

**Opening Statement of  
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**Before the Subcommittee on  
Emerging Threats and Capabilities  
of the Committee on Armed Services  
of the  
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## **INTRODUCTION**

Mr. Chairman, Senator Bingaman, distinguished members of the committee. Thank you for inviting me to address you today. U.S. Joint Forces Command's role as the Department of Defense (DoD) operational command for management of the consequences of a Weapon of Mass Destruction (WMD) incident in the continental United States is one we take very seriously. What at one time was an unthinkable event has now become a threat upon which we are increasingly focused. But since you are just as convinced of the increasing threat from these weapons as I am, we'll start from that common understanding.

## **BACKGROUND**

A major part of DoD consequence management of a WMD incident involves coordinating with other agencies at the local, state, and federal level. Given the immensity and gravity of a WMD incident, many agencies are involved, and even the definition of WMD can cause differences and confusion. For our purposes, a WMD incident is defined as a deliberate or unintentional event involving a nuclear, biological, chemical, radiological weapon or device, or a large conventional explosive.

The increasing likelihood of the use of a WMD has caused the Department of Defense to examine the unique capabilities we could and should bring to the table at such a time. In fact, President Clinton directed the Department of Defense to conduct a review of such capabilities in the spring of 1999. But we have to be very careful about what we can do within the United States, because our forefathers rightfully imposed stringent restrictions on the use of the military for domestic tasks. The boundaries and responsibilities have to be very well thought out and defined.

#### **UNIFIED COMMAND PLAN 99**

The lead for managing the consequences of a WMD incident is shared by the Assistant to the Secretary of Defense for Civil Support and U.S. Joint Forces Command. The actual tasking for U.S. Joint Forces Command, which came in the 1999 Unified Command Plan (UCP), was very short and succinct: "[Provide], within CONUS, military assistance to civil authorities (including consequence management operations...), ...subject to Secretary of Defense approval." However, in his UCP Letter of Transmittal to President Clinton, Secretary Cohen expanded a bit on both the need and the methodology for standing up an organization to be

part of the solution - Joint Task Force - Civil Support.  
Secretary Cohen said:

"Due to the catastrophic nature of a WMD terrorist event that will quickly overwhelm state and local authorities, we have become convinced that our current structure for providing DOD support needs to be expanded. Therefore, we see the need to create a new organizational structure - both an operational capability and an oversight mechanism - that can anticipate the support requirements for responding to a catastrophic terrorist incident, undertake detailed analyses, conduct exercises, and ultimately respond in support of civil authorities."

"Accordingly, I intend to establish a standing Joint Task Force - Civil Support (JTF-CS), which will report to me through the Commander in Chief of the U.S. [Joint Forces] Command and the Chairman of the Joint Chiefs of Staff... Its principal focus will be to plan for and integrate DOD's support to the lead federal agency, which will have the [U.S. Government] responsibility to manage the consequences of a domestic WMD event."

Secretary Cohen continued in the transmittal letter to describe the part of this structure change that doesn't fall within the UCP: "Due to the unique circumstances of this reorganization, I also intend to establish a new

position in my office to enhance the existing civilian oversight of both the policy and operational elements associated with domestic preparedness for WMD consequence management. The Assistant to the Secretary of Defense for Civil Support (ATSD (CS)) will serve as a focal point and coordinator of the Department's many activities in support of other federal government agencies in this area."

The establishment of both JTF-CS and the Office of the Assistant to the Secretary of Defense for Civil Support were major steps in strengthening DoD's overall capabilities for responding to WMD consequence management. WMD consequence management requires a coordinated response at three levels - local, state and federal, and the DoD strategy includes support at every level.

At the local level, the Director of Military Support (DOMS) provides oversight for the Domestic Preparedness Program, which provides training in WMD consequence management to civilian first responders in 120 cities across the nation. The program seeks to improve the capabilities of our local first responders to manage the aftermath of a WMD incident. DoD will continue to support the program, but we anticipate that the President will reassign operational responsibility for the program to the Attorney General, effective 1 October 2000.

At the state level, DoD has improved the ability of state governments to respond by working with them to establish and support the WMD Civil Support Teams (CSTs), formerly known as Rapid Assessment and Initial Detection (RAID) teams. Because they are National Guard assets, WMD CSTs can function under state or federal authority. They are equipped with sophisticated communications systems that will enable local first responders to talk with neighboring jurisdictions or link up with federal centers of expertise. WMD CSTs are also being equipped with state of the art detection equipment that will enable them to help local first responders quickly identify potential WMD agents.

