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RESERVE CALL-UP

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HEARING

BEFORE THE SUBCOMMITTEE ON MANPOWER AND PERSONNEL

OF THE COMMITTEE ON ARMED SERVICES UNITED STATES SENATE NINETY-FOURTH CONGRESS

FIRST SESSION

ON

S. 2115

TO AMEND CHAPTER 39 OF TITLE 10, UNITED STATES CODE, TO ENABLE THE PRESIDENT TO AUTHORIZE THE INVOLUNTARY ORDER TO ACTIVE DUTY OF SELECTED RESERVISTS, FOR A LIMITED PERIOD, WHETHER OR NOT A DECLARATION OF WAR OR NATIONAL EMERGENCY HAS BEEN DECLARED

JULY 30, 1975

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RESERVE CALL-UP

WEDNESDAY, JULY 30, 1975

U.S. SENATE,
SUBCOMMITTEE ON MANPOWER AND PERSONNEL
OF THE COMMITTEE ON ARMED SERVICES,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10 a.m., in room 212, Richard B. Russell Senate Office Building, Hon. Sam Nunn (chairman).

Present: Senators Nunn (presiding), Bartlett, Scott of Virginia, and Culver.

Also present: T. Edward Braswell, chief counsel and staff director; Phyllis Bacon, assistant chief clerk; Nancy Bearg, Frances J. Sullivan, Charles J. Conneely, professional staff members; Mary Ketner, clerical assistant; and Roberta Ujakovich, research assistant.

Senator NUNN. The Subcommittee on Manpower and Personnel is meeting today to consider S. 2115, which would enable the President to authorize the involuntary order to active duty of a maximum of 50,000 selected reservists for a lengthy period, without a declaration of war or national emergency.

This proposal has evolved from interest in the Congress, and particularly in this committee and in the Department of Defense, in the problem of calling up Reserves to augment the Active Forces in peacetime.

During hearings I had last year on the strategic air lift program, this problem was discussed at some length. We asked the Defense Department to study the matter and report to us as to what could be done. This bill represents the response of the Defense Department. I think it has been a very timely response because I personally felt that one of the big impediments in preventing the total force policy from being a reality rather than a rhetoric has been the subjective reluctance of many people on active duty to believe that the Reserve Forces are a credible force that can be called and would be called.

I say the word credible not in any derogation of the Reserve readiness, but in the political will of both the President and Congress to call the Reserve because of the detriment of declaring a national emergency.

Mr. Secretary, this proposal raises certain fundamental questions. We are glad to have you here today to discuss them with this subcommittee. We are also glad to have Mr. Brehm and Mr. Tankersley who will carry on after you leave.

The basic issues as I see them concern first of all, the authority of the executive branch to use the Reserves and the role of Congress in the use of this authority; two, the relationship of the bill to the War

Powers Act; and three, the impact of this proposal on the people and communities associated with the Reserves.

In addition to Secretary Schlesinger, we will have other witnesses, Mr. Brehm and Mr. Tankersley. We welcome all of you gentlemen here today and I look forward to exploring with you the details and the ramifications of this proposal.

I think there may be some changes and some problems with it, although we have not studied it in detail, but I do believe it is a good beginning, a good focal point and foundation for us to really explore the total force concept and the maximum utilization of our Reserves in our military and national security posture.

Mr. Secretary, I know you have a short time with us this morning and I will let you go ahead and proceed with any statement you want to make.

[The bill follows:]

[S. 2115, 94th Cong., 1st sess.]

A BILL To amend chapter 39 of title 10, United States Code, to enable the President to authorize the involuntary order to active duty of Selected Reservists, for a limited period, whether or not a declaration of war or national emergency has been declared

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 39 of title 10, United States Code, is amended by inserting the following new section after section 673 (a) and inserting a corresponding item in the chapter analysis:

“§ 673 (b). Selected Reserve: order to active duty other than during war or national emergency

“(a) Notwithstanding any other law, when the President determines that it is necessary to augment the active forces for operational missions, he may authorize the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, without the consent of the members concerned, to order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve as defined in section 268 of this title, under their respective jurisdictions, to active duty for not more than 90 days whether or not the Congress has declared war or Congress or the President has declared a national emergency.

“(b) No unit or member of a Reserve component may be ordered to active duty under this section to perform any of the functions authorized by chapter 15 or sections 3500 or 8500 of this title, or to provide assistance to either the Federal Government or a State in time of a serious natural or manmade disaster, accident, or catastrophe.

“(c) Not more than 50,000 members of the Selected Reserve may be on active duty under this section at any one time.

“(d) Units and individual members on active duty under this section may be assigned outside the United States and its territories and possessions.

“(e) Members ordered to active duty under this section shall not be counted in computing authorized strength in members on active duty or members in grade under this title or any other law.

“(f) The Secretary of Defense and the Secretary of Transportation shall prescribe such policies and procedures for the armed forces under their respective jurisdictions as they consider necessary to carry out this section.”

SEC. 2. Section 2024 of title 38, United States Code, is amended by adding the following new subsection after subsection (f):

“(g) Any member of a Reserve component of the armed forces of the United States who is ordered to active duty for not more than 90 days under section 673 (b) of title 10, United States Code, whether or not voluntarily, shall be entitled to all reemployment rights and benefits provided under paragraph (3) of this subsection for persons ordered to an initial period of active duty for training of not less than three consecutive months; and shall have the service limitation governing eligibility for reemployment rights under paragraphs (1) and (2) (A) of this subsection extended by his period of such active duty.”

STATEMENT OF HON. JAMES R. SCHLESINGER, SECRETARY OF
DEFENSE

Secretary SCHLESINGER. Thank you for your—

Senator NUNN. Excuse me just a moment; Senator Bartlett may want to make an opening statement.

Senator BARTLETT. I welcome the Secretary and the others, and I have no statement. Thank you, Mr. Chairman.

Senator NUNN. Mr. Secretary.

Secretary SCHLESINGER. I welcome Senator Bartlett back from his recent trip to the horn of Africa. I think that was an illuminating trip, Senator.

Senator NUNN. Senator Bartlett is the only person I know that can fly two-thirds of the time he is gone, spend 24 hours in 110-degree temperature and get accused of going on a junket. [General laughter.]

You did a good job.

Senator BARTLETT. I had no requests for travel brochures.

Secretary SCHLESINGER. Mr. Chairman, Senator Bartlett, I appreciate the opportunity to say a few words prior to the intensive questioning of Secretary Brehem and Mr. Tankersley with regard to the issues raised by this callup authority for 50,000 men without the declaration of a national emergency.

I wish to underscore the importance of this. I believe it is essential to the success of the total force policy, and it is a vital ingredient in assuring our national security. I think that your initial statement, Mr. Chairman, underscored the major items at issue. At the present time the procedures by which we mobilize the Guard and Reserve require a rather massive response on the part of the United States and require a declaration of national emergency.

On occasion there are diplomatic reasons for avoiding so massive a response on the part of the United States. In addition, as the recent Vietnamese experience demonstrated to us, there are political inhibitions with regard to the employment of the Reserve Forces during a period of national involvement overseas.

For this reason, the availability of a more measured presidential response would provide a substantial enhancement to our deterrent posture; at the same time it would create in a number of interested parties a higher degree of credibility in the Reserve establishment.

This is important as you know, because we have in recent years been relying increasingly on the Reserve units. You mentioned the airlift problem. We have recently begun to deliver 128 KC-135 tankers to the Reserves. The active duty forces, quite naturally, are concerned that in the event that this equipment and those trained forces who will operate this equipment, will be required, they will indeed be available on a selective basis. In order to emphasize the important role that the Reserve components play in relation to the active duty forces, so they can fully cooperate in the total force policy, I believe this legislation is essential.

I believe that it provides, in addition, credibility to our allies with regard to the utility of our Reserves as opposed to our active duty forces. It provides credibility to our potential opponents with regard to the strength of our deterrents. And, finally, it provides credibility

to the U.S. public, which has taken, on occasion, a skeptical view as to the effectiveness of the Reserves in the total force policy.

In order to make those Reserves effective, in order to make them an adequate supplement to and substitute for active duty forces, this kind of measured response, in the hands of the President of the United States, would be a major step forward.

Finally, I think, with regard to providing a sense of mission, defining more precisely the mission of the Reserve Forces in the time frame that we face in the future, as opposed to the historical basis of the Reserves as it emerged from World War II, that this legislation will be useful. It will provide a meaningful sense of urgency for the Reserves.

They will understand that they are a necessary adjunct to the active duty forces in many contingencies.

As you know, Mr. Chairman, as you particularly know, as a result of the Nunn amendment, we have been shifting support capabilities in Europe to combat capabilities. The purpose of this improvement in combat capabilities is to enhance the immediate deterrent effect of U.S. Forces stationed overseas, with no increase in the manpower allotted.

The effect of this is to throw an additional potential responsibility on the Reserve Forces, as possible support for combat units deployed in Europe. This kind of legislation will, I think, assuredly enhance our deterrent posture by providing the appropriate backup in an emergency to those combat forces.

I think that that, Mr. Chairman, covers the major points that I wish to make. If we wish to make the total force policy effective, if we want to bring about the true integration of the Reserve and active duty forces, this kind of legislation, which will knock down, to some extent, an artificial boundary that presently exists, seems to me to be essential.

Senator NUNN. Thank you, Mr. Secretary. I will ask just a couple of questions. I know you have a time element, and I want Senator Scott and Senator Bartlett to have time to ask their questions.

As a practical matter, of course, the President of the United States can now declare a national emergency and call up any number of Reserves. Is that correct?

Secretary SCHLESINGER. That is right.

Senator NUNN. The President has not used that authority in some time and did not use it during Vietnam; is that right?

Secretary SCHLESINGER. That is correct. But the President did use the so-called Russell amendment, which in 1969, to mobilize approximately 37,000 reservists during 1968.

Senator NUNN. What is the reluctance and what are the problems with the present law as you see it, both theoretical and practical?

Secretary SCHLESINGER. I think, as I mentioned before, there is a practical political problem. I think you will have to inquire more deeply of those in the mid-1960's who decided not to call up any significant number of Reserve units at that time.

In addition, there was a diplomatic problem. The United States may, in certain contingencies, the use of airlift, for example, not wish to respond with so massive an action, so massive a signal as a declaration of national emergency.

We would like in such contingencies, to call upon the airlift capabilities and the tanker capabilities, represented by the Reserves. This provides us with a flexible tool to mobilize for up to 90 days certain selected units as opposed to the declaration of a national emergency.

Senator NUNN. Do you see any conflict at all, any problems with this as it relates to the War Powers Act?

Secretary SCHLESINGER. No, sir. The War Powers Act would be fully observed. The War Powers Act requires the President to report continuously to the Congress with regard to actions in which U.S. Forces are likely to be involved or are actually involved. This reporting mechanism would be continued.

