force structure changes to better accommodate the demands of mobilization. If the Defense Science Board recommendations are followed, and I believe there is some indication they will be, the National Guard will have a greater role to play in homeland defense and homeland security missions. I trust that these important activities have been accounted for an ongoing rebalancing of our Reserve forces.

As I said from the outset, there is much to discuss. Let me turn to my friend now, Jim Langevin, from Rhode Island, for any remarks he would care to make.

REP. JAMES R. LANGEVIN (D-RI): Thank you, Mr. Chairman. I'll begin by saying that I join and concur with your observations and I'd also like to begin by noting that Mr. Meehan regrets that he is unable to attend today's hearing. He was unavoidably and unexpectedly taken away by a matter that required his attention. On his behalf, though, I would like to thank the panelists for appearing today and we welcome them.

All right. In addition to sharing Chairman Saxton's concerns pertaining to NORTHCOM, the Department of Homeland Security and the role of the Guard and Reserve particularly, I am interested to learn about existing and necessary protocol between local, state and federal officials. As we all know, prior to 9/11, opportunities existed to thwart several of the attackers if only intelligence had been more widely disseminated. Any recommendations offered by today's panelists in this area will be appreciated particularly if they point to refinement of existing organizational relationships.

As a member of both this committee and the Select Committee on Homeland Security, I have strongly advocated better cooperation and coordination between the Department of Defense and other agencies. It is my hope that today's panelists can explain the progress they've made on this front and assist this subcommittee in our efforts to better understand and improve our homeland defense posture.

Thank you and I look forward to your testimony.

REP. SAXTON: Thank you very much, Jim.

We have a great panel of witnesses for our proceedings this afternoon. Let me say welcome to you on an official basis. Our witnesses are the Honorable Paul McHale, assistant secretary of Defense for Homeland Defense, Lieutenant General Steve Blum, chief, National Guard Bureau, Major General John A. "Andy" Love, special assistant to the commander, Northern Command for National Guard Matters.

My colleagues will remember Paul McHale as a distinguished former member of the Congress of the U.S. We welcome you back again, Paul. And so without further ado, I would just like to ask unanimous consent that all your statements be included in the record in full so that we will have a permanent record of them. So, at this point, if you would like to begin, Mr. Secretary, we're ready for your testimony.

MR. PAUL McHALE: Thank you. Chairman Saxton, Congressman Langevin, distinguished members of the subcommittee, let me first offer my written testimony for the record. I understand from the comments just made by the chairman that the full text will be included.

I have to tell you that it is far more intimidating on this side of the table than it is on that side.

I consider it a great privilege to be back in a room where, in past days, I spent a great deal of time and had the privilege of working closely with many of you. I do recall from those days that the members prefer short statements, opening statements and so, what I'd like to do is summarize my written text as quickly as I can and then provide the maximum amount of time for questions that might be addressed to me or to others on the panel from the members.

Mr. Chairman, first of all, I'd want to touch upon the broad issue of DOD's role in homeland security and it would be remiss of me if I didn't emphasize at the outset that we in the Department of Defense believe that homeland defense begins overseas. It is our intent and our purpose to engage our enemies as far from our own nation as possible. Power

projection remains a critical, even core, element of our defense strategy. We would prefer to engage and defeat the enemy overseas rather than on our own soil.

In that context, a great deal has happened since the last time I appeared before you. In the global war on terrorism, we have had stunning successes in Iraq and Afghanistan. The fact is that two-thirds of al Qaeda's known senior operatives have either been captured or killed. It is a reasonable conclusion to reach that that kind of very proactive military engagement overseas has likely disrupted follow-on terrorist activity that otherwise might well have followed the tragic events of September 11th, 2001.

The Department of Defense has implemented substantial improvements in homeland defense over the past year. First, let me focus on the role of the assistant secretary of Defense for Homeland Defense, the position that I'm privileged to hold. My position was created in the National Defense Authorization Act of 2003. That act assigned to my office a challenging and sobering mission and that is overall supervision of the homeland defense activities of the Department of Defense. That means that I have oversight responsibilities with regard to the homeland defense activities of the various combatant commands, the services, the agencies and indeed all elements of the Department of Defense.

Secondly, let me focus on the role of the United States Northern Command. NORTHCOM is not the only entity within the Department of Defense with homeland defense missions but I think it is fair and reasonable to say that the vast majority of homeland missions have in fact been assigned to the United States Northern Command. Homeland defense activities have been assigned as well to Pacific Command and to our services and to our various defense agencies. But, clearly, the cornerstone of our homeland defense activity is resident at United States Northern Command.

NORTHCOM was created by modifying the unified command plan with the approval of the president and the direction of the secretary of Defense. A new combatant command was created for the first time since the days of George Washington to physically defend the United States of America. The NORTHCOM AOR includes, with an overlap, Alaska, the Canadian landmass, the United States of America, Mexico, the maritime and air approaches to that AOR.

With the air domain, NORAD continues to provide superb defense for the United States of America. The combatant commander of the United States Northern Command, General Ed Eberhart is dual-headed and has also the command of NORAD. Since September 11th, 2001, we have executed over 30,000 air defense sorties and responded to over 1,700 requests from the FAA to intercept potential air threats. We fly daily air CAPs, modified so that the enemy cannot anticipate where those air CAPs might be flown, over population centers, critical infrastructure, historic sites and government centers throughout our country.

Within the maritime domain, NAVNORTH, which is the Navy component of NORTHCOM, provides component capabilities to NORTHCOM in order to defeat maritime threats at maximum distance from our coast. The secretary of Defense recently signed an executive order that indicates a much more proactive approach to maritime intercept operations on the high seas in order to interdict and defeat enemy threats, most especially enemy threats involving weapons of mass destruction before those threats can be brought ashore.

In the land domain, border security remains primarily a civilian law enforcement function. It has been assigned to the Department of Homeland Security. Consistent with applicable law, however, the Department of Defense is ready and prepared to support the various land border missions that are led by and entrusted to civilian law enforcement. We have quick reaction forces on alert throughout the United States.

Those quick reaction forces can be deployed almost immediately so that soldiers and Marines, when required, will provide physical security at vulnerable sites within our own country, fully recognizing that the primary defense of physical locations within our own country rests with civilian law enforcement, fully recognizing that it is likely that, in the event the civilian law enforcement needs reinforcement, the National Guard in state status or Title 32 status, exempt from posse comitatus, would likely be next layer of defense. But ultimately, if required, on order from the president of the United States and direction of the secretary of Defense, we are prepared to use Marines and soldiers to physically defend the land mass of America.

And finally, we have established Joint Task Force Civil Support. That task force was created a number of years ago. It has been significantly enhanced in recent years. It provides the primary military response to a domestic incident involving a weapon of mass destruction. It is the high-end technical capability to respond to a WMD attack within our own nation and its capabilities are available almost immediately to augment and reinforce the capabilities that we find in the private sector and those which have been assigned to the Department of Homeland Security.

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We believe that we should train as we will fight and that is, we have a robust training schedule in coordination with the Department of Homeland Security, national homeland security exercise program. Within the past year, we have engaged in exercises Unified Defense '03, TOPOFF 2, Determined Promise '03, Livewire, Scarlet Cloud, Unified Defense '04. Those exercises captured a range of threat environments to include bioterrorism attacks, radiological attacks, a simulated nuclear detonation within our own nation as well as terrorists attacks within the maritime and air domains.

Critical infrastructure is a shared responsibility. The Department of Homeland Security has the responsibility to develop a comprehensive national plan while the Department of Defense, under the Homeland Security Presidential Directive number 7, signed by the president in December, has the sector lead for the protection of our nation's defense industrial base. Coming back to a comment that was made by Congressman Langevin in his opening remarks, we believe that one of the paramount lessons of September 11th is the need for robust intelligence and information sharing.

As you may recall, in the State of the Union address in 2003, the president proposed, and we have since implemented, the Terrorist Threat Integration Center. That is an interagency capability that brings together both civilian and military sources of intelligence and homeland security related information. It fuses the capabilities of the Department of Defense, the Department of Homeland Security, the FBI, the CIA and the Department of State so that, unlike the condition prior to September 11th, those who need to share information are now doing so on a detailed and daily basis.

Let me close with a brief description of our relationship with the Department of Homeland Security. We are partners with mutually supporting missions. We are in the process of negotiating and in fact are in the final stages of negotiating a memorandum of agreement that will place approximately 64 DOD personnel within DHS on a full time basis to ensure complete connectivity between DHS and DOD. There are members of my staff who work full-time in the Homeland Security Operations Center to ensure that linkage on a daily basis.

We have in fact established a Homeland Defense Coordination Office so that, in addition to crisis coordination, there will be day to day communication in advance of a crisis. We work very closely on a daily basis with robust communication in a partnership with DHS. That partnership allows DHS to have the lead for counterterrorism activities and the defeat of terrorist threats within our own country.

It is our goal, within the Department of Defense, to defeat those threats before they enter our country and clearly, we cannot afford a seam between our mission and that which has been assigned to DHS. Abraham Lincoln once said that as our cause is new, so must we think and act anew.

For most of my lifetime and indeed very nearly all of my lifetime, in terms of military service, the threat that confronted the United States was one which was presented to us by hostile nation states, coalition of hostile nation states. In an age of weapons of mass destruction and transnational terrorism where asymmetric threats can be empowered by chemical, biological, radiological and nuclear capabilities, we must now defend our nation against a new and emerging threat, not simply a hostile nation state or a group of hostile nation state but terrorists who possess a destructive capacity that, in the past, could only be acquired by countries.

