

USAWC STRATEGY RESEARCH PROJECT

**The Role of the National Guard in Homeland Security**

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## ABSTRACT

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In response to the terrorist attacks on the homeland of the United States the focus of the National Security Strategy has shifted fundamentally. The Bush administration is leading a worldwide effort to combat terrorism and protect United States citizens at home and abroad. This campaign places new and significant challenges at the doorstep of the Department of Defense. Using unclassified resources this research project will review and access how the Department of Defense can best utilize the abilities and resources of the National Guard in these efforts. There is a role to be played in Homeland Security by the National Guard. That role must be clearly articulated in terms of tasks that support the civilian agencies that truly bear responsibility for the security of the homeland against terrorist attacks. The SRP will focus on ways to leverage the unique aspects of the National Guard to assist these agencies in homeland security while trying to achieve a balance of readiness for satisfying the primary war-fighting mission assigned to the National Guard.



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## THE ROLE OF THE NATIONAL GUARD IN HOMELAND SECURITY

Just three days removed from these events, Americans do not yet have the distance of history. But our responsibility to history is already clear; to answer these attacks and rid the world of evil. War has been waged against us by stealth and deceit and murder. This nation is peaceful, but fierce when stirred to anger. The conflict was begun on the timing and terms of others. It will end in a way, and at an hour, of our choosing.

—President Bush  
Washington, D. C. September 14, 2001

Within twenty-four hours of the terrorist attacks on September 11<sup>th</sup>, 2001, more than 6,000 Army Guard and Reserve soldiers were activated. As the nation marked the one-year anniversary of the September 11<sup>th</sup> attacks there were more than 85,000 Reserve and National Guard members on Active Duty. These missions ranged from taking part in Operation Enduring Freedom around the world, to participation in Operation Noble Eagle over the skies of the United States, to providing 9,000 Guardsmen for security at the nation's airports<sup>1</sup>.

From the first muster of the colonial militia of the Bay Colony on 13 December 1636, through the French and Indian Wars, the Civil War, World War I and II, Korea, Vietnam, to the hills of Afghanistan and Objective Ginger, members of the National Guard have served the nation in time of war and peace. As the United States enters the 21<sup>st</sup> century the Department of Defense is wrestling with the transition of the Armed Forces to keep pace with an ever-changing threat to the national security of the United States. These threats exist within our borders and many find their roots beyond our borders. It will require new solutions to both new and old problems within our military. Only by making changes will the Department of Defense be able to answer the mandate of security for the homeland of the United States identified in the current National Security Policy of the United States<sup>2</sup>.

This research paper will examine the current role of the National Guard in Homeland Security and Defense. It will examine the trends and issues that have come to light during the early efforts to secure the homeland of the United States. And finally the paper will make recommendations for the future.

### **POST SEPTEMBER 11<sup>TH</sup> SECURITY STRATEGY CHANGES**

The current National Security Policy for Homeland Security makes no specific mention of the role of the Army or the Army National Guard in its discussion of Homeland Security. It discusses in general terms that elements of the Department of Defense will continue to play a role in Homeland Security. What is significant is the list of types of potential activities in which it



anticipates that elements of the Department of Defense may be asked to participate in. Each of the missions identified are routine in scope and frequency for elements of the National Guard in fulfillment of their dual federal and state missions prior to the terrorist attacks of September 11<sup>th</sup><sup>3</sup>.

The recently published National Security Strategy (NSS) states, "Defending our Nation against its enemies is the first and fundamental commitment of the Federal Government". This task has changed dramatically in the wake of the terrorist attacks of September 11, 2001. The NSS recognizes that "homeland defenses" do require significant improvement. The National Security Strategy specifically calls for the creation of the Department of Homeland Security; and Northern Command has been created by Department of Defense in the revised Unified Command Plan to carry out civil support missions associated with the efforts of the new department<sup>4</sup>.

In order to frame the discussion of the National Guard role for homeland security or defense it is important first to establish an audit trail of duties and responsibilities within the government of the United States. There have been many recent and significant changes in the organization, structure and future relationships for the Department of Defense in response to the attacks of September 11<sup>th</sup>.

It is also important to define several important topics that dominate discussions surrounding homeland security. Finally the desired ends, those results and outcomes deemed to be part of the vital national security interests of the United States, must be articulated. With these three areas addressed the various ways and means of attaining the desired ends can be discussed and specific recommendations regarding the potential role of the National Guard can be made.

## **RESPONSIBILITIES FOR HOMELAND SECURITY AND DEFENSE OF THE UNITED STATES**

### **EXECUTIVE BRANCH**

Responsibility for the national security begins with the President of the United States and includes the use of all elements of national power at his disposal. On the 8<sup>th</sup> of October 2001 the president established the White House Office of Homeland Security and the Homeland Security Council. The office and council were established under executive order. This action was an initial step toward the coordination of homeland security against future terrorist attacks. The president's long term solution was through legislative action to more formally address issues stemming from recent terrorist attacks<sup>5</sup>.

The initial goal of the Office of Homeland Security is to act as a coordinator of national strategy to strengthen protections against terrorist threats or attacks in the United States. The goal of the office is to coordinate the administrations efforts to detect, prepare for, and respond to terrorists' threats or attacks within the United States. This coordination includes working with several existing executive departments and agencies, along with state and local government authorities, and with private entities to better protect the homeland of the United States<sup>6</sup>.