What this permits, however, is a different possible allocation of assets in such a contingency. The War Powers Act would be fully observed; this legislation does not conflict with the War Powers Act.

Senator NUNN. Mr. Secretary, most of the Reserve organizations have indicated so far that they support this kind of legislation and I think it is very commendable that they are supporting it. I am sure they will have some comment to make, some changes. Do you see any danger or any possibility that this act and this authority would be used simply to augment training procedures? In other words, rather than having a set 2-week period in August that a unit would go out for training, you might just all of a sudden call them in December, without any relationship to an international situation or any kind of possible military contingency.

Secretary SCHLESINGER. No, sir. We would not contemplate such action. We recognize that those who are members of the Reserve have functions in the private sector that must not be disrupted for trivial reasons. It would be disadvantageous to those people, and, I think, in the long run to the total force policy and the support that the Reserve community provides in that policy.

I should underscore our own appreciation of the unanimous support from the Reserve community. I think that that is welcome, and it is also understandable. It makes the total force policy work. I believe the Reserve community is wholeheartedly behind the total force policy.

Senator NUNN. Thank you.

Senator Scott, I will yield to you.

Senator SCOTT. Thank you, Mr. Chairman.

Mr. Secretary, may I add a word of welcome to you? How long have you been in this job, now, as the Secretary of Defense?

Secretary SCHLESINGER. Two years.

Senator SCOTT. You seem quite comfortable and adjusted. I think your presence here today, rather than one of your assistants, indicates the importance you feel for this matter that we have under consideration.

I am inclined to go along entirely with it. I would hope that the subcommittee would give consideration to it in further detail than just today.

The chairman alluded to it, but broadly speaking, what do you feel the reaction of the officers and men that are now in the Reserves, will be to this measure?

Secretary SCHLESINGER. At the moment we can only refer to the spokesmen for the Reserve community.

Senator SCOTT. You have one of them right next to you.

Secretary SCHLESINGER. As far as we are able to ascertain, the spokesmen of the Reserve community are unanimously in support of this legislation because it makes the Reserve community more effective and more relevant in the national security posture of the United States. Individual members of the Reserve, I think, by and large, will support it, too, just as their spokesmen have. Of course, there may be individuals who will have apprehensions or regrets with regard to some of this legislation, but I think they will be a distinct minority.

Senator SCOTT. I have had individual reservists talk with me in visiting around Virginia and they expressed concern that not enough emphasis was being placed on the Reserves. I have had suggestions made that they received the castoffs of the Regular military.

I can see a need in part for some of this being done, but I do think there is a lot of pride within the Reserves that you want to cultivate, perhaps. We are talking about an All-Volunteer Army, all-volunteer military force, including the Reserves.

What effect, if any, would you anticipate this change in the law would have upon recruiting additional people into the Reserves, if they knew that the President, without declaring a national emergency, could call them into active service? Would that have an adverse impact, in your opinion, or not?

Secretary SCHLESINGER. I believe there will be mixed reactions to that. I think that on balance it would be helpful to the Reserves; those who joined the Reserves because they believe in the vitality of the function of the Reserves, of the significance of the Reserves from the standpoint of national security.

Senator SCOTT. To volunteer just from initially going in.

Secretary SCHLESINGER. Those who believe that they have an important function to serve will be more attracted by legislation which makes the Reserve a more creditable entity from the standpoint of national security. For those whose primary emphasis in joining the Reserves lies in other directions, I would think that they might find the Reserve less attractive. But on balance, I think we would get a better mix of people in the Reserves.

Senator SCOTT. One final question: You may have alluded to it also with regard to the effect on our international relationships, our need not to take any unnecessary action that might alarm nations around the world, that we are becoming more military minded, would you feel that this bill would tend to relieve any concern among the world community over an extended period of time, if we did call up some Reserves without declaring a national emergency?

Would it have an ameliorating effect?

Secretary SCHLESINGER. I would think that there is a very discreet and limited power in this bill which provides for the ordering to active duty of no more than 50,000 men and women.

My own judgment would be that on balance the rest of the world would find this an indication that the United States is prudently prepared, if the necessity arises, to employ the Reserves in a discreet manner, and that prudence will indicate U.S. policy is solidly based and can be relied upon.

Senator SCOTT. You mentioned the 50,000 men limitation. What is our total Reserves?

Secretary SCHLESINGER. It is about 2 million.

Mr. BREHM. It is about 900,000, Senator Scott, in the Selected Reserve.

Senator SCOTT. How did you arrive at 50,000? Is that a reasonable limitation?

Secretary SCHLESINGER. Let me amplify Mr. Brehm's remark; there are 900,000 in the Selected Reserve, to which this bill would apply. The total Reserve, of course, is substantially larger, approaching 2 million people.

How did we arrive at 50,000 men? This represents the capacity, for example, to mobilize a division force. Also, it represents the capacity to call up our airlift or tanker assets, which numbers something on the order of 45,000 men.

Quite obviously one does not want to raise the question about selective mobilization, if it is going to apply over a very broad range. Whether 50,000 men or 75,000 men is the right number is a question on which judgments may vary.

Senator SCOTT. Thank you.

Senator NUNN. Senator Bartlett has been here since the beginning. With your permission, Senator Culver, I will let him ask questions.

Senator BARTLETT. Thank you, Mr. Chairman. Mr. Secretary, obviously this bill would provide flexibility to respond to a variety of situations. I would assume there would be situations where it might be used where, in the past, a national emergency was declared by the President or where in the past a national emergency and a declaration of war were not declared.

Could you give me some examples of how this might be used in various situations?

Secretary SCHLESINGER. You will recall the Middle Eastern war of 1973 in which the United States remained disengaged from the conflict; during the course of the war, there was a decision taken by the President to provide military assistance in the form of additional supplies to Israel.

At that time, there were difficulties in obtaining the appropriate commercial airlift assets without the declaration of a national emergency. I cite that as an example of the difficulties faced with regard to declaring a national emergency, although that particular example does not pertain to the actions that could be taken under this bill. Subsequently, the Military Airlift Command was ordered to provide transportation of military supplies to Israel. As I indicated earlier, we are now engaged in shifting some of our tanker fleet from the active duty forces to the Reserves. Something on the order of—I have the numbers here—56 percent of our total airlift aircraft and 43 percent of our strategic airlift crews are assigned to the Guard and Reserve forces. In such an emergency, if we wished to utilize fully the airlift capabilities of the United States, this selective power to mobilize could be employed. That is, I think, one example.

Senator BARTLETT. Would this also provide some flexibility in the use of Reserve Forces for pressing reasons rather than using active duty forces? The Reserve Forces could be utilized rather quickly in such a situation you cite thereby keeping an even more ready force available for, perhaps, a more difficult task.

Secretary SCHLESINGER. I think it could be employed in that manner. I think the emphasis would be that if there were actual combat activities the active duty forces would, in all probability, be the first engaged, and continue to be the forces initially relied upon.

The role of the Reserves in such a contingency represents support capabilities for those active duty forces. We have attempted to increase our combat capability by converting tail to teeth in the active forces. Certain types of Reserve units which have support capabilities, transportation units, and that sort of could be mobilized to make effective the employment of those active duty forces.

Senator BARTLETT. One final question: There is a limit of 50,000 involved in the callup here. What effect would this bill have on the effectiveness and efficiency of the total ready Reserve?

Secretary SCHLESINGER. I think that the bill would have a very salutary impact on the effectiveness of the Selected Reserve, which is a component of the total Ready Reserve. It will provide a more precise definition of mission. It will create a greater degree of perceived reliance upon the Reserves on the part of the active duty forces. The Reserves will see the urgency of their role under these circumstances, and I think this will enhance morale and training, thereby contributing to the effectiveness of these units.

Senator BARTLETT. Thank you.

Senator NUNN. One question, and then I will call on Senator Culver. In the present state of the law, to trigger any kind of call-up of the Reserves, there has to be a declaration of national emergency. Now we are moving that trigger. What kind of decisionmaking process do you envision under this law if it should pass? That is to say, who will make the decisions, who will make the recommendations, and what will the trigger be?

Secretary SCHLESINGER. I think that these are questions into which you will want to go in detail with Mr. Brehm. But, let me give my understanding.

This mobilization requires a Presidential determination. That Presidential determination would be based upon the advice of the Department of Defense. During some lesser emergency that did not call for the declarational of a national emergency, the review of the emergency would presumably take place within the framework of the National Security Council, by the President and by his chief advisors on foreign and defense matters. A recommendation with regard to the potential employment of forces which might draw upon these Reserve units would be presented to him. If he approved, then a Presidential determination would be drawn up for transmission, for proclamation.

Senator NUNN. How does Congress fit into this picture? I do not mean by law. I mean by practicality—how do you envision notification of Congress?

Secretary SCHLESINGER. The notification of Congress, of course, would come through the War Powers Act, regarding the possible employment of U.S. forces, be they Active or Reserve units. So, in that sense, the War Powers Act would provide the generic structure for the discussion of the emergency at large. With regard to the mobilization of selected units, that would take place as the result of a Presidential determination.

Senator NUNN. Would you envision, as a practical matter, prior consultation with at least the leadership in Congress?

Secretary SCHLESINGER. Yes, I would indeed.

Senator NUNN. Senator Culver?

Senator CULVER. Thank you, Mr. Chairman.

Mr. Secretary, is this authority needed mainly for combat units or support units?

Secretary SCHLESINGER. I think the emphasis is on the support units and on what are called ancillary units. In the sense of mobility forces, I have mentioned the airlift and the tanker forces.

It is, of course, possible to mobilize combat units. But I think that the primary emphasis in an initial conflict situation would be on the active duty combat forces. As you know we have attempted to shift some of the support activities previously carried on in the active duty forces to the Reserves in association with the Nunn amendment.

Senator CULVER. Do you have roughly the percentage of the different Reserve forces, what are combat units?

Mr. BREHM. The general purpose force category, Senator Culver, consists of about 700,000 out of the 900,000 total members of the Selected Reserve. Of the general purpose forces of 700,000, perhaps half might be classified as combat forces, in round numbers.

Senator CULVER. Given the slow rate of the deployment of Reserves, other than some airlift situations that you make reference, or other air Reserve units, could such forces be productively used in 90 days?

Secretary SCHLESINGER. I believe the answer to that is yes, Senator, with regard to the support units that we would—

Senator CULVER. Just the ones you could airlift? Or do you think you could use others, deploy others in a meaningful way in a 90-day timeframe?

Secretary SCHLESINGER. Army backup forces in the SSI or ISI could be deployed under those circumstances. Also, you have other elements. However, I do not think the emphasis should completely be turned away from the employment of Reserve units in active combat in as brief a period as 90 days.

Senator CULVER. At what point in those 90 days, assuming they are noncombat units, would a decision have to be made, either to declare a national emergency, on the one hand, or start demobilizing them for the 90th day deadline?