Mr. Chairman, I thank you for the opportunity to appear and I certainly look forward to your questions.

REP. SAXTON: Thank you very much, Mr. Secretary.

General Blum.

GEN. H. STEVEN BLUM: Chairman Saxton, Congressman Langevin and distinguished members of the committee, it is a pleasure and an honor to be here to say thanks for the opportunity. I'd like you to please accept my written testimony for the record, please —

REP. SAXTON: Without objection.

GEN. BLUM: — and beyond that I want to offer a few comments before we get into the questions.

REP. SAXTON: Thank you.

GEN. BLUM: First of all, the National Guard citizen soldiers and airmen are doing a superb job. Today, as we sit here, we have 129,000 citizen soldiers and airmen deployed all across the globe, some fighting in places like Afghanistan and Iraq, in close combat on the ground as well as in the air, in the Air National Guard and the Army National Guard, that is full partners in total force and in joint operation in the global war on terrorism. In addition, your National Guard is almost entirely handling peacekeeping operations in the Balkans, in Bosnia, Kosovo and the Sinai as well as protecting

critical infrastructure and important DOD assets here at home as part of Operation Noble Eagle.

We think that we are doing what this country has asked us to do both in the home game, in the homeland defense and in the away game, the scheduled away game, where homeland defense in depth in Iraq and Afghanistan, as General Eberhart likes to call it. You need to know that your National Guard is committed to job one, being homeland defense. That we were established for and it would be pretty tough for an organization called the National Guard not to realize its purpose was to guard the nation. We are a unique military force that is constitutionally established. We are the only dual-missioned force among the services, and we're proud of that and I think it's an excellent — our forefathers had great foresight in the need for such a dual responsibility.

So we can be called by the governors for military application of capabilities within the states and territories and we can also be called by the president for federal duties as a reserve component of either our land component, the Army, or our air component, the Air Force. As a result of the Defense Science Board of '03's findings, and as a result of the request by the combatant commanders of Northern Command, General Eberhart, and Pacific Command, Admiral Fargo, we have developed four initiatives to make your National Guard more ready, relevant, accessible and reliable for homeland defense, whether it's here at home or whether it's abroad.

Those concepts include the establishment of a Standing Joint Force Headquarters in every single state and territory. When you go back to your constituents, you will find that a joint force headquarters, a standing joint force headquarters, has existed since 1 October of this year, and it has the unique capabilities to do command, control, communications, intelligence, surveillance and reconnaissance for the governor, for the adjutant general, and it can coordinate all the activities of all the DOD assets within that state or territory that are under control of the governor.

They also provide situational awareness and intelligence feeds to both the combatant commander of NORTHCOM and the Pacific Command as it relates to homeland defense issues. As you well know, you can separate Department of Homeland Security and the Department of Homeland Defense fairly easily here in Washington DC. But as you get out into the United States, where governors govern, it is impossible. You cannot separate Homeland Defense from Homeland Security at the state level.

So the National Guard finds itself balancing its capabilities to do Homeland Defense for the governor and support for Homeland Security operations that are vetted through the JDOMS, the Joint Director of Military Support, so that the application of DOD assets read that Army and Air National Guardsmen responding under the control of the governor is not done in a carte blanche or a blank check method, it is done in a vetted process. The Standing Joint Force Headquarters finds itself uniquely positioned to be very good at facilitating that response so that the response is timely.

As you well know, National Guard responding overseas has often been criticized for being late and either too slow and cumbersome following the current mobilization process. That process is being looked at very seriously and being modified as we speak, and in the time that it takes for a National Guard citizen soldier to transition from a citizen to a soldier is being shortened every day by efficiencies that are being taken by the Department of the Air Force and the Department of the Army to make sure that's possible. But when you talk about homeland defense, you do not have time even for that efficient step to be applied. You must transition and become something back to the future, so to speak.

We must be — the National Guard must be your 21st century minuteman able to do that transition literally in minutes, because anything more than hours is too late to me. We need to almost have a 911 type of response when you need your National Guard for homeland defense. The Standing Joint Force Headquarters has a significant role to play in making that a reality. We cannot always do that right now, so we need to change a few things the way we're structured, the way we're resourced, the way we're trained, the way some of these units that we have in our capabilities are distributed around the nation. So we have taken some initiatives to do that.

First of all, we have established our National Guard chemical, biological, radiological, nuclear and high-yield explosive enhanced-response force packets. That's a lot of words, it's a big mouthful. But what it does is it leverages. It takes existing units in the Army and Air National Guard and it gives those units, medical units, engineer units, chemical units and general purpose security units, it gives them extra equipment and enhanced training so that when they are coupled together with the civil support teams that will be fielded in every state. And with the quick response forces and the rapid response forces that each governor is standing up, you will have a CBIRF-like capability by 1 October of '04, this year, in each of what we call FEMA regions, or federal regions around the country, and that will be, in fact, accomplished by 1 October, '04.

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Ultimately, the National Guard would like to see that in each state, able to respond to each governor. And you have a handout in front of you that kind of describes where our current capabilities are arrayed and how they would be coupled. If I could uncover the slide quickly. The states shown in the lower right hand corner show the civil support teams and where they are now. We have 32 of them that are fielded, trained, equipped and certified. We are awaiting the secretary of Defense. Very shortly he'll be announcing the next 12 that will be fielded.

We are fully funded for all 55 in the POM, in the Army POM. You need to know that we are sufficiently funded to field these teams, we just need the authorization to put them out. The secretary of Defense will amass these. This is the brains of the outfit, so to speak. It tells you what your agents are and what you need to do about it and it provides the incident commander, the policeman, the fireman or the emergency responder out of the civil sector the communications and the C2 augmentation it would need in time of crisis so that it could bring in this enhanced response package. The gold colored states are the states that are in the first program, and will have this capability by 1 October.

The states in the lower left hand corner shown in green have battalion-sized reaction forces already in being that can respond in a matter of hours, as opposed to the federal QRFs and RRFs, which will be there in about, at the best, several days. The ones that are shown in amber are those that are in a process of standing them up, and you see four in red that I have some work to do with those governors and those adjutants general to get them on board.

In addition, to get to the heart of what Congressman Langevin talked about, we are standing up a joint communications — a CONUS communication support element. And what this does is actually blend the ability to cross-talk with all of the information that is needed to manage any incident that would be required here at home as regards to homeland defense. It bridges DOD's capability to talk between the Army, the Navy, the Air Force, Marine Corps and the Coast Guard, which is hugely important in a homeland defense operation, and it also makes the collaboration possible for information sharing and communications de-confliction with inter-agencies and inter-governmental agencies that would be also needed to respond.

Lastly, we are rebalancing the National Guard to divest ourselves of formations and capabilities that are no longer needed for current threats and the future threats we see on the horizon. It no longer takes a superpower to attack a superpower, as we've all found out. And we are organized to fight one superpower against another superpower. And we're set up to be essentially a strategic reserve. We need to come out of that mode and move to an operational reserve that is capable of joint and expeditionary operations, both here at home, in order to conduct homeland defense operations or support the homeland security operations, or to respond and be available to a combatant commander, such as we're doing in Afghanistan, Iraq and in EUCOM in the Balkans right now.

While we remain deployable warriors, these concepts are some of the ways we are working and strengthening your National Guard for operations currently and in the future for homeland defense. Thank you, sir.

REP. SAXTON: Thank you.

And now we'll move over to hear from the Air Force. General Love.

GEN. JOHN A. "ANDY" LOVE: Chairman Saxton, thank you very much. I am grateful and honored to be here, and by way of introduction, in addition to the job I have and am delighted to say I hold at the moment, I am also a Colorado National Guardsman. And on behalf of General Eberhart and the dedicated men and women of NORAD and USNORTHCOM, I am doubly honored to be here.

And let me begin by saying that I could not be more proud of America's Reserve component and its patriotic devotion to the defense of our homeland. And among the reasons for that pride, as was mentioned a moment ago by Secretary McHale, when he identified the fact that over 30,000 homeland defense sorties have been flown, many of which have been flown by America's Air National Guard, and not one incident has occurred, not one injury, not one loss of an aircraft. And I think that speaks volumes about the capability and the professionalism of that force. And that does not in any way exclude those soldiers who have performed homeland defense, homeland security missions over the past 18 months, again in a flawless and patriotic and professional way.

As you are aware, not since the birth of this nation has the reliance upon our National Guard to protect our citizens both at home and abroad been greater than it is at this very moment. With the recent completion of the United Defense '04 10 days ago, I appeared here to assure you that the capability and direction of U.S. Northern Command has taken to counter the threats of the 21st century is robust and confident. My written testimony contains a number of specific proposals earlier identified by General Blum which have been adopted by U.S. Northern Command as desirable, and the

command is currently in the process of developing and defining requirements which are consistent with the capabilities that he described.

I'm delighted to be here. Your continued commitment to the defense of our country and support of our Reserve component is greatly appreciated. Thank you.

REP. SAXTON: Thank you.

We'll move on to some questions now and we'll begin with the ranking minority member, Mr. Langevin.

REP. LANGEVIN: Thank you, Mr. Chairman. And gentlemen, thank you very much for your testimony.

