



# AUSA BACKGROUND BRIEF



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## THE MILITARY FORCE STRUCTURE REVIEW ACT OF 1996: THE QUADRENNIAL DEFENSE REVIEW AND NATIONAL DEFENSE PANEL

(The purpose of this *Background Brief* is to provide authoritative source information from the National Defense Authorization Act of Fiscal Year 1997 regarding the congressionally-mandated review of the U.S. armed forces.)

The Quadrennial Defense Review, recommended by the Commission on Roles and Missions of the Armed Forces and approved by Secretary of Defense William Perry, was mandated and further defined by Congress in the Military Force Structure Review Act of 1996.<sup>1</sup> The following information is extracted from that document.

### SEC. 922. FINDINGS.

Congress makes the following findings:

- (1) Since the collapse of the Soviet Union in 1991, the United States has conducted two substantial assessments of the force structure of the Armed Forces necessary to meet United States defense requirements.
- (2) The assessment by the Bush Administration (known as the "Base Force" assessment) and the assessment by the Clinton Administration (known as the "Bottom-Up Review") were intended to reassess the force structure of the Armed Forces in light of the changing realities of the post-Cold War world.
- (3) Both assessments served an important purpose in focusing attention on the need to reevaluate the military posture of the United States, but the pace of global change necessitates a new, comprehensive assessment of the defense strategy of the United States and the force structure of the Armed Forces required to meet the threats to the United States in the twenty-first century.

<sup>1</sup> U.S., Congress, House, *National Defense Authorization Act for Fiscal Year 1997: Conference Report to Accompany H.R. 3230, Subtitle B – Force Structure*, 104<sup>th</sup> Cong., 2d sess., 1996, H. Rept. 104-724, pp. 209-215.

- (4) The Bottom-Up Review has been criticized on several points, including —
- (A) the assumptions underlying the strategy of planning to fight and win two nearly simultaneous major regional conflicts;
  - (B) the force levels recommended to carry out that strategy; and
  - (C) the funding proposed for such recommended force levels.
- (5) In response to the recommendations of the Commission on Roles and Missions of the Armed Forces, the Secretary of Defense endorsed the concept of conducting a quadrennial review of the defense program at the beginning of each newly elected Presidential administration, and the Department intends to complete the first such review in 1997.
- (6) The review is to involve a comprehensive examination of defense strategy, the force structure of the active, guard and reserve components, force modernization plans, infrastructure, and other elements of the defense program and policies in order to determine and express the defense strategy of the United States and to establish a revised defense program through the year 2005.
- (7) In order to ensure that force structure of the armed forces is adequate to meet the challenges to the national security interests of the United States in the twenty-first century, to assist the Secretary of Defense in conducting the review referred to in paragraph (5), and to assess the appropriate force structure of the armed forces through the year 2010 and beyond (if practicable), it is important to provide for the conduct of an independent, nonpartisan review of the force structure that is more comprehensive than prior assessments of the force structure, extends beyond the quadrennial defense review, and explores innovative and forward-thinking ways of meeting such challenges.

#### **SEC. 923. QUADRENNIAL DEFENSE REVIEW.**

- (a) **REQUIREMENT IN 1997.** — The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall complete in 1997 a review of the defense program of the United States intended to satisfy the requirements of a Quadrennial Defense Review as identified in the recommendations of the Commission on Roles and Missions of the Armed Forces. The review shall include a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan and other elements of the defense program and policies with a view toward determining and expressing the defense strategy of the United States and establishing a revised defense program through the year 2005.
- (b) **INVOLVEMENT OF THE NATIONAL DEFENSE PANEL.** —
- (1) The Secretary shall apprise the National Defense Panel established under section 924, on an ongoing basis, of the work undertaken in the conduct of the review.

- (2) Not later than March 14, 1997, the Chairman of the National Defense Panel shall submit to the Secretary the Panel's assessment of work undertaken in the conduct of the review as of that date and shall include in the assessment the recommendations of the Panel for improvements to the review, including recommendations for additional matters to be covered in the review.
- (c) **ASSESSMENTS OF REVIEW.** — Upon completion of the review, the Chairman of the Joint Chiefs of Staff and the Chairman of the National Defense Panel, on behalf of the Panel, shall each prepare and submit to the Secretary such chairman's assessment of the review in time for the inclusion of the assessment in its entirety in the report under subsection (d).
- (d) **REPORT.** — Not later than May 15, 1997, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a comprehensive report on the review. The report shall include the following:
- (1) The results of the review, including a comprehensive discussion of the defense strategy of the United States and the force structure best suited to implement that strategy.
  - (2) The threats examined for purposes of the review and the scenarios developed in the examination of such threats.
  - (3) The assumptions used in the review, including assumptions relating to the cooperation of allies and mission-sharing, levels of acceptable risk, warning times, and intensity and duration of conflict.
  - (4) The effect on the force structure of preparations for and participation in peace operations and military operations other than war.
  - (5) The effect on the force structure of the utilization by the Armed Forces of technologies anticipated to be available by the year 2005, including precision-guided munitions, stealth, night vision, digitization, and communications, and the changes in doctrine and operational concepts that would result from the utilization of such technologies.
  - (6) The manpower and sustainment policies required under the defense strategy to support engagement in conflicts lasting more than 120 days.
  - (7) The anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities and equipment necessary to assure that the reserve components can capably discharge those roles and missions.
  - (8) The appropriate ratio of combat forces to support forces (commonly referred to as the "tooth-to-tail" ratio) under the defense strategy, including, in particular, the appropriate number and size of headquarters units and Defense Agencies for that purpose.