Secretary SCHLESINGER. I think it is difficult to pinpoint it in advance. I think one would have to make that decision at a very early point in such a 90-day period if these forces were to be effectively employed.

Senator CULVER. Are the current drill levels for Reserves, as I understand it, 1 month plus 2 weeks in the summer—adequate to make these men ready for combat in a couple of weeks?

Mr. BREHM. It certainly is, Senator Culver, for the missions we have in mind.

Secretary SCHLESINGER. For the missions we have in mind, which are not necessarily combat missions.

Senator CULVER. My question is combat.

Secretary SCHLESINGER. The answer is that in most cases we would strongly prefer, and there would be a presumption that we should give Reserve forces additional combat training before sending them into combat. There are some specialized units of the Reserve which are

regarded as combat ready at all times, for example, the Air Defense Forces.

Senator CULVER. How much refresher training would be required before deployment?

Secretary SCHLESINGER. I think it would be best, Senator, if I could answer that question for the record for different types of units.

[The information follows:]

The amount of refresher training required before deployment would be minimal for the type of units which would be utilized first under this proposed legislation. Those units to be called up should report within 48 hours or less. Both refresher training and administrative work would be compressed according to the deployment mission and schedule of the unit. A unit called under this proposed law could deploy within hours and certainly not more than a matter of days, since we visualize this as the result of a situation where forces are needed for expeditious employment. It would be counterproductive to call a unit which required a significant portion of the recall authority time to qualify for employment. Generally, the type units which we need, which are in the highest state of readiness, will be mobilized. The Reservists will be selected for a specific contingency, and the "most ready" units will be called first. Therefore, additional training for these units is not anticipated.

Senator CULVER. Finally, Mr. Secretary.

Secretary SCHLESINGER. As a general response, with regard to the Army, we usually envision a few days to several weeks of training of combat forces prior to sending them into combat depending on the unit's size and readiness status.

Senator CULVER. What you are saying in a nutshell is that it is hard to envision any real combat role within a 90-day period.

Secretary SCHLESINGER. I would not want to exclude it, but I think it is lower down on a probability scale.

Senator CULVER. Following upon the chairman's line of inquiry concerning the extent of congressional participation in this particular decision, what view would you have of a change in the bill to permit mobilization but not overseas deployment in the absence of congressional action?

Secretary SCHLESINGER. I think that for the reasons you just stressed of the need, under these hypothetical conditions, to make effective use of these forces during a 90-day period, that that should not become a subject of intense political debate. We are talking about a limited number of people, and the principal cases at hand that we have discussed are the use of the airlift or tanker forces. Unless those tanker forces are available immediately when called upon, rather than as a result of an extended delay or a period of debate, they will not proceed to be an effective supplement to the active duty forces. I mentioned the belief before you came in that one of our purposes—and the chairman mentioned it in his opening statement—that one of our purposes here is to provide an improved credibility of the effectiveness and availability of these forces.

While I would like to reserve a final judgment, I would be disinclined to advocate the kind of change that you mentioned.

Senator CULVER. Thank you.

Senator NUNN. Mr. Secretary, I know you have other important matters. We can go into a lot of detail with Mr. Brehm and Mr. Tankersley, so at this point, unless some other subcommittee member has a particular question, we thank you for coming.

Secretary SCHLESINGER. Thank you very much for this opportunity.

Senator NUNN. Mr. Brehm, we will proceed with you here. We are delighted to have you here this morning.

Mr. Brehm, I do not know if you want to proceed with your statement first and then let us go on to question you or not. I have quite a few questions, and I am sure Senators Scott and Culver do also.

STATEMENT OF WILLIAM K. BREHM, ASSISTANT SECRETARY OF DEFENSE, MANPOWER, AND RESERVE AFFAIRS, ACCOMPANIED BY HON. WILL HILL TANKERSLEY, DEPUTY ASSISTANT SECRETARY OF DEFENSE/RESERVE AFFAIRS

Mr. BREHM. Mr. Chairman, I would like to open with a prepared statement to give me a chance to—

Senator NUNN. Do you have a copy of that?

Mr. BREHM. Yes, I believe so.

I want to stress certain things, some of which were brought out in part by the questionings of the Secretary of Defense and also some other items I know are of interest in this deliberation. I would like to echo the point made by the Secretary that the passage of S. 2115 is an essential step in establishing the Reserves as a credible and viable part of the total force.

Mr. Chairman, I would like to note that I will use the term Reserves during my testimony and also, I am sure, during the question and answer period. I will use that term to encompass all of the Reserve components including the Army and Air National Guard.

The proposed bill would give the President the authority, without a prior declaration of war or national emergency, to order not more than 50,000 members of the Selected Reserve to active duty for not more than 90 days. It would permit the activation of units of any size and of individuals in the Selected Reserve not assigned to units—and there are a few of those—thus giving the President the flexibility to respond in a variety of circumstances. Approval by State or Territory Governors would not be required for activation of the National Guard under this authorization.

Present authority for activating large numbers of selected reservists is restrictive. Without a declaration of war or national emergency, members of the Selected Reserve can be ordered to active duty for only 15 days annually. When activating the National Guard in this manner, approval of the appropriate State or Territorial Governor is also required. Thus, the scope of the current authority is too limited to provide the flexibility to respond appropriately in those situations where a limited augmentation of the Active Force is needed, but where the declaration of a state of national emergency might be premature or have undesirable international or domestic impact. In such situations, the President is often forced to rely upon volunteers to augment the Active Forces.

I want to emphasize that voluntary response of the Reservists has been heartening, but the risks and limitations and unpredictability of a volunteer concept are all too apparent. This is particularly true when activation of entire units is required, or when special skills are needed.

Many people—including many military people—have the perception that a Reserve mobilization is, by definition, a massive action involving a large-scale commitment of national resources that would be undertaken only under the most extreme circumstances. Mr. Chairman, we are dealing in large part with perceptions here. It is true that, prior to and following World War II—in fact, until the early 1960's—the basic reserve concept did indeed involve large Reserve Forces that would provide a base for a general mobilization of the type which occurred during the Second World War.

Senator NUNN. Mr. Brehm, on that point, as a matter of emphasis—I think it is all important that this perception you just described, is still the perception in our country by and large, including our active duty forces as well as perhaps a lot of the Reserves and the American people. This kind of perception of the Reserves, in my opinion, is the subjective problem in turning the total force concept into reality because they are Reserve units.

For instance, we talk about strategic airlift—air defense units that are just as ready as active duty forces—and many other units that I think could be made into a greater state of readiness than now exists if the active duty people and the people in the Pentagon felt the President could selectively call them rather than having to go to the political national emergency state that alarms the country, escalates, perhaps, the attention of the world and that kind of thing. So, this is the key point that led me to recommend to the Department of Defense last year, that something in this nature be examined and presented to Congress.

I think that is very important. I know Senator Scott was here when we were going through strategic airlift. He is very conscious of this too.

Senator SCOTT. Mr. Chairman, if I might, I think we want this to be an informal exchange here. You are talking about the authority to order up to 50,000 for a 90-day period. Might this work in such a way that you might order a few thousand for 90 days and then order others for another 90-day period? Is this something that would be a one-shot operation or something that would be continuously under consideration where the Reserves could perform a function without calling the entire 50,000 maximum number under the bill? Might you call up a few hundred or so to operate a tanker freight—I am assuming you are speaking of air fleet tankers—then, perhaps call others for some other function? Would this be something that, where there is something a little out of the ordinary to be done, you would give consideration to calling on the Reserves? Are you thinking about—even though you do not call it an emergency—exercising this when something exceptional, that you might otherwise call an emergency came up?

Mr. BREHM. Senator Scott, the ability would never be used capriciously, and I think that is the key word. For example, the proposal does provide the flexibility to call five individuals who are not members of units but who have particular skills. It permits the calling of units of company or even platoon size if that turns out to be appropriate under the circumstances. It is not necessary to use the entire 50,000 authority.

Senator SCOTT. I am not saying you should use it unnecessarily but, I am suggesting the thought to get a response from you as to whether

you might do this, when it was not any major undertaking, if you felt that the expertise might lie within the Reserves. I have a lot of respect for the Reserve units. I am not trying to encourage your suggested answer one way or the other, but is it contemplated that you might use this to a lesser extent, maybe 500, or 1,000, or 5,000, something like that, when there is no real major job to be done, or would you reserve this for extremely unusual situations where you might not want to declare a national emergency? I am trying to get an answer as to whether we just want to quit saying national emergency, but you would not do it unless there was something resembling a national emergency?

Mr. BREHM. I think what we are talking about really is an intermediate threshold, something below the national emergency level but not a casual situation, certainly not a day-to-day type operation. The authority would never be used thoughtlessly. It certainly would be a special circumstance that would lead the President to make a determination to mobilize the Reserves.

Senator SCOTT. The thrust of my question is, are we just trying to get away from the phrase national emergency because of the implication it would have upon the world community or is this something where you will actually change your mode of operation?

Mr. BREHM. We are trying to develop additional options for the President because of the generally perceived serious impact of that thing known as a national emergency. Obviously a declaration of war, which is another option available to the country, also is perceived as a serious step.

Senator SCOTT. I will not pursue it. I am still not entirely satisfied with your answer, Mr. Secretary, but go ahead.

Senator NUNN. Go ahead with your statement, Mr. Secretary.

Mr. BREHM. I was mentioning that until the early 1960's the Reserve concept seemed to be tied to a general mobilization, a massive event, if you will. Senator Nunn, I believe you hit the nail right on the head in your comments about the perceptions, even today, about the role of the Reserves. Up until the early 1960's, no specific change had started to be made in the Reserve program. Training levels were low, many units were poorly equipped and were manned at 50 percent or less of wartime strength, and considerable postmobilization training was required. There was little, if any, integration of the Reserves into the Active Force structure.

The key point is that this has now changed. We have made some fundamental changes in the last 15 years in the Reserve concept. Our national security policy, which is based on a concept of deterrence, requires that we have a force of sufficient size and capability to maintain an effective strategic and conventional balance. To get the most for each manpower dollar—and manpower, as you know, now consumes more than half of the defense dollar—we are necessarily increasing our reliance on the Reserve components. Consequently, we have given the Reserves important front-line missions which must be performed in conjunction with the Active Forces—selectively, and on short notice.

If the requested legislation is passed, it should become clear to all that our options will now include a discrete and selective mobilization capability tailored to meet the requirements of a particular situation.

This is as it should be in a modern, fully integrated total force. The Reserves must be trained and equipped to perform their missions promptly, and they must be available for rapid and selective mobilization, regardless of the political situation. We simply cannot afford to spend \$5.5 billion annually on a force oriented solely toward a lengthy mobilization of the type envisioned in the past.

The integration of Active and Reserve component forces has involved the assignment to the Reserves of important strategic and tactical missions—missions which require rapid, assured, and selective availability. By the end of Fiscal Year 1976, for example, 56 per cent of our tactical airlift aircraft and 43 percent of our strategic airlift crews will be assigned to Guard and Reserve Forces. As the Secretary of Defense mentioned, over the next few years 128 KC-135 jet tanker aircraft will be transferred from the Active Air Force to the Guard and Reserve, placing them in a strategic offensive mission for the first time.