Before I begin, I just wanted to mention to General Blum and General Love how proud we are of the Guard and Reserve and the job that they're doing, and we recognize that they're an integral product of the nation's defense. In particular, I just had the privilege of traveling myself to Iraq and had the opportunity to meet with some of our Rhode Island National Guard soldiers who are on duty there in the 115th MP Battalion, and doing an outstanding job. And so we thank you both for your service. And, Secretary, thank you for being here too.

Secretary McHale, if I could just start by asking a couple of things that you mentioned in your testimony. I'm interested in the status of fielding weapons of mass destruction, civil support teams to our states and territories. I understand, as the General mentioned, that 32 teams have been fielded, but the need is great for all states and territories obviously to have them in place as soon as possible. So could you describe DOD's timeline if we're establishing new teams, and what are the criteria for deciding which states will get the next teams and how long do you believe it would take for implementation of all these authorized teams.

Furthermore, what is DOD doing to encourage greater coordination and cooperation among civil support teams in neighboring states to ensure appropriate coverage and response in the event of an emergency? I'd like you to start with that.

MR. McHALE: Congressman, if I look a little bleary-eyed, it's because I was in San Antonio, Texas last night speaking to the commanders of those CSTs. They were having a symposium at which they brought together all of the commanders of the existing 32 certified teams, plus the basic command structure of those units that are likely to be created on the basis of the timetable about which you just inquired. As I told them last night, I was honored to be in their presence. These are incredible men and women drawn from the Army Guard and the Air Guard.

There are 22 folks assigned to each team. They have an assessment capability for weapons of mass destruction such that if our country experienced a domestic WMD attack, the very first men and women in uniform who would respond to the site of that attack would likely be the members of our CSTs. They would use sophisticated sensor systems to determine the nature of the contaminant, to reach a greater understanding of what kind of remediation would be required. They would make judgments as to how persistent that contaminant might be so that those who would follow them into the hot zone would be well-prepared in terms of an expectation as to what they might face.

Now, we have 32 CSTs currently trained and certified. They're in Title 32 status, which means that they're under command and control of the governor, but they are paid for by the Department of Defense. We provide their training, equipment and certification. The Congress of the United States has mandated by law that we create 55 CSTs to ensure that there will be at least one CST in every state and territory. California currently has two CSTs, and so ultimately we'll have 54 jurisdictions and 55 teams. The Congress provided, if I recall the number correctly, I believe it was \$88 million for 12 new CSTs this year. I have, in fact, made a recommendation to the secretary of Defense with regard to the selection of those 12 CSTs.

The Congress indicated, I believe it was in report language, that special consideration should be given to coastal states because of their maritime vulnerabilities. We looked primarily at population. That's what guided the selection of the first 32 CSTs. But in letters that I've sent to members of Congress, including one I think that I sent to Chairman Saxton, I indicated that other factors would be considered such as vulnerable critical infrastructure, sites of DOD vulnerability, historic sites, and other targets that might be chosen by a terrorist group that would go beyond the consideration of population concentrations.

My expectation is that the secretary of Defense will act on the recommendation within a matter of weeks.

I believe that the criteria that we selected which reflected also vulnerabilities related to WMD attack will likely prevail,

and so I think most of the states that would be chosen in the next 12 would be states with major populations, and in some cases, large population centers in combination with vulnerable critical infrastructure. It's also our expectation that the Congress is likely to provide funding for the final 11 teams next year. And so if the statutory language works out as we expect, there will be 12 new teams selected this year. The states selected will be announced, I think, within a matter of weeks, and if the Congress provides the appropriate statutory and funding support, the final 11 will be chosen next year.

REP. LANGEVIN: Thank you, Secretary.

Mr. Chairman, do I still have time?

If I could, Secretary, with respect to NORTHCOM, can you tell me what command and control systems that you feel may be needed to ensure a more coordinated homeland defense effort and what's being done to ensure secure communication lines between NORTHCOM, the Department of Homeland Security and state and local government agencies, particularly with regard to intelligence and warning information. Additionally, what is the relationship between NORTHCOM and the Terrorist Threat Integration Center? I know that there's a relationship there but how robust is it and could you give us some more detail?

MR. McHALE: NORTHCOM — and perhaps General Love can address this in greater detail. But NORTHCOM has well-established liaisons with and lines of communication to the various intelligence agencies, international and domestic, possessed by our country. There are, for instance, CIA and FBI and DIA liaisons at Colorado Springs, co-located with the combatant command.

The relationship with TTIC itself, which is really at the departmental level, is led by the undersecretary of Defense for Intelligence, Dr. Cambone, whose position was specifically created to execute that kind of coordination function between DOD and TTIC. TTIC is an overarching umbrella of intelligence integration which brings together the collection activities and the relevant information with regard to numerous federal agencies, the lead among those being the Department of Defense, the Department of State, the FBI, CIA and of course DHS itself.

Now to come back to the first part of your question, NORTHCOM's relationship to the Department of Homeland Security in a domestic setting is one of support. When we experience a domestic terrorist attack under HSPD-5, as well as the Homeland Security Act, the lead in responding to that enemy threat within our own country has been assigned to the Department of Homeland Security. We provide support to that civilian-led effort, both in terms of consequence management, and in some cases we provide limited military activity within our own country to defeat an enemy attack if civilian law enforcement and the National Guard cannot meet that mission requirement. And basically what we do is we rely upon and have built upon the well-established procedures of the Stafford Act. When there is an attack within our own country, the president would normally make a declaration of a major disaster. That would put DHS and FEMA in the lead.

Where we have unique capabilities within the Department of Defense, or if civilian authorities are overwhelmed by the magnitude of the attack, FEMA would normally make a request for assistance to the Department of Defense. It comes to me, I make a recommendation to the secretary of Defense, upon his direction, military forces in a supporting role are then deployed to assist civilian authorities. Nowhere is that more important than in responding to an attack involving a weapon of mass destruction. If, in fact, we experienced a WMD attack within our own country, we would anticipate that local and state capabilities would be first brought to bear.

If the attack rose to a level that state and local capabilities were deemed to be insufficient and a major disaster were to be declared under the Stafford Act, FEMA would take the lead and we anticipate we would then see entities such as CSTs, CERFP, which is what the general was describing earlier in terms of the evolving National Guard capabilities, CBIRF from the Marine Corps, and at the ultimate high end of our nation's capabilities, Joint Task Force Civil Support, located in Norfolk, Virginia, has a very large task organized capability that is designed to respond in an emergency circumstance within hours to a domestic WMD attack so that highly trained soldiers in a large task force in a supporting role assisting FEMA would be available to deploy to the site to initiate remediation activities, to include assessment, decontamination, medical care, extraction, and all the kinds of capabilities that would be required following an attack involving a weapon of mass destruction.

REP. LANGEVIN: Does General Love want to comment?

GEN. LOVE: Congressman, the only thing that I can add to that that may assist you in understanding it is that in addition to the capabilities that Secretary McHale just described, the United States Northern Command has created a Combined Intelligence Fusion Center in Colorado Springs where all the representatives of the agencies that he described,

as well as the NSA, are resident, the purpose of which is to look at all of that intelligence from a military/domestic viewpoint and attempt to understand and anticipate not only what may be an immediate threat to the United States within our borders but what may constitute a threat that may be created or conceived in places outside of our borders.

Additionally, thanks to the Congress for identifying the nexus between the counter-drug activities that we have been conducting in conjunction with the other agencies of the federal government, the connection between that and terrorism, we have begun the efforts to combine the activities of Joint Task Force 6 located at El Paso, Texas, which has been engaged in support of civil authorities in the counter-drug business into JIATF-North, Joint Interagency Task Force North, the objective of which is to bring greater emphasis to that activity in a counter-terrorism role. JTF-6 has the El Paso Intelligence Center. We can now use that very significant and robust capability to add to that which we're developing as well.

REP. SAXTON: Thank you.

REP. LANGEVIN: I thank the gentlemen, and thank you for the job you're doing on behalf of the country.

REP. SAXTON: While we're moving over to Mr. Gibbons' turn to ask a question or two, let me recognize our former colleague, Bob Underwood, who has joined us. Bob, welcome back. We miss you.

MR. ROBERT UNDERWOOD: Well, actually, I'm more interested in talking to Paul. (Laughter.) Thank you, very much. It's not that I don't miss you too, Jim.

(Laughter.)

REP. SAXTON: Mr. Gibbons?

REP. JIM GIBBONS (R-NV): Well, thank you very much, Mr. Chairman.

And to each of our panel witnesses today let me add my voice to the chorus of accolades and plaudits for the work, the fine job that you've done in taking, I think, a very, very difficult task, which is creating a defense of the homeland that we never had had prior to September the 11th or with the same intensity that we have today, and done a great job. I am especially pleased with how our Guard and Reserve forces have participated in this, and it's really met the expectations not only of the Department of Defense but met the expectations of various states who are literally in charge of their militias, as well as the American public who have for so long relied on — as you have said, Mr. Secretary, since long before 1775, the militia was there in defense of our nation. And to my friends, General Love and General Blum as well, great job guys, we're very proud of you.

I did have a question with regard to the issue of Title 32 versus Title 10 status. We have Guard forces that are called up on what is known as other missions. As you all know, counter-drug and CST missions are specifically legislated in Title 32 of the U.S. Code, section 502. And as a result there have been questions raised both by the National Science Board under the Department of Defense roles and mission aspect, as well as the National Governor's Association and I believe the Adjutant Generals Association have all raised concerns about the differentiation of Guardsmen who have been performing duties — or other duties during times of crises or needs of our nation after September the 11th, where the funding is in issue because of their status.

