

From: Rep Richardson [mailto:Richardson.Rep@state.or.us]
Sent: Tue 2/17/2009 2:34 PM
To: CALDWELL Mike
Subject: Questions re: National Guard as State Militia

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General Caldwell,

I have now read Federalist Paper #29 and it has improved my understanding of the original intentions for the state militias.

It would be helpful for me if you could provide me with your thoughts on the following questions:

1. Would you please give me in writing the history you mentioned of the rather recent military strategy that would result in only a standing Army that would be sufficient to fight an emergency engagement for a month or two before requiring support from the National Guard and incurring the public's opinion—positive or negative—on doing so.
2. Hamilton in F.P. #29 says one reason for the militia is to have a trained group of citizens in every community that would serve as a protection from the possible usurpation of liberty by a standing army (Praetorian Guard). Is this protection not placed into jeopardy by having the militia morphed into the Executive's Praetorian Guard, though making it subject to repeated deployments by the Pres. with allegiance to the Governor of the state that enlisted them?
3. Are National Guard officers trained and appointed "solely" by the states that enlisted them?
4. What changes in the way the N.G. functions would allow it to work more in tune with the intentions of being a reactionary force to defend our nation rather than a surrogate for the Regular Army?

Dennis Richardson

[Responses from Brigadier General Mike Caldwell to Rep. Richardson's N.G. Questions]

Representative Richardson:

You asked for some written comments. I apologize up front, my opinions are probably more than you want to read, but I feel compelled to give you my best shot at your questions.

General Abrams as the last commander in Vietnam subsequently followed on as the Army Chief of Staff and was faced with a big problem in that position. He had a real threat in Europe, an Army that was in bad shape due in large part because of the Draft according to some historians. He also faced a Congress that did not feel like putting large amounts of money into the Army to recapitalize the equipment or the infrastructure. He also was greatly disturbed by the impacts of the Draft era Army and the fact that the only war the U.S. had lost, was Vietnam. He constructed what became known as the "Total Force" policy, (which is credited to Sec. of Defense Melvin Laird) for two primary reasons:

1. He needed more Divisions to match the Soviet threat in Europe and had no money to buy them.
2. He did not want the Army to go to war without the support of the American public.

To accomplish these goals he envisioned an Army that could not sustain itself in a medium to long-term conflict without calling up the Guard and Reserve. If you recall, President Johnson was asked several times by his Joint Chiefs to call up the Guard, but he elected not to because he was certain that by doing so he would enrage the American people, so he increased the Draft.

General Abrams believed that if any President was forced to call the Guard and Reserve up for any war, that the American people would be given an immediate litmus test as to whether they supported the action or not. The Army proceeded to move major portions of Force Structure out of the Active Army and place them in the Guard and Reserve. Had General Abrams lived, I think the Total Force would have been executed much better than it actually was.

[See below for References.]

In theory, you could move an Active Army Division to a war Theater and sustain it for 90 to 120 days, but beyond that, to fill the Division to its "Go to War" strength, the Guard and or Reserve would need to be called to sustain the action. Not every Division was broken up in this manner but the Army had around 15 or 16 Divisions with only 5 or 6 with its complete compliment of soldiers and equipment. This allowed a ready force that could be augmented with partial Divisions allowing for the Guard and Reserve 120 days or more to prepare to be integrated. Typically, you would see small units of commo, graves registration, Intel, Engineers, Aviation etc. in the Guard and Reserve that had a place inside an active duty Division if called to war. We in the Guard during these times, the 1970's, were aligned with Active Duty Divisions and in many case's we were called "Round Out" units.

We in Oregon were "Round Out" to the 7th Infantry Division where we had the 41st Brigade as one of 3 Combat Brigades of that Division. In Eastern Oregon, we were eventually Rounded Out to the 4th Infantry Division where I commanded a "Round Out" Tank Battalion. This allowed a less expensive and capable force of citizen soldiers, perhaps less ready than an Active Duty organization but non the less capable given enough time and resources as well as forcing the Abrams Litmus Test to Congress and the American people.

As I told you in the hall yesterday, in Vietnam, we had sustained around 12,000 KIA's by Tet of 1968. By the time we left Vietnam we sustained over 58k. I don't think anyone can for certain say that had the Guard been called to Vietnam the war would have taken a better course, but in our nations history, we have always, except during Vietnam, called upon the Citizen Soldier from the Guard/Militia to "Raise an Army" as the Constitution dictates. After such conflicts, the Army was sent home and the Active Army went back to its "Regular Army" levels, which historically was

always small. As an example, General George Patton was promoted to Brigadier General in WW I, but after the war, he was forced to return to his "Regular Army" rank of Major. The Regular Army is the "Tenured" Army but in a time of war "Reserve" Commissions are allowed and the ranks are expanded to meet the needs of the service. Until post WWII, this was our nations practice. The Cold War changed this practice and it was believed essential to maintain a larger Active Force. Unfortunately, most Americans think the Cold War construct is our nations norm. History suggests otherwise.