Even now, Selected Reserve units of the Reserve components account for 30 percent of our Forces and the Selected Reserve together with the individual Ready Reserve comprise nearly 50 percent of the trained manpower available for national security emergencies.

Given the traditional role of the Reserves, there has been a natural reluctance on the part of the Active Forces to depend on them and to transfer important missions to them. We need to change the underlying perception that causes this once and for all, because the role of the Reserves has been changed. The Reserves themselves must perceive that they can and will be called upon when needed. Their morale, training, and sense of purpose depend on it.

Given the increased reliance we are placing on our Reserve components, it is also important that our allies have confidence that they will be available if needed. We have reduced our Active Forces by over 20 percent from 1964 levels, the last pre-Vietnam year. Yet, as the Secretary of Defense has said, the world today is not a particularly safer place in which to live than it was then. Rest assured our allies are very aware of both these factors.

Finally, our potential adversaries must have no doubt as to the availability of our Reserve Forces. Both strategic and conventional deterrence depend on the perception that an effective balance of strength exists between the opposing sides. Anything short of absolute certainty that our Active or Reserve Forces will be used when and as the situation dictates places deterrence in jeopardy.

In thinking of examples where the proposed authority might be used, we are obviously unable to say with precision how many men would actually be called up in any particular situation. We have already touched on a couple of examples. The full 50,000 would accommodate an Army division force or, alternatively, all of our Reserve mobility forces. To increase the manning of Army truck and terminal service companies could require 10,000 to 20,000 men. If reservists were called as sustaining support for an Army Corps force, 10,000 to 15,000 personnel might be required. For Navy cargo handling, hauling, and ship control 2,000 to 4,000 is the estimated need. The Air Force would require 8,000 to 10,000 personnel to augment their strategic airlift capability and 4,000 to 6,000 for their tactical airlift. Between 3,000

and 5,000 personnel might be required to augment our strategic offensive forces.

In the October 1973 Middle East crisis, 1,850 Reserve volunteers were used to augment our Active Forces; and during the *Pueblo* incident, some 37,000 were used.

The new authority could be used to activate key Reserve units to demonstrate an improved readiness posture in a developing crisis that had the potential of escalating into a full-scale national emergency. I think this is a very important point as we talk about the range of options. Such a step could be particularly useful in light of the reductions we are making under the Nunn amendment in European support activities; replacement support units—needed early in a Europe reinforcement—can be placed in the Reserve components, brought to active duty in a developing crisis and even deployed with appropriate ratification of the Congress, all without requiring the President to take the more escalatory step of declaring a national emergency. In short, the President's range of options would be increased.

The Department of Defense fully intends that the requested authority would be used judiciously. Reserve volunteers would be our first choice for augmenting the Active Forces. The new authority would not be invoked unless clearly warranted by international events or essential operational requirements affecting the national security. The question was raised earlier about whether this authority might be used for the purposes of training Reserves. It is intended, and so states in the law, that it would be used for operational missions.

I would like to assure the committee that this bill is in no way inconsistent with the war powers resolution. It is not intended to circumvent the resolution in any manner. The war power resolution governs any pertinent action that would be taken under this authority, just as it would under any other type of authority the President might have. If Reserve units were deployed, the reporting requirements of Public Law 93-148 would be met, just as they would under any other type of Reserve mobilization involving deployments, as defined in the War Powers Act.

In summary, the requested authority will help our own forces, our allies, and our potential adversaries to perceive our Reserve components in their proper light—to accord them the respect that our investment in them, not to mention their own pride, demands.

Two words identify the key motivations for this legislation: options and perceptions. Options are the key to a rational defense policy. We must have the ability to respond to a provocation with a measured, less-than-all-out response. It is essential that we be able to meet certain contingencies without triggering the international and domestic consequences that declarations of war or national emergency seem to connote. Perceptions too are vital; full acceptance and support of the total force policy by Active and Reserve Forces alike depend on their belief that the Reserves are a reliable force that will be available and used in emergencies.

Finally, if our total force has the flexibility to deploy rapidly in a crisis situation, we can reduce the chance of that force ever being needed for combat, and can assure ourselves of a better outcome if it is.

Thank you for the opportunity to present these views.

Secretary Tankersley and I are available for questions by you and the members of the committee.

Senator NUNN. Thank you very much, Secretary Brehm. I have got many questions and it is going to take a considerable amount of time. I will defer to Senator Scott to ask any questions he might have now.

Senator SCOTT. Mr. Chairman, I have very few questions. Frankly, I did not know this hearing was to be held until late yesterday afternoon.

Mr. Chairman, I would make the request that staff keep me "as advised" as they do the chairman so I will know in advance.

I mentioned specifically that was not done in this instance. I did not know until after 5 yesterday that there was going to be this hearing.

Senator NUNN. Mr. Sullivan says the notice went out 2 days ago. Certainly we will notify you.

Senator SCOTT. We would appreciate it. We were not advised until yesterday afternoon. I mean that only as an effort so that we can get together in the future.

Senator NUNN. I agree.

Senator SCOTT. Mr. Secretary, I have very few questions to ask. I am thinking about the effectiveness of our Reserves and if this legislation passes would it tend to have any effect, adverse or favorable, upon the Reserve components? Might it increase their readiness, their efficiency, their morale?

How would you see it? Would you see it as having any effect on the individual units knowing that they might be called up in the absence of an emergency?

We hear extremely conflicting statements about our Reserves. I know we are talking about a great number, a variety of individuals. The ones I have had contact with have said we hope you will come and see us and visit with us and see what we are doing. There has been a lot of pride expressed. But on the other hand sometimes in the public eye, they are just a bunch of beer drinkers that are spending the weekend and not getting proper training.

I just wondered if you might express yourself or General Tankersley in any way on this. Will this bill have anything to do with the morale, efficiency, and the effectiveness of the Reserves?

Mr. BREHM. Senator Scott, I believe this authority would actually enhance the readiness and the morale of the Reserve components. I believe that very sincerely for many reasons. If one compares the Reserve concept today with that which existed in the very early 1960's or late 1950's, one would see a very dramatic difference in the readiness and general posture of the Reserve components. There has been a fundamental change. This authority we are requesting tends to make manifest the whole concept of having the Reserves ready and available early.

I believe anyone in any job will have an improvement in morale and will work harder if he knows he is being taken seriously. That is what this authority would help us to assure.

Senator SCOTT. You know the Reserves and the Guard over the past several years have been thought of as a way to avoid the draft and now we have an all-voluntary Army. I am not indicating the truth of this, but the allegation has been made from time to time. Now we have the all-voluntary Reserve, and I am just wondering what effect, if any,

you feel that this will have on your equipment and on the effectiveness, and the caliber of the people that would be in the Reserves, if any.

Mr. BREHM. I believe that recruiting will not be affected particularly by this authority because first of all it is a limited authority extending—

Senator SCOTT. I am digressing from this particular bill. As long as we have you here I was asking a much broader question.

We do not have you to talk to across the table at all times, so I hope the Chair will indulge me. I am just talking about the overall Reserves and the fact that we no longer have a draft and some people are completing their tour which originated during the time of the draft. That will be phased out. I am just wondering now when you have the all-volunteer Army, the all-volunteer Reserve, and speaking broadly, I think it would be helpful to the chairman, myself, and the full committee if we had an expression of your views as to whether this will affect the caliber of the Reserves in any favorable or unfavorable way.

Mr. BREHM. I think, without question, that the transition to the volunteer force is a healthy thing for the Reserve components because it means that the people who are in the Reserve components are there because they want to be. They want to serve their country and they are interested in Reserve activities. They are not there because they were forced in as an alternative to the draft.

I would like to have Secretary Tankersley speak to this because he visits many more Reserve units than I do. I am sure he has an opinion on this.

Mr. TANKERSLEY. Senator, I believe that the type of individual we want in the Reserve Force is the type of individual who perceives in an emergency when he is called that he expects to go and, in my judgment to attempt to recruit, to attempt to involve in the Reserves anybody except people of that persuasion would be a mistake.

There is no question that during the Vietnam war the Reserve and the Guard units as a matter of history with the exception of approximately 37,000 were not mobilized. Yet we held out to the young people in this country that the participation in Reserve Forces was an honorable alternative. We recruited them to this service and trained them and equipped them. We engaged in programs to accelerate their readiness, such as the Selected Reserve Force.

Yet, through no fault of their own, a political decision was made where generally they were not called. Even though it was not their fault, that is not the way things happen. The stigma of that pejorative, or whatever you want to call it, still exists that in the event of some emergency, that the Reserve Forces will not be called I think for the good name of the Reserve Forces and also to encourage the kind of people who do have a deep sense of patriotic feeling, it is necessary for a bill such as this which reinforces the fact that they will be called.

Senator SCOTT. Mr. Chairman, I will not ask any further questions. Be assured I share your high regards for the Reserves.

Senator NUNN. Thank you.

Mr. Secretary, we talked about this but it appears this authority could be used as a prelude for full mobilization or on a limited scale as in the example of strategic airlift.

Which of these two uses do you see as the most likely?

Mr. BREHM. I think it is more likely to be used in a selective and limited situation, but it most certainly could be a prelude to a larger scale effort.

Senator NUNN. Would you see the possibility of this authority being used as a show of force in situations similar to the Berlin or Cuban crises?

Mr. BREHM. I can envision situations where the authority might be used to enhance readiness by placing Reserve units on active duty, thus increasing the overall readiness posture of the U.S. military forces. In that sense it could be considered a show of force.

Senator NUNN. How do you define the term "unit" as it is used in this proposal? Do you mean divisions or detachments or companies?

How do you define units?

Mr. BREHM. Unit is a general term. It can go down to a 2-man detachment or it could be as large as a combat division, 16,000 people.

Senator NUNN. Anywhere from 2 men to 16,000. What size and type unit do you envision as the most likely to be called up under either the prelude to full mobilization or under a limited use?

Mr. BREHM. I think the most likely size for land forces would be battalion size. Squadron size units in the case of the air forces would be most likely. I think the probability of mobilizing a division under this authority is relatively small compared to these others.

Senator NUNN. How do you define the term "operational mission"?

Mr. BREHM. It is distinct from training mission. It would be a mission that would involve something other than simply calling reservists to active duty to participate in field training or skill training or similar activity.

Senator NUNN. Is it broad enough to include combat missions?

Mr. BREHM. Yes; it is.

Senator NUNN. Can operational missions be construed to authorize the use of Selected Reservists in training exercises with the Active Forces?

Mr. BREHM. We believe not, Senator Nunn. That is something that perhaps can be explored because the definition of "training" gets a little fuzzy. We would not envision it as something involving cooperative training between the Active and Reserve Forces, or exercises of that kind.