And I guess my question would be — and I'd first like to direct it to General Blum and then maybe General Love if they want to answer as well, or even to you, Mr. Secretary, as well, and that is do we need to clarify the language of Title 32 section 502(f) to make it clear that Guardsmen can be employed under that status, in other words, Title 32 status, for operational missions and not just training and support duties? How would a change like that help you execute the war on terrorism, General Blum?

GEN. BLUM: Thank you, Congressman. I think it would be enormously helpful. As long as the Congress retained the vetted process — the vetting process, so that this was not an unconstrained use of federal funding under state control, I think the department would probably support legislation in that direction, frankly. I think all in the last three and a half years — three years, two and a half years, in particular, have seen that an expanded use of Title 32 in an operational mode through a vetted process where it is clearly identified that that requirement is necessary to be performed by using federal capabilities, using federal funds, using military capabilities, but retained under the control of the governor is usually helpful to the Department of Defense because it allows us, when we're using the Guard in that role, to keep from diverting Army, Navy, Air Force, Marine and Coast Guard forces from their Title 10 and 14 utilizations to do what is very uncomfortable and illegal for them to do. And that because of posse comitatus and other limiting factors.

So short answer is we would welcome it, and beyond that I think again as long it's a vetted process I think the Department of Defense would support it. I will have to defer to Secretary McHale on that.

REP. SAXTON: Mr. Secretary.

MR. McHALE: At this hearing today I'm not prepared to say that the Department of Defense would support that proposal. Let me put it in context for a moment, if I may. When the National Guard is used in state status under state active duty it is under the command and control of the governor and the use of the Guard under that circumstance is at state expense, largely beyond the reach of the federal government and in that status exempt from posse comitatus. And so the National Guard and state status at state expense can engage in activities that come very close to, if not in fact can be described as law enforcement activities.

In Title 32 it's a middle ground with significant operational and funding implications. In Title 32 the National Guard remains exempt from posse comitatus. The National Guard is subject to the command and control of the governor, not the secretary of Defense, not the president of the United States, but the expenses associated with Title 32 are paid by the federal government. They are, in fact, paid by the Department of Defense because as Congressman Gibbons indicated, in Title 32 status the training opportunities are deemed to be relevant to the anticipated federal mission. And so it's the best of both worlds in terms of flexibility and from a state perspective, funding. State command and control, exemption from posse comitatus, paid for by the Department of Defense.

The third option, of course, is bringing the Guard to federal status under Title 10 when the Guard is paid for by the national government and become subject to posse comitatus. One of the emerging missions that I think will be of increasing importance for the National Guard in an operational sense is the assignment of critical infrastructure protection. If we have a heightened period of threat and it appears that there is credible intelligence that specific sites in certain states might be subject to a terrorist attack, it seems to me, based on passed experience and comprehensive analysis, that the Guard is ideally suited for that CIP mission. The Guard is geographically dispersed, can be quickly deployed, can work closely with law enforcement officials.

The question then becomes in what status should the Guard execute that CIP mission? When the Guard is defending a site within a state against a foreign terrorist threat, should that be paid for by the host state or should that be considered part of a national security response paid for by the federal government? Up to this point, the practice has been to do it in state status, so that during Operation Liberty Shield, which was initiated by Secretary Ridge just before the start of hostilities in Iraq, the Guard was called up in quite a few states for the CIP mission and the Guard was paid for at state expense.

That remains an open-ended issue into the future. If the Guard is to be used even more frequently for those CIP missions as part of a coordinated national security strategy, should that continue to be considered a state expense or should it prospectively be considered a national expense related to Title 32 with possible statutory modification to allow it? I'm not — because there are enormous budgetary considerations here that must receive serious review in addition to the operational considerations, I'm not prepared to go so far as to say the department would support it. I know the department is certainly willing to take a hard look at it so long as we're all realistic about how much it's going to cost if that change occurs.

REP. GIBBONS: Well, I think, Mr. Secretary, you've articulated the problem about describing what other duties and the problems other duties has now in the current legislation, which is giving most adjutant generals, and including the Guard Bureau, concern over the fact that we have articulated counter-drug and CST missions in the statute. But when you define other duties there is an ambiguity what other duties are, whether they are domestic missions of infrastructure protection or something related to national security that, in my view, and I think that's the reason I asked the question, do we need to clarify Title 32 so that those, quote, "other duties" fall into the status so that General Blum when he gives an order that the airport in Pennsylvania or Pittsburgh, someplace, needs to be protected, is that an order that comes with the designation of funding from the federal government or is it still a state status funding mechanism, which of course leaves many states in an unfunded mandate problem?

I didn't mean to take this long, Mr. Chairman. My time is up. I see General Blum has got an issue —

GEN. BLUM: I just want to make a point —

REP. GIBBONS: — and then I think General Love wanted to answer a part —

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GEN. BLUM: I just want to make a point in clarification, I would not issue an order because I don't have the authority to issue the order. That order would probably be a request from the combatant commander of Northern Command or Pacific Command to have that particular infrastructure protected, and that would go through a vetted process. And all I'm suggesting is that it would be a great arrow to have in the secretary of Defense's quiver, or the Office of Secretary of Defense for Homeland Defense to have that arrow in Mr. McHale's quiver if we should choose to use it.

REP. GIBBONS: I think we're all singing the same song, we're on the same page as we look at this right now.

Andy.

GEN. LOVE: Thank you, Congressman. And I would just like to add one thing. And that is I'm sure we all agree that there are no second class soldiers or airmen in our military forces, nor should there be. And as we have looked at providing this Chemical/Biological Response Force within the states we have looked also at the Federal Tort Claims Act. And it appears that it will offer immunity to soldiers or airmen serving under Title 10. It will also offer an identical immunity to soldiers or airmen serving under Title 32 but obviously does not cover those serving under a state active duty status.

If they are to go into a disaster site, offer medical assistance, that sort of thing, there is an opportunity for them to be potentially liable for whatever. And it seems to me that we should offer, in response to a terrorist attack from an external source, the same immunity to Guardsmen as we would offer to soldiers and airmen.

REP. GIBBONS: I would agree. I would agree.

Thank you, Mr. Chairman, for your indulgence.

REP. SAXTON: Thank you.

Mr. Kline?

REP. JOHN KLINE (R-MN): Thank you, Mr. Chairman, and thank you, gentlemen, for being here.

Mr. Secretary, always great to see you again, no matter what color suit you're wearing today. I share your admiration and great respect for what the members of the Guard are doing, Guard and Reserve. In Minnesota, the National Guard — the bulk of the forces, I believe, still in Bosnia are from Minnesota. The Minnesota Air Guard is not only flying in support of Noble Eagle but the 730s have repeatedly gone to Central Command to fly support missions there.

And I noticed, General Blum, that you had a figure of 129,000 citizen soldiers who are overseas. And so the question is, do you have any concerns about those large numbers of the National Guard being overseas, recognizing that, you know, the best defense is a good offense. However, we've talked about what the role of the Guard is and they seem to be deployed. Can you comment about where you think we are in that regard?

GEN. BLUM: Yes, Congressman. If you'll put up the next chart, please, I think I can get to that in a graphic way. In front of you all of you have — it looks like a little pie chart of red, yellow and green. And red is good on this chart. It means that's the number of soldiers and citizen soldiers and airmen that you have home in your own state or your own constituency's ZIP codes. The green slice of the pie is what is deployed in on-active duty, as you just alluded to, Congressman Kline. And what I've tried to do is to balance the contribution of the National Guard, both Army and Air, in its response to the president for the federal mission and then its response to the governors in the state mission.

And in talking to the — if you look to the pyramid on the right side, that is not a National Guard diagram. That's the Department of Defense, Department of Army specific diagram that recognizes Secretary Rumsfeld's desire to have the first 30 days of a joint expeditionary operation largely be or most — as far as possible be active duty forces. And it makes good sense for exactly the reason you've brought up. The National Guard is really a stool balanced on three legs, one leg being a service member, one leg being the family member, and the third being our employers, our civilian employers. So if we are going to be able to sustain about 25 percent of our force, which is represented in the green quadrant that says, "Mobilize and Deploy," that's about 129,000 citizen soldiers and airmen right now, with about a similar number getting ready to go to replace them some time over the next year, year and a half.

That leaves the governor of the state about 50 percent of the capability of his Army or her Army and Air National Guard to be able to respond, and in extreme condition they could get up to 75 percent because the part in the amber is also available because they haven't yet gone overseas. But the part that's green is gone and unavailable to the governor and of great concern to the governor because there are newly focused concerns on homeland defense in the last two and a half years.

So what we are doing is making a conscious effort as we call units up to make sure, as you look at the members of this committee and what their pie charts look like, you can see that we've been very, very careful not to exceed breaking that 50 percent capability. We feel that a minimum of 50 percent of the force is probably going to be necessary, but within that force it also has to have the capabilities, the right capabilities for command and control, maintenance, aviation, engineers, security forces, medical and so forth, as we described a little bit earlier. So we are balancing or sharing the burden across all of the states and territories as equitably as we possibly can so that no one state or territory takes on an unfair burden. When I first came into this job, a little less than a year ago, I could not tell you that. There were some states that had paid more than their fair share and frankly, had there been an incident in their state, they would have been somewhat at risk if it were not for interstates compacts, emergency mutual assistance compacts.