- (9) The air-lift and sea-lift capabilities required to support the defense strategy.
- (10) The forward presence, pre-positioning and other anticipatory deployments necessary under the defense strategy for conflict deterrence and adequate military response to anticipated conflicts.
- (11) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflict in such theaters.
- (12) The advisability of revisions to the Unified Command Plan as result of the defense strategy.
- (13) Any other matter the Secretary considers appropriate.

#### **SEC. 924. NATIONAL DEFENSE PANEL.**

- (a) **ESTABLISHMENT.** — Not later than December 1, 1996, the Secretary of Defense shall establish a nonpartisan, independent panel to be known as the National Defense Panel (in this section referred to as the “Panel”). The Panel shall have the duties set forth in this section.
- (b) **MEMBERSHIP.** — The Panel shall be composed of a chairman and eight other individuals appointed by the Secretary, in consultation with the chairman and ranking member of the Committee on Armed Services of the Senate and the chairman and ranking member of the Committee on National Security of the House of Representatives, from among individuals in the private sector who are recognized experts in matters relating to the national security of the United States.
- (c) **DUTIES.** — The Panel shall —
  - (1) conduct and submit to the Secretary the assessment of the review under section 923 that is required by subsection (b)(2) of that section;
  - (2) conduct and submit to the Secretary a comprehensive assessment of the review that is required under subsection (c) of that section upon completion of the review; and
  - (3) conduct the assessment of alternative force structures for the armed forces required under subsection (d).
- (d) **ALTERNATIVE FORCE STRUCTURE ASSESSMENT.** —
  - (1) The Panel shall submit to the Secretary an independent assessment of a variety of possible force structures of the Armed Forces through the year 2010 and beyond, including the force structure identified in the report on the review under section 923(d). The purpose of the assessment is to develop proposals for an “above the line” force structure of the Armed Forces and to provide the Secretary and Congress recommendations regarding the optimal force structure to meet

anticipated threats to the national security of the United States through the time covered by the assessment.

(2) In conducting the assessment, the Panel shall examine a variety of potential threats (including near-term threats and long-term threats) to the national security interests of the United States, including the following:

(A) Conventional threats across a spectrum of conflicts.

(B) The proliferation of weapons of mass destruction and the means of delivering such weapons, and the illicit transfer of technology relating to such weapons.

(C) The vulnerability of United States technology to nontraditional threats, including information warfare.

(D) Domestic and international terrorism.

(E) The emergence of a major potential adversary having military capabilities similar to those of the United States.

(F) Any other significant threat, or combination of threats, identified by the Panel.

(3) For purposes of the assessment, the Panel shall develop a variety of scenarios requiring a military response by the United States, including the following:

(A) Scenarios developed in light of the threats examined under paragraph (2).

(B) Scenarios developed in light of a continuum of conflicts ranging from a conflict of lesser magnitude than the conflict described in the Bottom-Up Review to a conflict of greater magnitude than the conflict so described.

(4) As part of the assessment, the Panel shall also —

(A) develop recommendations regarding a variety of force structures for the Armed Forces that permit the forward deployment of sufficient air, land, and sea-based forces to provide an effective deterrent to conflict and to permit a military response by the United States to the scenarios developed under paragraph (3);

(B) to the extent practicable, estimate the funding required by fiscal year, in constant fiscal year 1997 dollars, to organize, equip, and support the forces contemplated under the force structures assessed in the assessment; and

(C) comment on each of the matters also to be included by the Secretary in the report required by section 923(d).

(e) REPORT.—

(1) Not later than December 1, 1997, the Panel shall submit to the Secretary a report setting forth the activities and the findings and recommendations of the Panel under

subsection (d), including any recommendations for legislation that the Panel considers appropriate.

- (2) Not later than December 15, 1997, the Secretary shall, after consultation with the Chairman of the Joint Chiefs of Staff, submit to the committees referred to in subsection (b) a copy of the report under paragraph (1), together with the Secretary's comments on the report. . . .

## **SEC. 926. DEFINITIONS.**

In this subtitle:

- (1) The term "'above the line' force structure of the armed forces" means the force structure (including numbers, strengths, and composition and major items of equipment) for the Armed Forces at the following unit levels:
  - (A) In the case of the Army, the division.
  - (B) In the case of the Navy, the battle group.
  - (C) In the case of the Air Force, the wing.
  - (D) In the case of the Marine Corps, the expeditionary force.
  - (E) In the case of special operations forces of the Army, Navy, or Air Force, the major operating unit.
  - (F) In the case of the strategic forces, the ballistic missile submarine fleet, the heavy bomber force, and the intercontinental ballistic missile force.
- (2) The term "Commission on Roles and Missions of the Armed Forces" means the Commission on Roles and Missions of the Armed Forces established by subtitle E of title IX of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1738; 10 U.S.C. 111 note).
- (3) The term "military operation other than war" means any operation other than war that requires the utilization of the military capabilities of the Armed Forces, including peace operations, humanitarian assistance operations and activities, counter-terrorism operations and activities, disaster relief activities, and counter-drug operations and activities.
- (4) The term "peace operations" means military operations in support of diplomatic efforts to reach long-term political settlements of conflicts and includes peacekeeping operations and peace enforcement operations.

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