Senator NUNN. Unless the training itself were a show of force for some unforeseen contingency?

Mr. BREHM. That is correct.

Senator NUNN. In other words, it is not your intention to use this to call up authority to train the reservists.

Is that right?

Mr. BREHM. Neither to train them nor exercise them.

Senator NUNN. Is it also fair to say that it is not your intention nor is it the intention of this legislation, to use the call-up to test the readiness of the reservists without any kind of corresponding international problem?

Mr. BREHM. We would not use it to "test" the readiness of the Reserve components without an attendant major problem to which the President felt he must respond.

Senator NUNN. We talked a little bit about this with the Secretary. After the Vietnam war the passage of the War Powers Act, was to

make the conducting of any kind of warmaking power a cooperative venture between the President and Congress.

Do you see that this is in any way in conflict with that direction?

Mr. BREHM. It is not in conflict. In fact, it is entirely consistent with the War Powers Act.

Senator NUNN. Can the Reserves activate it under this proposed bill as written, or be introduced into hostilities or a situation where hostilities may appear imminent?

Mr. BREHM. Yes; they could be.

Senator NUNN. Does this in any way conflict with the War Powers Act of 1973 which requires that there be consultation and notification and so forth?

Mr. BREHM. Most assuredly it does not conflict with the War Powers Act because the rules of notification and consultation with Congress are very clear. If this authority were used to call Reserve units which later were deployed into a hostile area, appropriate notification as prescribed by the War Powers Act would be made to Congress.

Senator NUNN. Would you envision that the President would consult with Congress before using this authority?

Mr. BREHM. Yes; I would.

Senator NUNN. Would you have any apprehension or objection to a provision in the law that would require that consultation?

Mr. BREHM. I think much depends on the nature of that consultation. I think if consultation were required, it would have to be extremely rapid and flexible so it would not inhibit the President's ability to move quickly.

Senator NUNN. I assume you would object to anything that required congressional approval before exercising this act, would you not?

Mr. BREHM. Yes. I think that would basically defeat the purpose, or at least part of the purpose, of the requested authorization.

Senator NUNN. Are there any circumstances under which the authority could be used to meet domestic issues like riots and strikes and that kind of thing?

Mr. BREHM. No; the bill does not envision use of reservists for that purpose. Authority to use reservists in civil matters rests in another act, and it is adequate for Presidential purposes.

Senator NUNN. Does the bill preclude their use in this way or does it just not envision it?

Mr. BREHM. It does specifically prohibit that type of use. Also the definition we have in mind for operational missions would not include handling domestic emergencies or natural disasters.

Senator NUNN. What other authority are you referring to for domestic situations?

Mr. BREHM. I can cite it for the record, but basically it permits the mobilization of Reserve or National Guard units or personnel for handling domestic disturbances. It has been used every year since 1963, as far as I know.

Senator NUNN. This operational mission definition is an extremely important one, because, as these questions develop, it is apparent that you do have a rather general kind of concept of what this definition is. It means certain things and excludes other things, in your mind, at least.

Would you furnish for the record as precise a definition of this as you can formulate?

Mr. BREHM. Yes, Mr. Chairman, I can do that. Also, I can give you the reference concerning the Presidential authority to use Reserves for domestic operations. It is 10 U.S.C. 3500 and 8500.

[The information follows:]

An "operational mission" is the employment of the capability of a unit, ship, weapon system, or equipment to perform the missions or functions for which it is organized and designed. It requires an operational commander, and operational command involves the composition of subordinate forces, the assignment of tasks, the designation of objectives and the authoritative direction necessary to accomplish the mission. It does not normally include such matters as administration and unit training. A mission is the task, together with the purpose, which clearly indicates the action to be taken and the reason therefor.

Senator NUNN. I did not pursue it with the Secretary a little while ago, but he made a statement to the effect that it would take anywhere from 90 to 180 days' additional training before our Reserve units could be adequately prepared for combat.

Do you agree with that?

Mr. BREHM. One must be careful about generalizing, Mr. Chairman. Many of our Selected Reserve units are available on just a few hours' notice and are ready. We have others that could well take 90 to 180 days to reach an operational status.

I would like to emphasize that as we move further in developing and implementing a new concept for the Reserve Forces, we envision a whole spectrum of readiness, in which the Reserve Forces are categorized into readiness groupings. They are assigned readiness objectives, manning levels, equipment levels, training levels and so forth, so that some of the units, those which would be required early in an emergency or situation such as we envision under this bill, would be getting the proper attention and proper training so they could be available on short notice. That short notice would be short enough to be consistent with the 90-day authority requested. We already have units in that category. We envision having more in that category.

I am thinking particularly about support units in the land forces area, such as those that might be needed to reinforce Europe.

Senator NUNN. If you went to the upper end of 150 to 180 days, or you would say 120 and 180 days of additional training prior to combat, how can you really justify even having Reserves that take that long to get ready?

Mr. BREHM. I think one must hedge against a variety of contingencies. There is much emphasis these days on the notion of a short war, wherever that war might be. I think it would be unwise for us to assume that is the only contingency.

Senator NUNN. You could go out and implement the draft; go out and draft somebody and train them in that length of time, could you not?

What is the difference?

What advantage is a Reserve unit or an individual that takes say 120 days, to get ready over a draftee?

Mr. BREHM. We can have eight National Guard combat divisions on active duty and ready within the space of 8 to 14 weeks. If we were to attempt that through the draft I am sure it would take us 1 or 2 years.

Senator NUNN. So it would take a lot longer, then?

Mr. BREHM. Yes, indeed. I come back to the concept of a readiness spectrum, where you have within the Active Forces some units that are very ready—right in the starting block, so to speak, like the 82d Airborne Division—down through units that are at a lower state of readiness but are still on active duty.

We then have Reserve units that are very ready, but which are less ready than active duty units. One could proceed then through the Reserve structure to a point in time where it would no longer make sense to have organized units, because we could form them from scratch in an emergency in the same amount of time.

Senator NUNN. Where do you get to that point?

Mr. BREHM. I do not know precisely. I suspect it is when you get out toward a period of, perhaps 6 to 12 months.

Senator NUNN. If you could enlarge on that for the record, I would like to have some kind of criteria with which we can define a point at which Reserve units are of no use.

Mr. BREHM. I think that is a very good issue to consider.
[The information follows:]

On a continuing basis, and especially each year during the budget cycle, the requirements for Reserve Component units in the force structure are reviewed. In the review process, it is decided under current planning which units should remain in the Selected Reserve. The unneeded units are either converted to higher priority units or changed to unmanned units to be formed after mobilization. In many cases lower priority units are retained as cadre units or as volunteer (non-pay) training units. To define the specific point in the mobilization process at which a unit of the Reserve is of no use is extremely difficult. A general rule cannot be provided because of the variables: requirements based on the particular scenario; the type of unit; the training lead time, and level of proficiency required. However, in recognition of the time required to produce the first trained draftees (150 days), it is generally felt that any unit required in the first 180 days of a conflict should be in the manned structure. All Selected Reserve units are to plan for employment by M+3 months. Units unable to meet employment schedules will not be retained in a fully manned, drill pay status. There are some later deploying units that are manned by a limited cadre and are dependent upon draftees and IRR fillers to reach full strength when mobilized. It should be understood that while junior enlisted personnel may be provided by the draft mechanism, a cadre of experienced senior non-coms and officers is essential and should exist prior to M-Day. Thus, retention of volunteer and cadre units is essential. From M+180 until M+270, these cadre and limited manned units are required. After M+270 days, the need for these units is doubtful.

Mr. BREHM. As we are changing the reserve concept, one of the things we are trying to get away from is the idea that all reserve units are supposed to be equally ready, with the same manning levels, with the same training programs, and with the same equipment programs. We want to change that.

We want to have priorities on employment. When we understand it better than we do now, we will automatically define an end-point beyond which it is no longer reasonable to have—

Senator NUNN. It would also depend on the size of the force, and to the degree we could find the resources to get them to that state of readiness?

Mr. BREHM. It does. More than the concept of manned units is involved, because it generally takes longer to get equipment than it does to get trained manpower. We have units in our force structure which are literally unmanned but for which we are producing equip-

ment to round out the total force structure. We have made the judgment that it does not make sense to man these units in peacetime, even in a reserve status, but we do know equipment leadtime is long enough that we should procure for those units.

Senator NUNN. Would you say it is fair to assume this particular proposal, when it is used would probably go to those units and those individuals that would be the highest state of readiness?

Mr. BREHM. Exactly. We will try to make all of those factors consistent.

Senator NUNN. Do you see any danger that this could create a disincentive for the reserve to achieve a high state of readiness? That is to say the better you are, the more likely it is you will be called; therefore, you want to be worse rather than better?

Mr. BREHM. Mr. Chairman, I have more faith in our military people than that. I really think that they would step up to the challenge.

Senator NUNN. Have you gone into this in any detail?

Have you thought about it, or is it too remote?

Mr. BREHM. We have discussed the point in general terms with the reserve community, and I have not found anyone yet who suggests that this authority might work to the disadvantage of readiness.

Mr. TANKERSLEY. I would like to interject something here.

In the Vietnam war, at the height of it, when we were most susceptible to being called even though we did not know anything about the political decision, the unit that I commanded was made part of the Selected Reserve Force—and we knew that when we were given half again as much training time, we were given all of our equipment that we would need to be deployed—that there would be greater likelihood of us being deployed than some other unit in a lower category of readiness. And it was my feeling that, as a commander of this unit, it increased morale. It increased pride in the unit and in no way attenuated the desire of the soldiers in the unit to perform.

Senator NUNN. I agree with that. I think that will generally be the case. Probably those that would have that kind of disincentive would be those who you would likely want to get out of the Reserve eventually anyway. It seems to me, though, when you have any kind of cutback in manpower or Reserve units, you certainly ought to have some kind of a system whereby those units that are not achieving a degree of readiness would be the first to go.

I am not sure that is always the criterion that is used when you start phasing back on reserve forces; is it?

Mr. BREHM. We do not have a fully developed management system, Mr. Chairman, which would permit us to make the right kind of judgments today. As a result of our total force study, which we completed a month or so ago, we are giving explicit guidance to the services to move in that direction.

Senator NUNN. It seems to me you could create a real incentive system in this regard, because there will be manpower fluctuations from time to time that will probably be beyond the control of the Department of Defense, imposed by Congress, although sometimes that may be an upward direction.

Mr. BREHM. I have heard of such circumstances, Mr. Chairman.

Senator NUNN. I have just experienced such a circumstance.

Is there anything you can do to make sure that this load—say, if you had exercised this authority which we hope would be used sparingly, but if you had to exercise this 2 or 3 years in a row—is there any way you can spread the load so that those units that have exhibited the most readiness would not be called repeatedly, over and over again, with no body else bearing the brunt?