I am happy to report to you today that, right now, 53 of the 54 possible governor compacts have been signed. Only one, the state of California, has not signed such a compact. It's not that they're reluctant. They have got other issues they are working right now and I expect that that compact will be signed in the near future so that every state and territory and every governor has agreed that we will be able to cross state lines with the National Guard forces to mutually support one another in times of emergency. I hope that gets to your question.

REP. KLINE: It does. Very well. Thank you, General. So you feel like those compacts are going to allow sufficient members of the Guard to respond inside our borders, if required.

GEN. BLUM: Yes, sir. The short answer is yes, sir, and that's my commitment to the 54 governors when I met with them about a week and-a-half ago.

REP. KLINE: And then my final comment — because I see my time has expired — IS that it's still not fair. I'm looking at Chairman Saxton's state. You've got a little bitty wedge of green and we've got a big wedge of green and so, I'm not —

REP. SAXTON: That should make you proud.

GEN. BLUM: Sir, these wedges will ebb and flow as the rotations change. The numbers of soldiers that deploy will dramatically change from time to time as they come home and out of theater, the wedge will narrow and then as the next group goes out, his wedge may look much worse than yours.

REP. KLINE: I have great confidence that that's the case. Thank you very much. I see my time has expired. So I'll —

REP. SAXTON: Just in time.

REP. KLINE: Just in time, right.

REP. SAXTON: Mr. Bartlett, please.

REP. ROSCOE G. BARTLETT (R-MD): Thank you very much. I am very pleased to be here today and to welcome you. And since you are quite young, I will refer to you as a long-time friend, not old friend. Is that okay?

MR. McHALE: That's fine.

REP. BARTLETT: The secretary and I came together into Congress in '92, and I worked for many years with General Blum in Maryland. Good to see you both here and glad to welcome a new friend.

I am probably the only person here old enough to well remember World War II and I can remember writing 1933 on my school papers. I remember, after that war, when I worked for IBM Corporation during the Cold War, I recall I had a concern that somebody ought to be looking at how we reconstituted ourselves in the event that there was a nuclear war and what we will do when we emerge hale and hearty from the fallout shelters — of which there are none now, by the way, for the general population. And so, I started asking that question and what — and my manager at IBM thought that was a question that needed to be answered and so they asked me please to pursue that. I found nobody in our whole country that had any responsibility for how we reconstituted ourselves.

I went to Civil Defense and they said their responsibility to have those exit the fallout shelters hale and hearty, six weeks after the nuclear explosion and they did a very good job of preparing for that. But I thought that maybe the nation that really won that war, which I'm glad never occurred, would be the nation to pick itself up out of the ashes first and reconstituted its society. And strangely, nobody had that responsibility. And the question I'm going to ask relative to that is that's something that I think we really, really need today and I want you to tell me who has that responsibility because I don't want it to fall through the cracks like obviously that one did during the Cold War.

Now fortunately, we never had a nuclear attack so that we never had to deal with that problem of how do we reconstitute ourselves. But what I don't see is much emphasis on the old Civil Defense. Clearly, we would be collectively as strong as we are individually. And in the event of a catastrophic event, wouldn't it be very nice if our individual families and people were self-sufficient and did not represent a burden on the system.

And tell me who has the responsibility for civil defense today so that families are stockpiling the right things, so that they have the right knowledge, that they are preparing for these events. Who has that responsibility?

MR. McHALE: With silence on both sides, I'll be happy to address it. Congressman, your question touched on, I think, three relevant points of interest. First of all, with regard to reconstituting our government and the activities of the Department of Defense related to continuity of operations and continuity of government, that requirement to reconstitute our governmental capabilities within the Department of Defense, following an attack of the type that you described, has been assigned to my office.

And so, within DOD, (CUGCOM ?) responsibilities have now been assigned to the assistant secretary of Defense for Homeland Defense and we in turn play an important role in terms of government-wide challenges associated with reconstituting our government or ensuring continuity of government following a devastating attack.

With regard to the private sector, which was the thrust of your question, the Department of Defense has responsibilities that have been assigned to us under HSPD-7 with regard to the Defense industrial base. We in the Department of Defense have been directed by the president to coordinate the protection of those elements of our Defense industrial base that are important to our DOD warfighting capabilities. That doesn't mean that we are going to surround DLA contractors with soldiers and Marines.

It means that, in the coming months, we, in ASD Homeland Defense, will coordinate with private contractors and owners of these facilities, civilian law enforcement entities, the National Guard, in various statuses perhaps to include Title 32 and Title 10 capabilities, to make sure that the Defense industrial base will remain strong and operational under any circumstance regardless of the magnitude of the enemy attack. That is a DOD responsibility and that too has been assigned to my office. But when we move beyond the Department of Defense, out in the broader civilian community, beyond the Defense industrial base, that responsibility has been assigned to the Department of Homeland Security.

Critical infrastructure protection generally is a DHS lead and coordination between the national government, state and local government and the private sector for purposes of physical security within the United States of America is a DHS mission. Having those as the three elements that we have to address, internal to DOD, my office has that responsibility. The Defense industrial base, the Department of Defense has the lead but the civilian sector, with DOD support and perhaps DOD technology, the lead has been assigned by law to Secretary Ridge.

REP. BARTLETT: Thank you very much. Again a person representing that responsibility is not at the table today. So we need to ask this question in another forum. Okay, I will ask it in the forum because I don't see, if they have that responsibility, I don't see a whole lot of activity out there. And I know that they're new and they have a whole lot on their plate. But I think that we need to aggressively pursue it, arming each of our families and each of our citizens with the kind of knowledge that they will need so that they will be an asset rather than a liability in a catastrophic situation like this.

MR. McHALE: I can give you this assurance. Enormous progress has been made in terms of our ability to respond not only to an attack, involving a weapon of mass destruction but the foreseeable possibility that we experience multiple simultaneous or near simultaneous WMD attacks at diverse physical locations, that fits the pattern of activity that has been reflected in the planning of our terrorist adversaries in the past. They don't hit us in one place. They hit us in a number of places and they hit us as hard as they can for maximum carnage and dramatic effect. And so we have to anticipate and we do anticipate the possibility that terrorists would hit us at multiple locations simultaneously, using weapons of mass destruction, if they have the opportunity to do so.

In terms of a response to that kind of attack, DHS has the lead. FEMA would normally be the lead organization under DHS but FEMA would often turn to the Department of Defense for assistance once civilian capabilities were shown to be inadequate. One of the major achievements that we have accomplished within the past two years is the ability to deploy DOD capabilities to multiple WMD sites nearly simultaneously. If we had faced that challenge two years ago, it would have been daunting.

It is substantial today but we do have today the ability to respond to multiple events in a way that we could not have responded two years ago. And that immediate response, whether the CSTs or the Chemical Biological Incident Response

Forces or JTF Civil Support, working with our civilian colleagues over at FEMA and at the state, local level, we are much more capable today in beginning that remediation process following a WMD attack than we would have been two years ago. It is a major accomplishment.

REP. BARTLETT: Thank you very much.

Thank you, Mr. Chairman.

REP. SAXTON: Thank you.

Mr. Secretary, Mrs. Davis came in but I'm going to let her get settled and I'll going to go ahead and ask my questions, if that's okay with you. Mr. Secretary, the Defense Science Board report of November of last year made several recommendations concerning National Guard and Northern Command and you were quoted, shortly after the report was published. Those remarks that will be on the Defense Science Board recommendations regarding employment of the National Guard and suggest that the National Guard be tasked more systematically with the requirement to protect critical national infrastructure. You're nodding. You're in agreement and so, how, in your opinion, should the Guard be resourced and framed to undertake this mission? Or is it adequately so in both cases?

MR. McHALE: The Guard has tremendous current capabilities but there are evolving mission requirements that will require new doctrine and training related to those emerging missions. We worked — first of all, let me say, the Defense Science Board did a terrific job in providing the single, most comprehensive, overarching architecture for an understanding of homeland defense. They took it on as their summer study last year. Members of my staff worked very closely with the Defense Science Board. Among other things, they recommended the creation of regional chemical, biological, nuclear incident response forces of the very type that General Blum has now proposed. His proposal is very much in conformity with and, I believe, a product of the DSB recommendation.

The quote that, Mr. Chairman, you attributed to me is an accurate quote and it comes back to some of the things that I said earlier when I was addressing questions from Congressman Gibbons. For 200 years, two oceans protected our country against an internal attack by a foreign adversary. For 200 years, we were able to focus on expeditionary warfare without an immediate concern that there would be a domestic attack brought to our own shores by a foreign adversary. On September 11th, it became tragically clear that our enemy now considers the United States of America as an integrated part of a global battlefield and that, rather than facing soldiers and Marine overseas, the enemy may well try to strike us at home with maximum carnage using the most powerful weapons they can acquire.

That means that, unlike most of our nation's history, we now have a requirement for physical security against foreign threats right here on our own soil. Now, the Department of Defense has looked at that mission requirement and has concluded that the National Guard is extremely well suited to that mission requirement of providing critical infrastructure protection. Whether it's the ground defense of a nuclear power plant, the ground defense of a pipeline or a bridge or a historic site, the National Guard is well trained and well suited for that mission requirement. The Guard is geographically dispersed, can be deployed quickly. There's flexibility of command and control under the governor and the Guard is exempt from posse comitatus. So you can have guardsmen from a state working side by side with local law enforcement officers.