Today, the Army is at 10 Divisions or Brigade equivalents. Big Army does not measure themselves by Divisions any longer but Brigades. The Guard has approximately 6 Divisions worth of Combat troops. Given the reductions after the Cold War, the cost of maintaining a large active component, the Congress and both Republican and Democratic Administrations cut the active forces for cost savings and on paper relied on the Guard to make up the necessary troops. The problem was that Congress and these various Administrations, did not appropriate the necessary dollars to fully equip the Guard with modern equipment. Also the Army did not anticipate the requirements to actually sustain combat operations on two fronts along with all the other world wide commitments that they already had like Europe, Korea and the Sinai even though they claimed they did. This played out, as you no doubt recall, when we first called up our units who did not have new Body Armor as an example. I believe that the Bush Pentagon never planned that we would be in a sustained long term commitment to Iraq or Afghanistan. If you believe half of what has been written over the past several years, it is clear that the Rumsfeld Pentagon fully intended to get out of Iraq as soon as possible. Obviously that has not been the case.

Finally, I believe that due to the absolute need to call up the Guard and Reserve for these current wars, America has been engaged as General Abrams had envisioned. Regardless of ones opinion on the war, I believe that the American people have seen local citizens be deployed from virtually every city, town and county in America. The numbers indicate that less than 1% of the American people are actually serving in the Armed Services, but that 1% is comprised of average Americans from every hamlet in our land. In my opinion, that has the desired impact on our fellow citizens and forces us to recognize that this nation is at war and those impacts are real. Again, I think that our founding fathers had this in mind as they wrote our Constitution. We should not go to war and rely on a "Praetorian Guard" to fight our wars.

In question 2 you rightly point out that could the Militia/Guard be morphed into a Federal Praetorian Guard? I think it could. The best protection against such, in my opinion, is to always after a conflict, reduce the size of the active forces to curtail any President or Congress from using the military for adventurism. If the active forces are relatively small, the majority of soldiers will be under the control of the Governors until called into federal service as the Constitution dictates. Again, with this construct, as we have seen in this war, political pressure forces the federal government to get these soldiers back to their homes and jobs and reduce the deployment time. We have seen this with advent of Secretary Gates and it has impacted the available forces for deployment. This is an effective tool to keep the appetite of those who would prefer an imperial force.

Question 3. All Guard officers must be appointed by the Governor of their state before they can be promoted in the federal service. If you recall in the Constitution, it says that the Militia will be disciplined according to rules established by Congress. The active services and Congress have interpreted this to mean that they can set the rules for promotion and just because the Constitution says the officers will be appointed by the states, they prescribed what rules that will be allowed for a federal promotion. As an example, several years ago the Army believed that the Guard was promoting General Officers more on politics than merit so they pushed Congress to pass a law that only applies to the Guard that in order to be appointed to General, you must attend Senior Service College. At the time, there was no course that was non-resident, so if you were selected and promoted to General in your state by your Governor, the feds would not recognize it, nor pay the pay grade until the Sr. Service college requirement was successfully

completed. It is still that way today, but yet the active duty Army is not required the same in the law. They do require it in regulation, but not in law. Initially, it was a huge problem for a citizen soldier to leave their job for 9 months and go to school. Over time a correspondence course has been developed so we have a decent pool of people to promote, but its a good example of the push and pull that happens based on the interpretation of the Constitution.

Question 4. I suppose that one could have only a State Force or a true Militia. In Oregon we have the State Defense Force that is a state only element. The only federal support is some hand me down equipment but even that is limited. The Legislature has not seen fit to fund even the small fiscal needs of this volunteer force that we use it to liaison with county emergency management offices. I don't know of a construct that is affordable and would have the capability and equipment to actually replicate the force we have now, the National Guard. As you recall, we are 97% federally funded. It would take huge amounts of state dollars to even have a limited force. Perhaps the federal state mix has its problems at times and from my stand point I could point out numerous issues that perturb me everyday about the Pentagon and how they do business, but I am at a loss to figure out how to make it better with the limited amount of money that is given to us by the Legislature.

Again, I went too long, but I hope this helps your decision on your position.

Gen. Caldwell

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References:
From Wikipedia:

The Total Force Policy was adopted by Chief of Staff of the Army General [Creighton Abrams](#) in the aftermath of the [Vietnam War](#) and involves treating the three components of the [US Army](#) - the [Regular Army](#), the [Army National Guard](#) and the [Army Reserve](#) as a single force.^[9] Believing that no president should be able to take the United States (and more specifically the US Army) to war without the support of the American people, General Abrams intertwined the structure of the three components of the Army in such a way as to make extended operations impossible, without the involvement of both the Army National Guard and the Army Reserve.

Also see this
link:<http://www.fpri.org/enotes/20050203.military.carofano.totalforcepolicyabramsdoctrine.html>

Also, an old article from Thomas Ricks, author, Making the Corps, that you may enjoy.
<http://www.theatlantic.com/issues/97jul/milisoc.htm>

Also, the best book I have read in some time on what we are doing in this new war. I highly recommend it.http://www.amazon.com/Limits-Power-American-Exceptionalism-Project/dp/0805090169/ref=pd_bbs_sr_1?ie=UTF8&s=books&qid=1235031757&sr=8-1

One more on Vietnam <http://www.amazon.com/Strategy-Vietnam-War-Context/dp/1410204197>