At the federal level, responsibility for responding to a WMD event is shared by many agencies. Effective 1 October 1999, UCP 99 tasked U.S. Joint Forces Command to become the operational-level Commander in Chief (CINC) over DoD support for CONUS WMD consequence management planning and response. This tasking forms another part of DoD's strategy for assisting first responders by providing them with more efficient delivery of military support in times of crises. A key element of this is to establish JTF-CS as a standing command and control headquarters for responding DoD military forces. However, the bulk of military support that U.S. Joint Forces Command can make available will come from

other units with military capabilities inherently useful in managing WMD consequences. These other capabilities, in both the active and reserve components of all of the services, include transportation, chemical/biological/radiological reconnaissance and decontamination, mortuary affairs, medical, logistics, and communications. But why is all of this important as you examine the DoD strategy for WMD consequence management?

First and foremost, we see this task as important enough that it has been given to one of the U.S. military's five regional Unified Commanders in Chief, who report directly to the National Command Authority for operational matters. As the responsible Unified Command, U.S. Joint Forces Command will be the liaison to the Secretary of Defense and Chairman of the Joint Chiefs of Staff at the strategic level, working the policy issues. This gives me a fine "bully pulpit" from which to be heard, to make a difference in the interagency arena where many of the issues must be resolved.

It also means that we will apply the same staffing processes and appropriate sets of tools that we would to any other operation. Like any operation across the spectrum, from disaster relief to peace support to major

regional conflict, it will be analyzed, dissected, planned, practiced and executed with the utmost rigor.

Besides analyzing and planning, we have significant assets to bring to bear. As the Joint Force Provider of nearly 1.2 million assigned CONUS based active, reserve and National Guard service members through my Service components, most of the units that would be used to provide support in this arena would come from U.S. Joint Forces Command. That allows us to use the same employment/deployment process we use daily in support of the other regional CINCs.

We also bring expertise and action in many other areas, like doctrine development, command and control organizations and equipment, and training. We bring specialty advisors from critical areas every JTF commander needs - legal, engineering, medical, public affairs, and others. Finally, everything we bring to this operation comes with a joint orientation. As DoD's chief advocate for jointness, we bring a mindset that is critical to the WMD consequence management operation - we have to work together, sharing and collaborating, to get the job done.

To summarize, the Secretary of Defense gave this task to U.S. Joint Forces Command because we have the organizational expertise to make JTF-CS successful, and we



will be using the same military chain of command that we use for all other operations. I am confident that JTF-CS is maturing into a capability that will serve the nation well.

#### **JOINT TASK FORCE - CIVIL SUPPORT**

Based on guidance received from the Secretary of Defense in January 1999, planning began last year to stand up JTF - Civil Support by 1 October 1999. From this starting point, JTF-CS has become the primary DoD operational command and control headquarters for domestic WMD consequence management.

There are several advantages that JTF-CS brings to this DoD effort, including:

1. Designation of a full-time General Officer and standing headquarters to focus exclusively on the multitude of WMD consequence management issues
2. Providing a single DoD point of contact at the operational level for Federal, State and local authorities
3. Providing a staff of highly trained experts to act as a focal point for operational information analysis and dissemination.

4. Ensuring unity of command of the DoD assets operating within the confusion of a WMD incident area.

The mission of JTF - Civil Support is to deploy to the vicinity of a WMD incident site as requested by the Lead Federal Agency, establish command and control of designated DoD forces and provide military assistance to civil authorities to save lives, mitigate injuries, and provide temporary critical life support.

A key point to make here is our relationship to the Lead Federal Agency (LFA). Under no circumstance will U.S. Joint Forces Command or JTF-CS be in charge of the consequence management site. We will always act in support of an LFA (which is in support of state and local authorities), and will participate as a follow-on consequence management force behind first responders and state assets that will normally arrive at the incident site first. The Commander of JTF-CS and his permanent staff, through constant exposure to the issues inherent in operations in the United States, will be able to apply the strengths that are resident in a military organization. They will do this in complete compliance with the

Constitution, the Posse Comitatus Act, and other applicable laws.

## **JTF-CS RELATIONSHIP WITH THE STATE (NATIONAL GUARD)**

### **ORGANIZATIONS**

The next issue to be addressed is the relationship between the federal command and control structure and the state's command and control structures. First, let me mention that I came and spoke to the state Adjutant Generals at their recent conference here in February. I told them many of these same things, about what we do and don't bring to the table, and how we expect to work with them. By all accounts, they really liked what I had to say, and I think we have established a good dialog. JTF-CS is already working with selected Adjutant Generals to reach consensus on certain issues. One of those is a military headquarters structure to support a WMD incident site that would accomplish the following objectives:

1. Foster unity of effort between state and federal military forces
2. Permit the National Guard to remain in a state active duty status, and

3. Promote the Secretary of Defense's core principle of grounding our military response to a WMD incident primarily in the National Guard and Reserve.