It also means, as General Blum indicated earlier, that we won't have to deploy Title 10 QRF/RRF forces. We won't have to send soldiers and Marines to execute that mission if the Guard competently executes the mission under state status or Title 32. Now, in terms of training, the requirement is for general utility forces for security to protect the pipeline, to protect the bridge, to protect a nuclear power plant.

We now protect our major pieces of critical infrastructure from the air. We routinely fly air CAPs, often using the Air Guard to protect vulnerable sites for which we now must consider ground protection as well as protection from the air.

Because so many of these sites are in close proximity to civilian communities, we are going to have to re-examine how we provide physical security at these sites without endangering the surrounding civilian population. How do we defeat the terrorist threat without endangering innocent civilians? And I frankly think that one of the technologies that we have to look at very carefully with a sense of urgency on the part of the Department of Defense is the emerging requirement for effective non-lethal weaponry so that we can use non-lethal weapons in training and doctrine, in possession of the National Guard in order to provide a strong defense at the point target without the risk of a stray round injuring an innocent civilian.

So the Guard is well trained today for traditional security missions. The Guard is well positioned to take on the bulk of the CIP mission requirement within our own country. But we cannot be complacent. The Guard will need new weapons, including non-lethal weaponry, and new doctrine to execute that ground defense without endangering civilians in the surrounding community.

REP. SAXTON: Tell me again what CIP is, please.

MR. McHALE: Critical infrastructure protection and it means the physical protection of sites that may be vulnerable to enemy attack. It may be a Defense contractor. That's quite common, the possibility of a Defense contractor critical to the Department of Defense might be attacked by terrorists or it may be civilian critical infrastructure such as bridges, dams, nuclear power plants, pipelines and so on.

REP. SAXTON: There was interesting — immediately in the aftermath of September 11th, 2001, we cited that we had to protect as many targets as we could possibly protect and, as time has gone on, we have recognized that there are targets that we have to protect and there are potential targets that we probably can't afford to protect, that we don't have the resources to protect, we don't have the manpower and the capability of protecting on that grand scale.

You mentioned some of the important critical infrastructure targets and I would suggest — that's not probably the right place to talk about it — but I would suggest that some of those are more important critical infrastructure targets than others and my observations are that we still have a ways to go on, in some cases. We need to have this conversation in another forum and we'll do that.

MR. McHALE: Congressman, I can give you a brief and encouraging response in part to the observation you just made. Part of it comes back to what Congressman Langevin was saying earlier and that is, we need superior intelligence so we can identify among the universe of potential targets the ones that are more likely to be hit so we can prioritize the vulnerabilities. And then, secondly, my office recently received responsibility for DOD's critical infrastructure protection mission worldwide, not just within the United States but because so much of our infrastructure is in the United States, worldwide responsibility for CIP has now been assigned to my office.

We have a Defense Program Office for Mission Assurance that has, for many years, systemically, very carefully from a precise engineering standpoint, analyzed the vulnerabilities of critical infrastructure within the Department of Defense and I think the encouraging news is we're now working very closely with the Department of Homeland Security so that they have the opportunity, if they wish, to adopt some of the CIP analysis that has been employed within the Department of Defense for more than a decade. We do have some expertise in this area. We know how to examine points of vulnerability and we believe that that kind of expertise can be systematically migrated to the civilian community and specifically to support the critical infrastructure mission requirements that have now been assigned to DHS.

REP. SAXTON: Thank you. Let me ask a question on the same subject of General Blum and General Love. Given the Defense Science Board reports, and given Mr. McHale's notion that maybe we need to go another step or two, explain for us, if you will, the function of the National Guard in this respect as to the tasks and the training and the capabilities that you have, particularly in the context of the very significant use of National Guard overseas.

GEN. BLUM: Well, Congressman, if I correctly understand your question, it's a question of balance. We can do both. We can defend the homeland both here at home and defend the homeland in depth abroad and that's the way we'd prefer to do it. We've all said that. The Department of Defense would prefer to defend our homeland as far in depth as possible, as far away from our shores as possible. But that's not always possible. We have to be ready for the unscheduled home game and I think that's National Guard business number one. If you look at the Army's chart again — and this is not my chart — they recognize the tip of the spear in the warfight on the right side, the joint expeditionary overseas part of the fight and that's largely done in privacy there as in our active component and makes sense.

But they also recognize that in the homeland defense responsibilities and that these colors are not coincidental, they are designed to marry up with one another in the homeland defense and support the homeland security role, and the Army sees its Army National Guard as its prime element to respond in that for all the reasons, the right reasons, that Secretary McHale just outlined: the fact that we're already pre-positioned, we're forward-deployed, we have the shortest response time and we have the greatest latitude to respond, and the conditions of response go from everything in state active duty to Title 32, which is federally funded under state control, to being federalized and put into Title 10 status to do what the secretary of Defense or the president wants us to protect.

It's interesting to know that critical infrastructure is in the eye of the beholder. Frankly, DOD has its critical

infrastructure list, the Department of Defense does. It's also interesting to note that the bulk of that is in the civil sector.

Even though it's critical to the Department of Defense, it is owned and operated by a civilian sector, and that's quite important when we're dealing with places that exist in the United States and are under the Constitution of our great land. So the National Guard to me is the perfect, ideal force to in fact have that responsibility, and should be resourced and equipped and enabled to do that with the widest possible latitude because none of us can predict the exact circumstances that we'll be called out to actually do this, so we're not painting ourselves in a box with very narrow definitions of how we could respond.

REP. SAXTON: Let me ask you this. In your circle, we have 50 percent in the red, 25 percent in yellow getting ready to go to war, being trained to get ready to go to war, and the green guys — the green folks are deployed. Now, the skill sets that you develop in the yellow quarter are skill sets that you need to fight in a war, right?

GEN. BLUM: Yes, sir.

REP. SAXTON: Okay. So then they're deployed for a period of time and then they flow back into the 50 percent.

GEN. BLUM: Yes, sir.

REP. SAXTON: Are the skill sets and the training that they received in their activities overseas — is there a refitting that's necessary in terms of skill sets when they come back home to do — to take part in the national —

GEN. BLUM: In some cases, yes. In most cases, no. The exact same capabilities and skill sets that are required by General Abizaid today in stability and support operations in Iraq and in the stability and support operations in Afghanistan are precisely — they're precisely the same capabilities that would be required by the governor of homeland defense. Command, control, communications, intelligence, surveillance, reconnaissance, logistics, maintenance, aviation, engineers, medical, general security, general purpose security forces, transportation. All of these things are needed for the warfight and that's the beauty of the National Guard. It can go either way. It can go to either side of that chart.

It is equally adaptable to the overseas warfight as it is to the homeland defense game here. That is the national treasury of this organization and is why we are worth more on the defense dollar, frankly, than some of our active duty counterparts in certain circumstances because they can flow either way and they have the ability to respond quickly and not be impeded by some of the statutory or legal restrictions that would be applied to Title 10 forces.

REP. SAXTON: The force structure of the Guard in terms of the activities that we take part in and train for have changed. The best example of that change, or one of the examples of that change that comes to my mind is the shift of people out of artillery units and artillery training to MP types of activities. Could you talk for a minute about that change and other changes similar to that that may have taken place?

GEN. BLUM: Absolutely. In my opening statement I told you, sir, we needed to divest from capabilities that were no longer relevant for current operations, and would certainly not be anticipated to be needed for future operations, and we needed to reinvest those citizen soldiers and reclassify them into new skill sets that would be more appropriate for homeland defense missions, counter-terrorist missions, response to WMD events, and what the combatant commander's capabilities would be required by any other combatant commander to include General Eberhart at United States Northern Command or Admiral Fargo at Pacific Command as they relate to homeland defense operations.

I feel very adamant that those same skill sets, after the initial take down force or initial entry operations, we immediately go into stability and support operations, as we've all seen, and those same capabilities are exactly the same skill sets in need for homeland defense: security forces with high mobility, good communications, good ability to collaborate in a joint environment. That means with other service members, plus inter-agencies, plus intergovernmental responses, and in many, many cases to include our own nation, homeland defense will be a multinational effort. A lot of people do not realize the contribution that NATO and Canada made post-9/11 to our ability to remain air CAPs over this country.

MR. McHALE: If I can just add this, Congressman. The National Guard's homeland defense activities, as they are currently employed and as we envision they will be employed in the future, can be quickly summarized. First and foremost, we could not execute Operation Noble Eagle, the defense of our airspace, the daily flying of air CAPs, without the completely seamless wholly effect of integration of the Air Force Reserve, and most especially the Air Guard, into our total force air capability. We are likely flying air CAPs today over some of your home towns, and it is more likely than not, because air CAPs are being flown by Air Guard personnel. And so the defense of our airspace is and will continue to

be an extremely important assignment of the National Guard.

With regard to land missions, we're looking primarily at the CSTs, those 22-person teams. We're going to have 55 of them. That CST initial response capability will be vital following a domestic WMD attack. General Blum is leading the transformation efforts, truly historic within the National Guard, to make sure that the capabilities of the National Guard, originally constructed in the 20th century, remain relevant to the 21st century asymmetric terrorist threat. So we're talking about chemical/biological response capabilities. We're finally talking about the integration of Guard capabilities into our capacity to respond to multiple simultaneous WMD attacks.