Mr. BREHM. Prior involvement in active duty operations as the result of this authority certainly would be taken into account in any fresh situation. Fifty thousand, after all, even if used in its entirety, is only about 5 percent or 6 percent of the total Selected Reserve.

On the other hand, it is clear from the examples we mentioned that we are talking in some cases about significant operations, like a strategic airlift, so we would have to be careful about developing unduly restrictive standards. But we certainly would give due concern to the disruption of the civilian lives of our reservists.

Mr. TANKERSLEY. We have, too, I think a great incentive not to have arbitrary personnel policies in the volunteer reserve, when we count on these people to voluntarily stay in the reserves. If we did use arbitrary, capricious personnel policies, we certainly do not mean to do it. It would be inimical to the recruiting effort, and, therefore I think this in itself requires that we be judicious in our relocation of units and things of that sort.

Senator NUNN. There is nothing in this proposal, as I read it, to restrain the President from issuing consecutive callups of the same units or individuals. Thus, by this bill, we could augment the Active Forces by 50,000 Reserve personnel this year.

Was this the intention of the bill?

Mr. BREHM. It is not the intention.

Senator NUNN. What do you plan to do to preclude this possibility?

Mr. BREHM. It is just a matter of good management and judgment. I think it would be quickly apparent to the Congress that the authority was not being used judiciously or for the purposes for which it was originally intended. I suspect the system of checks and balances within the Government would very soon remedy that situation.

Senator NUNN. In the most likely situation, where you call up a limited number of units, how much time do you think it would take of the 90 days that you have to get the units into a position to go into operation readiness?

How much time would be consumed by traveling, and how much time would be actually allocated to an operational mission?

Mr. BREHM. This would depend, as I mentioned, on the type of unit. Generally, we would be working against objectives of as little as a few hours or a few days for the kinds of units we would be calling.

Senator NUNN. Do you see any danger or any possibility that this kind of authority would require us to go to any kind of additional pay system or bonus system in the reserves?

Mr. BREHM. I do not expect that, Mr. Chairman; no.

Senator NUNN. Do you see any kind of hidden costs that we might be informed about in this proposal?

Mr. BREHM. There would be the costs of the active duty pay for those who were mobilized in a specific situation. As far as having the authority on the books, I see no additional costs.

Senator NUNN. Do you see any problem that many of the reservists that were in the Vietnam war might be called up again and have to bear that burden again?

Is there any problem here that the Department of Defense is concerned about?

Mr. BREHM. We do not think there would be a problem with the veterans. The veterans affected by this authority would be those who voluntarily enlisted in the Reserve components because they were interested in military activity. I presume they would have made that same decision if there was a prospect they might be mobilized.

Senator NUNN. You have already answered this question, but do you see any danger that this would increase the President's authority to initiate hostilities without consulting and informing Congress?

Mr. BREHM. I do not.

Senator NUNN. The War Powers Act declares that "The constitutional powers of the President as Commander in Chief, to introduce U.S. Armed Forces into hostilities or situations where imminent involvement in hostilities is clearly indicated by the circumstances are exercised or led pursuant to (1) a declaration of war; (2) specific statutory authority; or (3) a national emergency created by attack upon the United States and its territory or possessions or its Armed Forces."

Do you consider that the Presidential authority in this bill would provide specific statutory authorization for introduction of these forces, once called up, in the hostilities or situations of imminent hostilities?

In other words there are three statutory alternatives for the President under this law: One, a declaration of emergency; two, specific statutory authorization; three, a national emergency created by attack upon the United States, its territories or possessions, or its Armed Forces.

Obviously, one and three would not be applicable. You would agree with that?

Mr. BREHM. Yes.

Senator NUNN. But two, which says specific statutory authorization, there is a closer question, so, I am asking you to consider that this law could be interpreted as specific statutory authorization for introduction of any American forces, including Reserves, into hostilities or a situation of imminent hostilities?

Mr. BREHM. Mr. Chairman, I think we should draw that out carefully for the record.

I would like to emphasize that units mobilized under this authority could be caught in hostilities, but all of the provisions of the War Powers Act would apply to the use of any such forces in hostilities.

[The information follows:]

This bill would provide specific statutory authority to mobilize and deploy Guard and Reserve forces overseas when necessary. The Department of Defense does not intend to mobilize units or individuals under this authority and introduce such forces into hostilities except in unusual circumstances. It is possible, however, that under certain conditions we may conclude it to be in the best interest of the United States to deploy men and equipment within the limits of S-2115, if enacted, into an area of imminent hostilities. An action of this sort may serve to protect American lives, property or to deter escalation.

Public Law 90-500 referred to as the Russell Amendment which expired in 1969 is an example of specific statutory authorization which granted the President

authority to order units, organized to serve as units upon mobilization, to active duty for a period up to 24 months without a declaration of war or a national emergency declared by either the President or Congress.

Senator NUNN. In other words, if we passed this law, and you could call up 50,000 men, do you feel that any provisions of the War Powers Act has been in any way weakened, waived, or abrogated by this authority?

Or do you, on the other hand, feel that all of the provisions of the War Powers Act would attach to this, and that to involve these reservists that were called up, or anyone else, into active duty in any kind of hostilities the War Powers Act would immediately attach, and the President would have to comply with each and every provision of that?

Mr. BREHM. I would like to make it very clear that all of the provisions of the War Powers Act would apply, and that any units that might be mobilized under this authority would be like any other active units with respect to the restrictions under which the President would operate.

Senator NUNN. I would like for you to enlarge on that by adding to the record, giving this particular question a rather thorough analysis.

Mr. BREHM. We certainly will. We want that to be absolutely clear. [The information follows:]

S. 2115, if enacted, would grant the President authority in the absence of a declaration of war or national emergency to order to active duty 50,000 members of the Selected Reserve for not more than ninety days. The authority provided by this legislation would be used to augment the active forces during crisis situations for operational missions any place throughout the world as required to protect the national interests of the United States. The authority would not be employed to use Reservists merely for training purposes.

The War Powers Resolution (P.L. 93-148) requires consultation by the President with Congress prior to and after use of U.S. armed forces in hostilities or in situations where imminent involvement in hostilities is clearly indicated. In either of these events the Resolution requires the President to make a written report within forty-eight hours of such use of U.S. armed forces to the House Speaker and the Senate President setting forth the relevant circumstances, authority, and estimated scope and duration of the hostilities or involvement. The Resolution further provides that within sixty days thereafter the President shall terminate any use of forces to which such a report relates, unless the Congress has declared war, enacted a specific authorization for such use or has extended by law the sixty-day period. This sixty-day period can be extended for another thirty days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of U.S. forces requires their continued use during their prompt removal. Further, the Resolution requires removal at any time of U.S. forces from actual hostilities abroad in the absence of a declaration of war or specific statutory authorization if the Congress so directs by concurrent resolution. A Presidential report is also required within forty-eight hours of the introduction or substantial enlargement of U.S. forces into foreign areas except for deployment which relates solely to supply, replacement, repair, or training of such forces. In addition, reports to Congress are required at six-month intervals while U.S. forces are deployed abroad in hostilities or when involvement in hostilities is imminent.

It is clear that the provisions and limitations of the War Powers Resolution would be applicable to any employment of members of the Selected Reserve who might be ordered to active duty and deployed overseas under this authority. Thus, upon such use of Reservists in crisis situations overseas when hostilities occur or are imminent, the President would be required to make a written report within forty-eight hours of their use to the House Speaker and Senate President. Further, under the limitations of the War Powers Resolution the President would also be required to terminate the use of Selected Reserve members within sixty days after their initial dispatch overseas unless the Congress specifically

authorized their extended use. Although the President could extend the sixty-day period for another thirty days upon his certification to the Congress that military necessity requires that action, Reservists activated by this authority would have to be removed from actual hostilities abroad in the absence of a declaration of war or specific statutory authorization if the Congress so directs by concurrent resolution.

The War Powers Resolution requires a mandate of both Congress and the President as a prerequisite to the introduction of U.S. armed forces into hostilities or into situations in which imminent involvement in hostilities is possible. This requirement would be applicable to any use by the President of the proposed authority to order to active duty members of the Selected Reserve for operational use in crisis situations abroad. Therefore, S. 2115 and the War Powers Resolution are consistent.

Senator NUNN. What if there was an amendment that said these particular forces under the callup could not be used in any kind of combat situation or any situation of imminent hostilities?

Mr. BREHM. I think it would be an unnecessary restriction, because the War Powers Act already addresses that particular issue. It would not restrict those forces that were called up, or anyone else, into active duty in any kind of situation.

Senator NUNN. I would agree with you on that point. I do not know what kind of components you break a strategic airlift into—but say you call up a strategic airlift up to the most likely number, whether it be 25,000 or 30,000, or choose the number—do you have any rough estimate of the cost for keeping these people on active duty for 90 days, including travel?

Mr. BREHM. Mr. Chairman, let me give you a few examples for the record on that, if I may. We will identify some specific examples involving particular forces and cost them out for you.

Senator NUNN. That would be fine; each service, if you would, Marines, Navy, Air Force, and Army, under the most likely kind of areas—not all of them, not all possibilities, but a few of the most likely.

[The information follows:]

REQUIREMENTS AND ESTIMATED COSTS

	Activations (thousands)	Cost, fiscal year 1976 (millions)
Army	18.0	\$54.4
Navy	13.0	62.5
Marine Corps	7.0	15.9
Air Force	12.0	46.4
Total	50.0	179.2

¹ This is based on a scenario where the manning levels in selected units are being raised, some service units have been activated and the airborne divisions are on alert.

Senator NUNN. Since Congress would not necessarily authorize each specific reserve callup under this law, appropriations to support these callups would normally be acted on by Congress after the fact.

Would the administration have the authority to fund the callup without a prior appropriation for this purpose?

Mr. BREHM. The constraints on end strengths and grade structure would be waived in exercising this authority, permitting the forces to go beyond those authorizations of Congress. With respect to the obligation of funds, I think I should give you an answer for the record.

[The information follows:]

There will be no requirement for additional appropriations to support the enactment of the proposed legislation. If there is no mobilization during the budget year, there will be no costs related to the existence of the 50,000 callup authority. Costs related to an actual callup would be met within the existing appropriations for the service(s) concerned, insofar as possible. Depending upon the magnitude and duration of the mobilization, it may be necessary for DOD to go to the Congress for a supplemental appropriation and/or appropriation transfers to avoid adverse impact upon normal operations of the particular services(s).

There will be no requirement for new, special, or additional routine operational missions for any units as a result of the enactment of the proposed callup authority. The normal training conducted by all Reserve component units will adequately prepare them for mobilization requirements.

Senator NUNN. Do you have anything in the fiscal year 1976 budget request for this particular purpose?

Mr. BREHM. We do not.

Senator NUNN. Would you envision in the future that you would be requesting any kind of contingency fund for this?

Mr. BREHM. We have not thought this through, but just off the top of my head, I would not expect that we would put any contingency funds into the Presidential budgetary request.

