

Congressman Rick Crawford

**Testimony before the House Armed Services Committee:
EOD Priorities for the FY2015 NDAA**

Good morning Chairman McKeon, Ranking Member Smith, and distinguished members of the Committee. Thank you for the work you do to preserve the security of our great nation and for allowing me to testify before the full committee regarding Explosive Ordnance Disposal priorities for the Fiscal Year 2015 National Defense Authorization Act. I served in the Army as an EOD tech and I am proud to be a co-founder, along with Committee member Susan Davis, of the House EOD Caucus.

Explosive Ordnance Disposal Soldiers, Sailors, Airmen and Marines are the military's preeminent team of warrior explosive experts. They are trained and equipped to identify and neutralize explosives used by terrorist networks across the globe. EOD techs protect their fellow military personnel and civilians from these threats while providing support across a wide range of military and civilian national security operations.

EOD forces have proven to be game changers in attacking and dismantling terrorist cells and associated networks. These forces will continue to be indispensable assets for the foreseeable future, supporting counterterrorism operations, building the capacity of partner nations and protecting the homeland through providing support to civilian law enforcement agencies at federal, state and local levels.

There are an estimated 66,000 “call outs” annually across the United States on explosive ordnance by interagency, military EOD and public safety bomb squads. Army EOD units responding under immediate response authority have historically departed their home station installation within 30 minutes of notification during duty hours and within 60 minutes of notification after duty hours, 365 days a year. On these civil support missions, EOD has provided support to civilian law enforcement agencies but they do not perform law enforcement activities.

The Boston bombings serve as a stark reminder of the threat of the terrorist detonation of explosives in the United States and have revealed gaps in the Nation’s ability to defeat a sustained bombing campaign in the homeland. I note that military EOD immediate response included the 387th Ordnance Company (EOD) from Camp Edwards, Massachusetts, which responded to 64 “call outs” during the Boston bombing.

However, I have concern that following these attacks, the Army Forces Command issued guidance that the local Staff Judge Advocate must review every civil authority request for emergency EOD response prior to sending aid to ensure that the support does not violate the Posse Comitatus Act of 1878. In addition, the guidance requires that a senior commander, normally a three or two star general officer, must then approve each of these EOD immediate responses and must ensure that civil authorities will reimburse the Army as a condition of immediate response.

I understand the need to ensure that EOD is compliant with the Posse Comitatus Act in any of its civil support missions, but it is

vital that we do not overcorrect and negatively impact the ability of our EOD forces to provide increasingly needed and immediate support to our civilian law enforcement agencies. It is further problematic that under this recent Army Forces Command guidance, the responding EOD unit(s) must now seek reimbursement from local / state / federal law enforcement as a pre-condition for providing the requested military EOD support.

On April 1, 2014, I met with the General Officer that has training readiness authority for the Army Forces Command's EOD units. I have grave concerns over his proposed reorganization of the Army EOD force structure, reorganization of Army EOD force modernization and branch proponents, and reorganization and re-stationing of EOD tactical units and EOD institutional activities. The significance as well as the irreversibility of these proposed actions deserve the Committee's close scrutiny and oversight. I respectfully request that you and the Committee seek more information and further require the Department to justify these proposed changes before permitting any of them to proceed.

We must also ensure that our EOD units, like the 387th out of Massachusetts, are properly equipped to respond to explosive threats in cities and towns throughout the homeland. The Mine-Resistant Ambush Protected vehicles, or MRAPs, are critically needed vehicles for EOD operations in Afghanistan, and I feel that Army National Guard EOD units, comprising one third of the Army EOD Force, need response vehicles like those used by WMD-Civil Support Teams. I understand the Army is looking to divest itself of much of the MRAP fleet as it draws down in Afghanistan. I believe these MRAPs could greatly benefit the

mission for EOD units in the Army here in the US and I encourage the Committee to transfer these excess MRAPs to Army EOD Unit MTOEs. These units also need portable containment magazines to safely store explosives as well as communications capable of integrating with the civilian law enforcement agencies that they're supporting. These Army National Guard units should also receive Training Readiness Oversight and active duty Soldier support from Army Forces Command.

I feel that there are a number of issues that we can address in this year's NDAA that can help strengthen our preeminent explosive experts. As you draft the NDAA, please consider including language to:

1. Direct the Secretary of Defense to Establish a Program Element on "Emerging Threats – Explosive Ordnance" under the Office of Secretary of Defense, Special Operations and Low Intensity Conflict (SOLIC); the Honorable Michael Lumpkin is Secretary Hagel's advocate for the Department's EOD forces.
2. Enact language to immediately halt, and reverse, the attempt by the Department of the Army to reorganize its EOD force structure, reorganize EOD force modernization and branch proponents, and re-station EOD units and transfer EOD functions and activities, until a full analysis and report to the committee that justifies such an action.
3. Direct the Commander of U.S. Northern Command's Joint Force Land Component Command and U.S. Army North to immediately begin working closely, with the Army Forces

Command as force provider, and with the 52d, 71st and 111th Ordnance Groups (EOD) on EOD activities in coordination with the Department of Justice Joint Terrorism Task Forces.

4. Per the GAO Report's finding on their 2012 study of EOD, direct the Secretary of the Army to Establish a Program Element on "Army EOD Program", managed by the Headquarters Department of the Army G-38, to consolidate functions and achieve savings for EOD procurement, research, development, test and evaluation, and operations and maintenance. The Army remains the sole Service Department that does not have a Program Element for its EOD Program.

Thank you again for the opportunity to present my testimony today. I look forward to working with the Committee in the near future to craft legislation that supports the critical Joint Explosive Ordnance Disposal Forces in their mission to defend the homeland and our interests aboard. I remain available to the Committee for further assistance on EOD matters, and I thank you for your consideration.