During Operation Iraqi Freedom, JTF civil support, which was our nation's high-end response capability for a domestic WMD attack, included a very large percentage of men and women from the Guard and Reserve. And finally, if we are to have, as in my judgment we must have, the ability to respond to multiple simultaneous WMD attacks, for some of the later occurring attacks, it will be necessary to incorporate Reserve component capabilities into the task organizations. And so we are now looking at the kind of training, the kind of MOS requirements, the mission requirements that will allow us to draw quickly and effectively from the Reserve component if our enemies hit us at multiple locations simultaneously, using weapons of mass destruction. Our ability to respond will be based in large part upon well-trained members of the Reserve, most especially the Guard.

REP. SAXTON: Mrs. Davis.

REP. JO ANNE DAVID (R-VA): Thank you very much, Mr. Chairman. Thank you to all of you for being here. I wanted to mention before I ask a few questions just my experience with National Defense University and some of the simulation exercises that we've had. I think I've done four now and I just would, you know, on the record want to encourage members to do that, because one of the issues that we deal with are simultaneous events that are recurring. There are a lot of issues that are raised during that. Certainly the education of our communities is very, very important, and obviously the education of the members of Congress and the roles that they play.

I think one of the other issues that's sometimes been hard for us to get a really good handle on actually is the role of the Department of Defense in relation to homeland security. And so I think that, you know, we continue to have a representative from NORTHCOM, you know, most of the time, but it's very, very important. And I know it takes time to develop those exercises and certainly time on the part of members to do them, but I would suggest that we continue that and that we even, you know, ramp up the complexity of those exercises. They really have been helpful.

I wanted to ask a few things, and I'm sorry that I missed some of the earlier testimony. We have several subcommittees going on at the same time this afternoon. But in your opinion, and I guess for all of you, where are we most out of alignment in trying to bring about the integration of DOD homeland security and the other agencies. What keeps you up at night when you think about how well or how far we are from being able to create that real integration?

MR. McHALE: To give a detailed answer to your question, we'd have to go into a secure setting. And I'm — it would be inappropriate for me to really tell you what keeps me awake at night. There are scenarios that keep me awake at night and have my focused attention the following morning, but to discuss those in any kind of detail, for reasons that are obvious, would be inappropriate. We have challenges with regard to bioterrorism. I think we have issues related — issues that have to be resolved related to appropriate immunization, appropriate prepositioning of stockpiles of antibiotics following a bioterrorism attack. We have very substantial challenges related to decontamination if the area affected by the enemy attack produces a very large hot zone. It is conceivable that we would have large geographic areas subject to at least partial contamination in the event of some foreseeable scenarios.

Beyond that, I think the relationship between the Department of Defense and other consequence management activities and agencies is a good one and an effective one, largely because we have wisely chosen to build upon preexisting relationships. For many, many years we had established statutory authority under the Stafford Act to provide assistance to FEMA following natural disasters. We provide similar assistance to other agencies when DOD skills and manpower may be required to meet a mission requirement that goes beyond the capability of the lead federal civilian agency. But what we've done now is we've taken those relationships, those statutory authorities, authorities that have been exercised in the real world many times during hurricanes and floods and other natural disasters, and we have ramped up the foreseeable level of response to include weapons of mass destruction.

But the relationships, the partnerships, the methods of communication, while they are must stronger now, reflecting the much more serious threat of terrorist activity, remain at their core the kinds of relationships that have been used

effectively, for instance, between FEMA and DOD over many decades. Last year alone we had, I think, 75 requests for assistance from civilian agencies for military support. We met and we approved almost all of those requests, and that involved everything from the shuttle disaster. We used five CSTs, for example, in responding to the Columbia's tragedy. We were deeply involved in the response to Isabel. We provided firefighters to the National Interagency Fire Center, NIFC, for fires that were taking place in Montana, and of course the very large fires in Southern California. And so we have these kinds of relationships and we have now built upon them in a terrorist environment. But the familiarity of those relationships has been very helpful.

REP. DAVIS: I am pleased. I don't know if you would like to —

GEN. BLUM: Well, the only thing I could add to that, which is what I consider to be an outstanding answer.

But the only thing that I could add to that that might help for clarity is that you have to keep in mind that the uniform response, the Department of Defense response, nearly always will be in support of some lead federal agency outside of DOD. We don't want our government run by the military in almost any circumstance. So nearly all of the time in almost every event, no matter how many would occur even simultaneously, the military, the DOD assets, would respond in support of some designated lead federal agency. If it doesn't escalate to a federal event, it would be the same answer except it would be the National Guard responding in support of some lead state government agency.

GEN. LOVE: Congressman, the only thing that I would add is that in your preface to your question, you identified the exercising that is fundamental to our training and ability to respond. And not only do we in U.S. Northern Command feel so strongly that that is one of the most important ingredients in our capability not only to include the Department of Defense but all of the agencies, from the local, to the state, to the federal agencies. But one of the things we're working hardest at the moment is to attempt to understand how best to share the lessons learned from those exercises with the balance of the community that may be engaged in responding. And I think that's one of our greatest challenges, perhaps among the most important.

REP. DAVIS: Thank you.

Mr. Chairman, if I may, just one or two additional comments. You mentioned other disasters and we are still going through the process in California — I happen to serve on the Blue Ribbon Commission that was established by the governor to look at those issues, and there is great controversy, of course, in terms of the response. And we're trying to really take an honest look at that and see what could have happened, what should have happened. Obviously the public was outraged, in fact, that we weren't able to mobilize the military as quickly as we wanted to or as people thought could have been helpful.

And there's a lot behind that in terms of whether or not they really have the capability, have the training, et cetera, et cetera. But it is an issue that's very important to the community and so we're trying to continue to work through that. And, in fact, I mean, there are many things that happened that were very, very positive, but there was a real disconnect in the media as well as, quite frankly, among the members of Congress in terms of what really occurred. And so I just wanted to let you know that we are continuing to work on that issue. General Blum, you look like you want to respond.

GEN. BLUM: I'll defer to the secretary first, but I have an answer that I'd like to share with you.

REP. DAVIS: Okay. Maybe I'll just continue for a second and then please respond. And one of the issues that I've heard from the Air National Guard from being part of that commission is that we train the Air National Guard — correct me if I'm mistaken in this, that firefighting is not embedded within their mission, and there's an interest in seeing that that's done. And perhaps that's a good idea, maybe it's a bad idea, but it is something that has been expressed.

The other thing that I would just want to add is that in working with the industries within San Diego — and I hope it's better today. I think it is. A number of industries have had positive responses with DARPA, but they have had very negative responses when it comes to Homeland Security. And the response, the access, the — well, generally it's the response. The inability to understand the process that they need to go through in order to bring their bells and whistles to the attention of the folks who need to hear about them. And in many cases having visited some of the companies and seeing some of their technology, you know, I would hope that at least someone has a chance to take a look at them, and it seems to me that there's been a lot of difficulty in getting through that.

So I would just, if I may, just suggest that I think it's — I hope it's better. It's taken some time for the department obviously to be up and running, but maybe there is something there that could be helpful, because I think we're all

interested in providing, contributing.

MR. McHALE: Let me reverse — let me answer your questions in reserve order, starting with the issue of the opportunity for commercial contractors to contribute to homeland security. The lead in that area, I'm sure as you're aware, has been assigned to the Department of Homeland Security and not to the Department of Defense, but we do have an important role to play. The National Defense Authorization Act, when it created my office in I think it's section 1401, assigned to my office, and the secretary has assigned to me personally the responsibility to migrate dual-use technologies from DOD out to first responders.

So, for instance, if we develop better protective equipment in a contaminated environment primarily for use in an overseas warfighting environment but which can be used with equal utility by first responders, we have a statutory duty now in DOD to migrate that capability out to first responders. And preliminarily the way in which we're going to do that as a concept is that we'll work with Undersecretary McQueary, the undersecretary for Technology at DHS, to bring to his attention, and then DHS in turn will bring to the attention of first responders the improved technology.

One way in which your constituents, your contractors can become engaged in that process is through the Technical Support Working Group, TSWG. It sounds very bureaucratic, it really isn't. There's a website that's available. It's a DOD-led program. It is specifically designed to expedite the development of technology related to Homeland Security and Homeland Defense.

I think there are something like 85 agencies that participate in TSWG to include now the Department of Homeland Security. I was up in Rhode Island last year and I talked about TSWG when I was up there. It gets very high marks for efficiency and responsiveness from the private sector. And so, for those contractors who approach you, Congresswoman, I would urge you to bring to their attention TSWG because I think they'll be pleased by the lack of red tape and the tangible support for their ability to engage in Homeland Security technology efforts.

And then, lastly, the preliminary issue you raised relates to the challenge of ensuring that military forces will be able as the ultimate safety net for our country's security without transforming those military forces into first responders. Our founders made a conscious choice not to militarize our nation and they were acutely sensitive to the performance of civilian responsibilities by men in uniform. They felt, in Federalist State, and other documents, they wrote extensively about the dangers associated with an excessive domestic reliance on military capabilities.

And so we, in the Department of Defense, see ourselves as that ultimate safety net. We are there for the nation. We will respond immediately to the order of the president or the direction of the secretary of Defense but it is a conscious principled decision to provide an echeloned response to a major disaster, when we first rely on civilian officials. If they are overwhelmed or we have a unique capability, we move on to military authorities, most specially the National Guard, and then ultimately, if the challenge is so great that the civilian authorities and the Guard are overwhelmed, we do have Title 10 capabilities and Title 10 legal authorities to deploy. But that ought to be the final step in an effective response, not the first step.