Senator NUNN. Can a unit or an individual be called up repeatedly under this authority, theoretically?

Mr. BREHM. Theoretically, he may be, yes.

Senator NUNN. Practically speaking, what do you think?

Mr. BREHM. I think it is most unlikely.

Senator NUNN. Would the Department of Defense object to a provision in the proposed legislation which would limit the number of times a reserve member or a particular unit is obligated to respond to a call?

Mr. BREHM. I would hope that would not be necessary, but rather that the good judgment of the Defense management could be trusted to handle that situation.

Senator NUNN. Do you anticipate that civilian employers would be reluctant to hire reservists who are subject to the proposed authority?

Mr. BREHM. I do not really think so, because the authority is of such a limited nature that the probability of any particular reservists being involved is so low that an employer who thought about it for more than 3 minutes would not be concerned.

Mr. Chairman, as perhaps you know, we have a very energetic program to develop support among employers within the private sector for the total force policy and the Reserve and Guard programs in particular. We have had a very good response in this respect.

Senator NUNN. Would a reservist be able to be exempted from this callup by reason of a hardship request?

Mr. BREHM. We would consider hardship requests, yes.

Senator NUNN. What kind of hardship would you envision?

Mr. BREHM. I suppose something involving an absolutely vital job situation, or perhaps a specific family situation which would work a hardship on the family if the individual were mobilized.

Senator NUNN. Does the Department of Defense have an indication of a feeling of the State Governors on this proposal, specifically as to the National Guard?

Mr. BREHM. Mr. Tankersley, could you answer that?

Mr. TANKERSLEY. The only thing I can say is that the National Guard Association and the Adjutant Generals Association are behind it. And I cannot visualize them being behind it and their Governors not supporting them. I believe—we have never taken a poll. I do not mean to be evasive but it would be incongruous for the Adjutant Generals to support it and the Governors not.

Senator NUNN. I have a good many questions I want to give you for the record. I have taken what I think are the most important, but there are many others that I will supply to you for the record.

Question. Secretary Schlesinger, under current law the President can call up the Ready Reserve of the Armed Forces for 24 months in a national emergency as declared by the President or Congress or after a declaration of war.

Are there any precedents for such far-reaching peacetime authority?

Answer. Yes, namely the "Russell Amendment" which was part of the Defense Authorization Bill, Public Law 90-500, and expired on 30 June 1969. Public Law 90-500 authorized the President to order units of the Ready Reserve to active duty involuntarily without a formal declaration of national emergency. That law granted far greater latitude to the President, however, than that requested under our limited callup proposal.

Question. Are there any undesirable international implications that the declaration of an emergency has that a mobilization of reserve forces would avoid? Doesn't a mobilization have grave international implications even if no emergency is declared?

Answer. A mobilization under this bill would have a lower procedural threshold than a declaration of emergency and therefore would provide the President and the Secretary of Defense with more freedom to call on units. A mobilization which requires a declaration of emergency does have major international implications, while this bill seeks to avoid those implications by allowing a smaller, discrete call up of limited duration, e.g., to augment our strategic airlift capability. A small scale mobilization under this authority would not have nearly the impact on the nation's resources of a full scale mobilization. A call up under this bill, while keeping in a low profile, does show the intent of the U.S., and it also increases the utilization of the Reserves. Even though a discrete mobilization will have some international implications, we do not feel they would be as significant as those resulting from a declaration of national emergency.

Question. Secretary Schlesinger, it appears that this authority could be used either as the prelude to a full mobilization or on a more limited scale as in the example of strategic airlifts.

Which of these two uses do you see as the most likely use of the authority?

Answer. The more likely example of the use of this authority is the strategic airlift augmentation.

Question. Would the proposed authority be used as a "show of force" in situation similar to the Berlin or Cuban crises? Could the authority be used during actual emergencies?

Answer. The authority could possibly be used for a "show of force" as a supplement to Total Force. This includes situations similar to the Berlin crisis, the Cuban missile crisis, or the Pueblo incident. Certainly we feel the authority could be used during actual emergencies.

Question. This proposal deals primarily with the call-up of reserve units. However, a certain category of individuals "members not assigned to a unit organized to serve as a unit"—can also be called up by this authority.

How many people, by service, are in this category?

Answer. Only the Naval Reserve, with 22,784, and the Air Force Reserve, with 5,593, have personnel in this category.

Question. Why are some Selected Reservists not assigned to a unit?

Answer. The Air Force Reserve Mobilization Augmentee program serves to augment the active force in certain key positions. The individual trains with the active force unit in the position he will fill during a mobilization. The Naval

Reserve is currently undergoing a reorganization which will assign individuals to units. The Naval Reserve individual program has been similar to the Air Force Reserve program whereby individuals were being trained to augment a position in the active force and upon mobilization they would fill that active force position.

Question. Since the intent seems to be to call up units, not individuals, for what reason would these individuals be called?

Answer. The Selected Reserve is primarily made up of units organized to serve as units upon mobilization, so the number of individuals that would be affected by this legislation is relatively small. We expect a selective mobilization would consist primarily of units. Volunteers may be adequate to meet some situations, but there may be times when a particular skill is needed and we cannot satisfy the immediate need with individual volunteers. In such a case, individuals not assigned to units with the required skills could be mobilized. However, there is no intent by DOD to mobilize individuals who are assigned to units unless the unit is needed as an entity.

Question. In connection with previous Reserve Component call-ups, the Congress has indicated that mobilized Reserve units should maintain their integrity while on active duty, i.e., members of such units. The proposed legislation does not prohibit such reassignment. Is it intended that Reserve units ordered to active duty under the proposed legislation would remain intact during the entire period of mobilization?

Answer. Unit integrity is an important element of the Reserve forces and the Department of Defense intends to maintain this policy whenever possible. However, the mission to be accomplished will be the final determinant in an actual situation. It is not intended that Reserve individuals in units ordered to active duty under the proposed legislation would be reassigned to active force units as fillers.

Question. Secretary Brehm, regarding the structure of the mobilization period—What is the rationale for limiting the period of active duty to 90 days? Why not 60 or 120 days?

Answer. There is nothing absolute about 90 days. We considered various lengths of time from 60 days to 180 days and determined that 90 days would be sufficient under this legislation. If we require a longer period or more units, the declaration of a National emergency under existing authority would apply.

Question. What is the rationale for limiting this authority to 50,000 personnel?

Answer. The legislative authority proposed by the Department of Defense would be adequate in the numbers recommended (up to 50,000 members) for most, if not all, circumstances for which this authority is intended. Deployability of units and individuals was a primary consideration in setting the 50,000 limitation. We believe that up to 50,000 could be deployed at any one time very rapidly and effectively to augment the active forces.

Question. The traditional role of the U.S. citizen-soldier has been that of answering his country's call during periods of war or emergency. This has become even more true with the advent of the all-volunteer force. This proposal would seem to deviate from the all-volunteer concept by calling up Reserve units involuntarily for operational missions rather than for real emergencies. Please comment on the apparent conflict with the all-volunteer concept.

Answer. We believe there is no conflict between this legislative proposal and the all-volunteer concept. As we phase out of the draft motivated period, there will undoubtedly be a greater willingness on the part of the true volunteers to be available for mobilization when they are needed. Most members of the Selected Reserve are considered to be volunteers even though a few are still fulfilling a commitment they agreed to as the result of a preference not to serve on active duty during the Vietnam conflict.

The knowledge that the Selected Reserve forces are members of the "Total Force" partnership should also encourage enlistments of individuals who will further demonstrate a willingness to serve their country.

Question. Secretary Brehm, you say in your statement that in the past the President has been forced to rely on volunteers to augment the active forces and that the response of reservists in these situations has been heartening. Now, with

fewer and fewer draft-induced reservists in the force, is there any reason to believe such response will be less in the future?

Answer. As we phase out of the period of having many draft-motivated individuals in the Selected Reserve, we believe that the true volunteers will respond to an even greater degree than in the past. However, the number would still be limited.

Question. Secretary Brehm, how do you think this authority would impact on the recruiting and retention of qualified Reservists?

Have Reserve unit commanders been surveyed or asked for their opinions as to the effect of the proposed legislation on their ability to recruit and retain qualified Reservists?

Have the Reservists presently assigned to the Selected Reserve been made fully aware of this proposed legislation? If so, what has been their reaction?

Answer. There will be mixed reactions to this authority as far as recruiting and retention of qualified Reservists is concerned. On balance it should be helpful to the Reserves. Those who joined the Reserves because they believe in the vitality of the function of the Guard and Reserve from the standpoint of National security should be attracted by this development. Recruiting should not be adversely affected because this is a very limited authority.

A survey, per se, has not been conducted to ascertain unit commanders or individual Reservist opinions. We have discussed this legislation with the Chiefs of the Reserve Components, with commanders, and on a limited basis, and individual Reservists during various visits to units in the field. We have also briefed various Reserve associations, such as the Reserve Officers Association, the Naval Reserve Association and the National Guard Association of the United States. The response as to the result of these contacts has been very encouraging. The opposition we have received in the form of letters from individuals appears to be primarily from non-prior service obligors and citizens who do not fully understand the purpose of the legislation.

Question. In light of the added commitment the proposed authority would entail, will it be necessary to provide added benefits and bonuses in order to recruit and retain qualified Reservists for the Selected Reserve?

Do you perceive any difficulty in ordering Reservist combat personnel (not entitled to bonuses) to serve alongside active duty combat personnel who are entitled to bonuses?

Answer. We do not expect that added benefits and bonuses will be necessary, at this time, in order to recruit and retain qualified Reservists for the Selected Reserve, nor do we anticipate a problem when these members are ordered to active duty. The active duty incentives that are available would also be available to Reservists who elect to volunteer for active duty enlistments. The flow of Reservists volunteering for active duty and in-turn separatees from active duty volunteering for participation in the Selected Reserve is an excellent utilization of a trained resource.

Question. Many (perhaps most) of the Reservists to be called are recent combat veterans of the Vietnam War. Some may feel that an involuntary call of these veterans does not spread the obligation of defending this country equitably. What is the Department of Defense view?

Answer. Veterans who have volunteered for the Selected Reserve are a valuable trained asset and are the types of individuals who are willing to be mobilized when the need dictates.

Question. Has the Department of Defense attempted to estimate the amount of additional appropriations which will be required as a result of the enactment of this measure? Are routine operational missions planned which can be reflected in the annual budget submission?

Answer. There will be no requirement for additional appropriations to support the enactment of the proposed legislation. If there is no mobilization during the budget year there will be no costs related to the existence of the 50,000 call-up authority. Costs related to an actual call-up would be met within the existing appropriations for the Service(s) concerned, insofar as possible. Depending upon the magnitude and duration of the mobilization, it may be necessary for DoD to go to the Congress for a supplemental appropriation and/or appropriation trans-

fers to avoid adverse impact upon normal operations of the particular Service(s). There will be no requirement for new, special or additional routine operational missions for any units as a result of the enactment of the proposed call-up authority. The normal training conducted by all Reserve Component units will adequately prepare them for mobilization requirements.

