

GAO@100 Highlights

Highlights of [GAO-21-338](#), a report to congressional committees

Why GAO Did This Study

U.S. military commanders are entrusted with a wide range of unique legal responsibilities that are necessary to carry out their missions. As commanders operate in an increasingly complex legal and policy environment, appropriately tailored legal training can help ensure compliance with legal requirements.

House Report 115-676, accompanying a bill for the John S. McCain National Defense Authorization Act for Fiscal Year 2019, included a provision that GAO review the legal training commanders receive. This GAO report, examines, among other things, the extent to which the services: (1) provide legal training to commanders and account for the training received; and (2) assess legal training provided to commanders to determine whether it meets commanders' needs. GAO analyzed training and personnel documents and data from the services, interviewed agency officials, and conducted discussion groups and interviews with commanders and legal support staff from each service.

What GAO Recommends

GAO is making 15 recommendations, including that the services identify and address issues with training completion data; the Navy formalize its actions to expand its training; the Marine Corps require a mix of legal training; and the Army and the Air Force assess the continuum of legal training provided to commanders. The Department of Defense generally agreed with the recommendations, and described actions planned or completed for many of the recommendations, as discussed in the report.

View [GAO-21-338](#). For more information, contact Brenda S. Farrell, 202-512-3604, farrellb@gao.gov

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MILITARY TRAINING

The Services Need to Ensure That All Commanders Are Prepared for Their Legal Responsibilities

What GAO Found

Military commanders are entrusted with a variety of responsibilities that can involve understanding, interpreting, or complying with legal requirements. Thus, the military services provide legal training to commanders throughout their careers. GAO found that commanders receive dedicated legal training; other training that includes blocks of legal content; and informal legal training, such as informal briefings or conversations with military legal staff.

While legal training is provided, the services' ability to account for the completion of training varies, as the services' systems of record do not document all legal training that commanders complete. Specifically, for four courses in the Army, Air Force, and Marine Corps, training completion data in the service databases were different from the records maintained by the training providers. For example, GAO found that 26 of 56 fiscal year 2019 Army commanders had taken a required course according to the system of record, while training records outside the system showed that 47 of 56 commanders had taken the course. In addition, for four training courses in the Navy and the Air Force, training completion was tracked using a different system than the training system of record. Tracking all training completion in the official systems of record could help the services ensure that commanders complete their required legal training.

GAO also found, through analyses of the legal training offered and from discussion groups and interviews with commanders and legal support staff, that perspectives varied on the general preparedness of commanders to address legal issues. In addition, GAO found that the timing, amount, and mix of legal training provided to commanders may not be meeting their needs. For example:

- Dedicated legal training is generally for mid-level commanders, who may hold multiple command positions before attending the training. Commanders from all four services indicated that they would have benefited from dedicated legal training earlier in their careers.
- Commanders of similar grades and legal responsibilities may not receive similar levels of legal training. For example, GAO found that, although course materials for the Army pre-command course for junior commanders were centrally developed, the time spent covering designated legal topics varied substantially by the location where the instruction took place.
- Some commanders and legal support staff expressed the view that commanders would benefit from additional legal training.

The Navy has begun taking steps to improve its legal training by expanding its training requirements and curriculum, but it has not formalized these efforts through policies and procedures. The Marine Corps is also taking steps to update its legal training materials, but has not taken actions to require that a comprehensive mix of legal training be provided to commanders throughout their careers. Similarly, the Army and the Air Force conduct surveys and reviews of individual courses, but do not know if the current timing, amount, and mix of legal training is meeting the needs of commanders. Both services would benefit from undertaking a comprehensive assessment of the entire continuum of legal training provided to commanders to determine whether they are being sufficiently prepared to carry out their legal responsibilities.