REP. DAVIS: I appreciate that and I think that a lot of people that felt and that it got to the point that we really needed outside resources in that way and that we had a catastrophe on our hands. I think the other concern that people had is that it reminded people of how easy it would be to have a true homeland security crisis on our hands by similar devices, and that we need to be trained for that.

MR. McHALE: In the case of the wild fires, as I recall — and your Blue Ribbon Panel will do this more thoroughly than we can, seated here at this table — but I think there were some delays in requesting air support. I think we had six air tankers that were available for firefighting and in fact, we authorized their use almost as soon as they were requested but there was a delay in making the request. And as I recall, we in fact, had a battalion of Marines out of the First Marine Division poised to engage in firefighting at the time that the fire came under control.

Previously we had used a battalion of soldiers in Montana in a similar operation where they were in fact put on the line to fight fire as we do each year. But in this case, there were some delays in making the request for assistance. The request for assistance was promptly reviewed and approved in this case. And just as the Marines were about to go out and begin firefighting, the fire came under control.

REP. DAVIS: Thank you. I appreciate that.

Thank you very much, Mr. Chairman, for allowing us to have that conversation. I appreciate it very much. Again, for

all that you all do.

REP. SAXTON: Thank you.

Mr. Secretary, as you stated at the outset, this is a new set of problems that we have to deal with and I think we've come a long way but, in my travels, I still see things that raise questions in my mind. And one of the overarching issues, there is critical infrastructure that we need to protect because of the infrastructure but also because of other things that can happen if that infrastructure is attacked. Sometimes that infrastructure is interstate and held in the private sector and in some cases, the private sector is responsible for security.

In other cases, the private sector which is there to make a profit is in charge of security and the state works as kind of a partner. And there seems to me to be a built-in disincentive in that example because the private sector doesn't want to spend money on security and maybe hopes an event does not occur. We require them to provide certain types of security which, frankly, in some cases has not impressed me and the state likewise has a disincentive because the state decides to provide security to back up private security, it has to pay for it.

So how much of a problem is this and do we need to look at some corrective measures either through your office or through the Congress?

MR. McHALE: Most of the challenge that you have just described falls beyond the legal authority of the Department of Defense and in fact has been expressly assigned by statute to the Department of Homeland Security. So when we're talking about private sector critical infrastructure, the lead to develop a national plan for the protection of that private infrastructure has been assigned to the Department of Homeland Security in the Homeland Security Act.

However, there is a big piece of it that has been assigned to the Department of Defense. Under the national strategy for critical infrastructure protection, physical protection and under Homeland Security Presidential Directive number 7, the responsibility for coordinating the defense for the protection of the Defense industrial base has been assigned to the Department of Defense. And so, we, in DOD, having recently acquired — it was in December — having recently acquired that responsibility to coordinate the protection of privately owned infrastructure within the Defense industrial base, are now developing analytical tools and a process to make that protection a reality.

One of the things, Congressman, that I personally have thought is the need to review DLA, Defense Logistics Agency, contracts with private contractors to include stringent security requirements as part of contractual obligations taken on by a Defense contractor when that contractor chooses to do business with the Department of Defense. The first thing we can do is write into the contract that certain essential security measures will be carried out by the contractor himself.

And beyond that, we need to coordinate with local and state law enforcement and the FBI for the protection of that Defense industrial base and then I believe an emerging role, one that I emphasized earlier, is for the National Guard to become engaged in the protection of the Defense industrial base. If that happens, we come to Congressman Gibbons' question, if the National Guard, let's say in Title 32 status, or in a status, is deployed to protect a Defense contractor in San Diego, who should pay for the cost of that deployment? Should the state of California pay for that cost? Or because the Guard is being used as part of a coordinated national security plan, should that cost be borne by the federal government? I am not prepared to answer that but that is a policy issue for open determination.

Lastly, we do have soldiers and Marines. We didn't have them prepared for this mission two years ago. But we now have soldiers and Marines in significant numbers, ready to deploy and physically defend in a warfighting mission critical nodes of vulnerability within our own country, if the contractor himself can't protect the site, if law enforcement and the Guard are insufficient. Now we have not yet deployed in a real world requirement those forces. But they have been available for deployment for quite some time now and their availability makes us a stronger nation.

REP. SAXTON: General Love, we've had several points of discussion here today about the relationship between federal government and state government and private contractors in this last question. But DOD's report to Congress on the department's role in supporting Homeland Security describes command and control of National Guard asset entitled Incident Response. Those are big terms. For example, the report suggests that the Joint Staff and Northern Command must have, quote, "insight" into Guard operations under the control of the governor. This appears to me to be a work around to avoid asking for a change in posse comitatus. Can these command arrangements work? Are they satisfactory and how does the link with the Department of Homeland Security actually work?

GEN. LOVE: I believe, sir, the answer to your question may be in two arenas. Your use of the word "insight" is one

that concerns us a great deal in that, in order to be effective in providing additional federal resources to save lives and property, the commander of Northern Command must have as complete and clear understanding of what's happening as he possibly can. And that's the context in which I would use the word "insight."

As General Blum identified, one of the lead proposals that is under way now within the National Guard is the stand up of the standing joint state headquarters with its ability to understand the territory, its connection with the State Office of Emergency Preparedness, its connection with the Sheriff, Police and Fire Departments and of greatest importance is this connectivity to U.S. Northern Command and that is the arena in which the joint CONUS communications support enterprise finds its value, building situational awareness and common operating picture. That is an effort that we're engaged in at the moment and not yet complete.

In the command and control area, we have historically been obligated because of the constitutional separation between the sovereigns, the governor and the president, to use what we have called in doctrine coordinating authority, wherein a commander of federal forces works hand in hand with the commander of state forces. And that has historically not necessarily provided a unity of purpose. Thanks to the National Defense Authorization Act of 2004, you, the Congress, has authorized, for the first time in history, the opportunity for a National Guard officer when he or she becomes federalized with the concurrence vested in the governor of the affected state to retain his or her authority to act as a National Guard officer. And what that means is that it presents us, for the first time, an opportunity to have command and control resident in a single individual of both capabilities, a state capability as well as a federal capability.

This is something the Northern Command is looking at in terms of building a template that, should a crisis arise in a state when the commander of NORTHCOM believes that that unity of purpose can best be achieved through a single commander. We need to exercise that authority.

REP. SAXTON: So what interests me is the term "insight." If I ask everyone in this room to write down their definition of "insight", there will probably be 50 people in the room and we get 50 different definitions of "insight." So what may have been considered "insight" by whoever wrote this language may be a very valid assumption of what "insight" is or a very valid definition of what "insight" is. Five years from now, "insight" may mean a completely different thing.

MR. McHALE: Right now, Congressman, the word "insight" is no longer satisfactory. I signed that report and it was — the report was in the works from the earliest days of NORTHCOM's existence and the creation of my office. Insight does not begin to capture how strong a relationship must exist between NORTHCOM and the National Guard. Now, constitutionally, we can't place and would not want to place the combatant commander in actual command authority over the Guard in state status. And so, in military terms, what we have to achieve is unity of effort without unity of command. That's not easy to do but I believe we can do it.

A year ago, General Blum was not in his current position. A year ago, he was the chief of staff at NORTHCOM. He is now the chief of the Guard Bureau. The movement from one billet to another was not an accident. It was part of that linkage which we recognized had to exist between NORTHCOM and the Guard Bureau.

I want to emphasize what the general —

REP. SAXTON: It was a successful move by the way.

MR. McHALE: It was a successful move.

GEN. BLUM: Thank you, sir.

MR. McHALE: The general promptly proposed, based on his past experience, a joint headquarters at the state level. Now that sounds very bureaucratic but what it really means is our Title 10 Reserve forces, Army, Navy, Air Force, Marines, will come together for the first time with the National Guard in a joint headquarters at the state level. That's historic.

And lastly, if we are to achieve unity of effort without unity of command, we have to do exactly what Congresswoman Davis said we should do. We have to train very realistically, very frequently with extremely challenging scenarios where not only the Guard is incorporated into the NORTHCOM scenario. We have to include first responders, local, state and federal agencies. We have to work side by side with DHS and FEMA and I am pleased to tell you, going far beyond the passive term "insight", we are now training very seriously in demanding scenarios that involve radiological devices, nuclear devices, sophisticated chemical and biological attacks where the National Guard is very much part of a common concept of operations even though the Guard is not technically under the command of U.S. Northern Command.

REP. SAXTON: Thank you.

Any of my colleagues have further questions? We have been here for just a few minutes shy of two hours and — you don't have a question? Okay. I have one final question. We are your partners and we want to provide whatever resources we reasonably can to support your efforts. What do you need or do you need anything?

MR. McHALE: I strongly support the president's budget. (Laughter.) That is both a — I mean that very seriously. When the budget request comes over from the executive branch, we, in the Department of Defense, and we, particularly in Homeland Defense, have an opportunity to shape that request and I believe that, if you meet the requirements of the president's budget, you'll go a long way towards funding a robust homeland defense for our nation.

REP. SAXTON: I might just unofficially urge you to reach out to whoever seems appropriate to reach out to on that point. Some of us got bare knuckles this morning in trying to make that point and we strongly support — the members of this committee strongly support the president's budget and we're not home yet.

Thank you very much for the job you do. Thanks for being so patient with us this afternoon and staying for two hours. We appreciate that very much and we look forward to working with you in the future. Keep up the great work.

MR. McHALE: Thank you.

GEN. BLUM: Thank you, Mr. Chairman.

MR. McHALE: Thank you very much.

END

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