Question. How much will it cost to order 50,000 Selected Reservists to active duty for 90 days? Use typical hypothetical scenarios as a basis for cost estimates.

Answer. The estimated cost to order 50,000 Reservists to active duty for 90 days is \$180.0M. This is based on a scenario where the manning levels in selected units are being raised, some service units have been activated and the airborne divisions are on alert. In this scenario indicators are not significant enough to mobilize the U.S., but the Secretary of Defense has been instructed to raise the level of readiness of U.S. forces.

This is constrained to preclude activation of more than 50K for more than 90 consecutive days.

Question. Since Congress would not necessarily authorize each specific Reserve call-up, appropriations to support these call-ups would normally be acted on by Congress after the fact. Would the Administration have the authority to fund a call-up without a prior appropriation for this purpose? How will this problem be managed?

Answer. Funding for pay and support costs of reservists ordered to active duty under the authority of the proposed legislation would be authorized under the existing language of the annual appropriations for pay and support of active duty personnel. Depending on the circumstances, timing, and duration of such a call-up, as well as the impact of active duty deployments and activity levels, additional amounts required in the affected appropriations would be sought through reprogramming, transfer or supplemental appropriation requests, as appropriate.

Question. How much prior notification will be given to Reservists before their active duty reporting date?

Answer. This will depend on the situation and the reason for the call-up. Reserve elements will understand that this is an answer to a short-notice contingency. Under existing law, a reasonable time shall be allowed between the alert and the date required to enter active duty. The potential or realized contingency may not permit "reasonable" time in every instance, although delays in reporting can be granted for hardship cases on an individual basis under existing procedures.

Question. Would active duty service under the proposed authority in any way negate the requirement for an individual Reservist to fulfill his annual 15-day active duty tour for training? Would some Reservists be subject to serving a 90-day tour plus a 15-day tour in the same year?

Answer. Normally, units which are mobilized are excused from the 15-day active duty tour in the year they are released from Active duty. However, in many cases individual Reservists may voluntarily prefer to perform this annual tour also.

Question. Will a Reservist who has almost completed his ready Reserve obligation (e.g., 90 to 120 days remaining) be exempted from call-up under the proposed authority?

Answer. It is not proposed that he be exempt if he has at least 90 days left in his Reserve obligation. If he has more than 90 days remaining, his skills and experience with the unit will be required for the purpose for which the unit is mobilized. However, individual hardship cases will be considered.

Question. Is it possible that many Reservists ordered to active duty under the proposed authority would suffer a loss in income? How would the Reservist be compensated for financial loss?

Answer. There are sure to be some individuals who will receive less military pay than they receive in their civilian employment. Employer compensation for mobilized members varies from no compensation to full pay for four weeks or more. The individual company policies would dictate whether or not a mobilized Reservist would suffer any financial loss.

Question. I am concerned about the difficulties Reservists might have in regaining their jobs after completing their tours of active duty under the proposed authority. I understand this problem arises frequently with Reservists when they perform their annual two-week active duty training tours. What difficulties do you foresee and how would they be resolved? Is there adequate protection in law to assure that Reservists will be able to be reemployed? Have you sought the views of the Civil Service Commission and the Department of Labor on this matter?

Answer. S. 2115 contains a provision which would assure reemployment rights for any individual who is ordered to active duty under this authority. This particular provision was developed in coordination with the Department of Labor during the staffing phase of the proposal. Civil Service Commission coordination was also obtained through the Office of Management and Budget.

We also have a very energetic program to develop support among employers within the private sector for the Total Force policy and the Guard and Reserve programs in particular. We have had a very good response in this respect.

Question. During each post-World War II mobilization of Guard and Reserve units, a disproportionate share of the hardships incurred have fallen on a few states. For example, Hawaii and Colorado units provided a major share of ground combat units during the 1968 call-up; a few states provided the major share of troops during the Berlin crisis call-up. How can the hardships which always accompany a Reserve call-up be shared by all of the States?

Answer. The Department of Defense would take into consideration the hardships experienced by certain States during previous mobilization when it is necessary to implement this authority. However, the requirements to accomplish a particular mission must be a predominant factor.

Question. Will the units in the highest state of readiness ordinarily be called? If so, does this not provide a disincentive for State Guard units to concentrate on combat readiness?

Answer. Though "most ready" units will usually be called first, the force will be tailored to the situation. If highly specialized units are required, their special skills would be considered along with their readiness state when recall decisions are made.

The incentive in a Reserve unit is to be the leading or "most ready" unit in its Service. Those who believe they have an important function to perform will be most motivated. The primary disincentive occurs when recalled units are not meaningfully employed.

Question. What other federal/state potential difficulties have been identified? Has this area been given careful study?

Answer. Our General Counsel has researched the area of Federal/State relationships thoroughly, and we see no difficulties in this area.

Senator NUNN. One general question in closing. I notice that your scenarios involve a large number of possible Army troops, up to possibly 50,000, a rather large number of Air Force and very few Navy. That brings to light one of my concerns.

The Navy is not—perhaps they cannot—but they are not giving very many meaningful missions to the Reserves. I think there are fine Naval Reserve units and individuals, many of them capable of doing a tremendous amount of good for the country.

Are you doing anything specifically to look at this Naval Reserve problem to determine why there are so many units that obviously do not have any mission—or, let us put it this way, do not have any immediate wartime mission?

Mr. BREHM. We have had a very intensive effort under way for the last seven or eight months to rationalize fully the forces we want to keep in the Naval Reserves.

In one sense the Naval Reserve has been the last element in the total force picture to be tackled in this respect. I believe we are getting on top of it. We have stratified the Naval Reserve forces into different mission-oriented categories—to be specific, those units that are associated with ships, those associated with aviation activities, those associated with specific operations in reinforcing the shore establishments and so forth.

It is a complex, tough job. The Navy is working on it hard, and we are working with them. I am confident that when we come to the Congress next spring, we will have a good appreciation for our requirements. I am hopeful that the Armed Services Committees will both be satisfied with it.

Senator NUNN. The Navy has a plan of going to 600 ships from about 495-500 range now, in a period of 10 or 12 years. I do not know how long I will be involved in this manpower subcommittee but I am going to be asking a lot of questions about any additional Naval personnel required to man the 600 ships while they have, I believe, 104,000 to 106,000 Naval Reservists under the last authorization.

I made that statement before the Senate in a debate this year. I just wanted to emphasize it to both of you, because I cannot see, based on the knowledge I have of it right now, how any additional naval active duty manpower would be justifiable until the Navy has done a much better job of giving a meaningful mission to the 106,000 reservists that they have.

Mr. BREHM. We welcome your questions. I think it is an important issue to be resolved. Perhaps we are three-quarters of the way there. I think this is something we can and should resolve.

Senator NUNN. I know it is difficult in ships; I know it is a problem. You cannot just all of a sudden man an aircraft carrier with a reserve unit. By the same token, the Navy has an awful lot of supply officers. They have a lot of shore people. With the volunteer force growing and the ship to shore ratio being one of the hidden costs of the volunteer force that do not show up on DOD's ledger sheets, but they are there for morale purposes, it seems to me that you have a lot of areas that would not involve actual deployment at sea that the Navy could use reservists for.

I have been informed that the Navy has a lot of active duty legal people that the reservists could begin to help and assist. There are all sorts of functions, it seems to me, that ought to be explored. I hope you will do that in the next few months.

Who is directing that effort?

Is it strictly a Navy operation?

Mr. BREHM. It is basically under the direction of the Chief of Naval Operations. He actually got started when he was the Vice Chief. It is also under the cognizance, and is being reviewed, by my counterpart in the Navy, Secretary McCullen, the Assistant Secretary of Manpower and Reserve Affairs.

Senator NUNN. Mr. Tankersley, do you have any other observations or comments you want to make?

Mr. TANKERSLEY. No, sir, except to add to Secretary Schlesinger's and Secretary Brehm's comments to the essentiality of this particular

bill to the credibility and viability of the reserve forces. I think this is a piece of legislation that will have a great effect on increasing the readiness and credibility of the reserve forces.

Senator NUNN. I am inclined to agree with you. We are going to be looking at it and making sure we give everyone time to comment on it. We are going to make sure that those authors of the War Powers Act have plenty of time to comment on it.

We certainly want to hear about the various Reserve components as to what they think about it. I believe it is fair to say this proposal originated through hearings last year that were held in this particular Subcommittee, at least on an ad hoc basis on the airlift.

I am very interested in it, and I think it could, over a very long period of time, have a very profound influence on the total force concept. I appreciate your work.

Senator CULVER. Mr. Brehm, would you please elaborate on the examples you give on page 5 of your testimony? Are these examples realistic and likely?

For example, under what circumstances would we really need 10 to 20,000 extra men for Army truck and terminal service companies?

Mr. BREHM. The examples I mentioned were keyed to national planning scenarios. For instance, in the event massive forces and supplies were being moved by the Warsaw Pact countries to the Western European border, prudent response might dictate a rapid build-up of our logistical capability in a very short period of time. When a large increase in logistics support is required, there would be an attendant increase in personnel and equipment sufficient for around-the-clock (24 hours) operations. An operation of this magnitude might require the establishment of temporary staging areas (near major seaports) and the capability to transport military supplies and munitions to designated locations anywhere in the European (NATO) Theater.

The movement of large quantities of material must necessarily be by sea. This would automatically trigger an increase in Navy personnel required for vital cargo handling, hauling and ship control duties.

In the Air Force, additional personnel might be required to supply air crew and maintenance capability in support of increased airlift and aerial port augmentation similar to that provided during the last Arab-Israeli conflict.

I consider these to be realistic and likely examples of how the requested authority might be utilized.

Senator CULVER. What types of units could not be effectively deployed and utilized in only 90 days?

Mr. BREHM. Most Reserve units can be deployed and utilized in 90 days. However, a unit that is in transition from one type of mission or weapons system to another would not be a candidate for this type of call. A complete Army division—a division force equivalent—could not be mobilized, deployed, and effectively utilized for any significant period of time within the 90-day period.

Senator CULVER. Since Secretary Schlesinger says that a decision on a national emergency to prolong the 90 days would have to be made "at a very early point" in those 90 days, then what real gain comes from this bill?

Mr. BREHM. The type of order to active duty which is proposed in this legislation is an attempt to preclude a declaration of a national emergency. However, if the intent of the callup—to serve as deterrent to potential aggressors and as an encouragement to our allies—is not heeded by the other camp, then a decision will have to be made early in emergency. However, if the intent of the call-up—to serve as deterrent of a national emergency.

Senator NUNN. I appreciate your coming this morning, and I look forward to working with you in the future.

Thank you.

[Whereupon, at 11:45 a.m., the subcommittee was adjourned.]