In response to federal guidance, the National Guard has formed WMD CSTs. These 27 teams (10 now, with 17 more coming), strategically located within the 10 FEMA regions, are tasked to rapidly deploy to a site to initially assess an incident in support of a local incident commander (e.g. fire chief, police chief). The WMD CSTs also advise civilian first responders on appropriate response actions and facilitate requests for assistance from other local, state and federal jurisdictions.

Since these WMD CSTs are state assets, we must ensure that assistance from the federal government, when requested, does not interfere or duplicate the state efforts. On the one hand, this is an information issue, so we must ensure we have a proper process to exchange information. But the larger issue concerns who is in command of what forces.

The states exist as separate entities from the federal government. The National Guard, while serving in a state active duty status, represents the military force of the state and is controlled by its elected chief executive officer, the governor. It is important for state

authorities to be seen as partners with, and not subordinate to, federal authorities, as recognized in the Terrorism Annex of the Federal Response Plan. In fact, the plan stipulates that state governments, as opposed to the federal government, will have primary responsibility for WMD consequence management. Recognizing this, by analogy we might look to coalition operations between sovereign nations at the international level as possible models for federal/state military cooperation in the United States. A combined federal/state military headquarters structure incorporating both federal and National Guard forces would facilitate this cooperation.

In addition to the combined state/federal military headquarters structure, however, an additional state headquarters will need to be established. The units assigned to the state headquarters would perform functions not permitted for federal military forces (e.g. law enforcement). All orders and planning efforts would be coordinated through the combined military coordination center to be certain they did not conflict with other operations.

**JTF-CS "INFLUENCE" OVER NATIONAL GUARD UNITS**

A challenge we are currently addressing is our proper oversight function in relation to the WMD CSTs. 10 USC 3013 and 8013 vests the Secretaries of the Army and Air Force with responsibility to train, equip, organize, mobilize and demobilize Army and Air Force Guard units, respectively. As a Unified Command, U.S. Joint Forces Command has training and readiness oversight for all units assigned to it. We are in the process of sorting out those responsibilities in relation to the WMD CSTs. The best use for WMD CSTs may be in a state active duty status, due to the variety of tasks they may be asked to perform. Some might argue for more autonomy to meet individual state's requirements.

However, since it is a common assumption by all involved parties that a WMD incident may quickly overwhelm local and state assets, it is imperative that all consequence management assets, whether local, state or federal, be fully interoperable. As the operational lead for DoD WMD consequence management, we feel that U.S. Joint Forces Command and JTF-CS should have an active role in integrating the capabilities of all state and federal assets, to ensure their interoperability. We are in active discussion with U.S. Army Forces Command and with the National Guard Bureau regarding proper oversight. The areas

where we think U.S. Joint Forces Command should play an important role are:

1. Developing operational requirements (Mission Essential Task List, or METL)
2. Ensuring equipment interoperability
3. Developing doctrine, tactics, techniques and procedures
4. Overseeing joint training exercises
5. Developing a CST affiliation program with JTF-CS
6. Generally acting as an advocate within DoD for collective CST requirements

U.S. Joint Forces Command / National Guard consensus on CST METLs, equipment and training/exercise programs will help accomplish the JTF-CS mission while still respecting the autonomy of the state forces. We feel this consensus can be developed through memoranda of agreement between U.S. Joint Forces Command, U.S. Army Forces Command and respective state National Guards, and through combined federal/state exercises.

## **CONCLUSION**

In the last 15 years there have been over twenty terrorist attacks involving Americans worldwide. Two of these attacks occurred within the United States. As

terrorist groups become more emboldened and sophisticated we can only expect these numbers to increase - especially attacks within the continental United States. In response to the terrible consequences of this increasing threat within our borders, DoD directed U.S. Joint Forces Command to establish Joint Task Force - Civil Support. JTF-CS provides us with faster, more efficient, and more organized support to civilian authorities. JTF-CS is the fulcrum to leverage DoD's contribution to local, state and federal agencies in their efforts to mitigate the effects of a Weapon of Mass Destruction.

Thank you again for the opportunity to testify, and I am happy to answer any questions you may have.