#### DEPARTEMENT OF HOMELAND SECURITY

Shortly after the formation of the Office of Homeland Security the president introduced legislation for the establishment of the Department of Homeland Security. This department level organization would consolidate the efforts of twenty-two existing government offices and agencies. The Department will have approximately 170,000 employees located around the United States<sup>7</sup>.

On the 25th of November the president signed into law H.R. 5005, the "Homeland Security Act of 2002. Tom Ridge, the former governor of the state of Pennsylvania, and the first Director of the White House Office of Homeland Security, has been confirmed by Congress as the new departments first secretary. The act creates a federal department whose mission it is to help prevent, protect from and respond to acts of terrorism within the United States<sup>8</sup>.

#### DEPARTMENT OF DEFENSE

The new department will interface with the Secretary of Defense for requirements for the Department of Defense associated with the efforts of homeland defense and security. The secretary of defense is directly responsible for providing support to the president's National Security Strategy through his National Military Strategy and the efforts of the entire Department of Defense. Part of the legislation that formed the Department of Homeland Security established a new Assistant Secretary of Defense for Homeland Defense. This new position is directly responsible for Department of Defense matters pertaining to homeland security to the Secretary of Defense. The new position is the focal point for interagency interaction and communication regarding HLS and will be the direct interface between the Department of Defense and the new Department of Homeland Security<sup>9</sup>.

The Department of Defense also changed the Unified Command Plan (UCP). Early in 2002 the Department of Defense revised the UCP. The change created a new Combatant Command, United States Northern Command (NORTHCOM). NORTHCOM is tasked with direct responsibility to defend the United States and to provide military assistance to civil authorities. The Unified Command Plan established this new geographical combatant

command on 1 October 2002. Northern Command has geographic responsibility for the continental United States, Canada, Mexico, and the water extending approximately 500 miles nautical miles along the east and west coasts of the United States<sup>10</sup>.

The formation of the command has several significant points. This marks the first time since World War II that the military will be conducting operations on the home soil of the United States. It also marks a significant increase in the level and exposure of issues pertaining to homeland security within the Department of Defense. The new Combatant Command reports directly to the Secretary of Defense on matters related to the primary missions of the new command. This puts issues surrounding security of the homeland on par with issues from other geographical combatant commands like North Korea and Iraq<sup>11</sup>.

The mission of Northern Command is clear and concise. "Conduct operations to deter, prevent, and defeat threats and aggression aimed at the United States, its territories and interests within the assigned area of responsibility (AOR); and as directed by the President or the Secretary of Defense, provide military assistance to authorities including consequence management operations." USNORTHCOM also has direct responsibility for coordination and cooperation of security matters between the United States, Canada and Mexico<sup>12</sup>."

USNORTHCOM is the supported commander for Civil Support. USNORTHCOM is the Department of Defense's principle planner for Civil Support. This includes planning for consequence management and National Critical Infrastructure Protection within the command's AOR. To that end, USNORTHCOM has established three standing joint task forces (JTF). Each has a specific mission relating to homeland security and defense.

Joint Task Force Homeland Security (JTF-HLS) is located in Norfolk, VA. Approximately one hundred and thirty full time military personnel staff JTF-HLS. JTF-HLS is responsible to NORTHCOM for coordination of land and maritime defense of the continental United States. JTF-HLS is also responsible for the coordination of support by NORTHCOM to civil authorities throughout the NORTHCOM area of responsibility. There are currently two subordinate headquarters reporting to JTF-HLS. Both have responsibilities for specific mission related to civil support and homeland defense and security<sup>13</sup>.

Joint Task Force Six was established to provide assistance to civilian agencies responsible for counter narcotic efforts within the United States. JTF-6 is comprised of some one hundred and sixty full time personnel from the military services and civilians that support domestic counter drug operations. JTF-6 was originally formed in 1989. Since its inception the task force has participated in over 5000 different missions in support of 430 different local, state, and federal law enforcement agencies<sup>14</sup>.

Joint Task Force Civil Support has approximately one hundred and sixty fulltime military and civilian personnel assigned. The JTF-CS is commanded by a National Guard general officer. The headquarters was relocated to Hampton, VA on 1 October 1999. The JTF was originally organized in 1997 as part of the Department of Defense efforts to prepare for a consequent management role following a Chemical, Biological, Nuclear, Radiological and High Yield Explosive (CBNRE) event within the United States.

JTF-CS acts as the primary interface in support of the Lead Federal Agency during homeland security operational matters pertaining to CBNRE consequence management. During such an event, JTF-CS would be designated OPCON, granted by the Secretary of Defense and the NORTHCOM Commander, of Department of Defense CBRNE forces to respond to a WMD attack within the United States.<sup>15</sup>

In support of these missions Northern Command will be assigned resources from the service components through Joint Forces Command. Forces required to support Northern Command will include all branches of the uniformed services and many of the civilian agencies associated with the achievement of the goals stated in the National Security Strategy and National Military Strategy.

#### **DEFINITION OF TERMS FOR HOMELAND DEFENSE & HOMELAND SECURITY**

Northern Command has established a set of definitions for the missions related to homeland security and defense. Northern Command defines homeland security as the prevention, preemption and deterrence of attacks against the United States territory, domestic population and critical infrastructure, as well as the management of the consequences of any such attack. Northern Command defines homeland defense as the prevention, preemption and deterrence of attacks against the United States territory, domestic population and critical infrastructure from attack by military forces from outside of the United States. These definitions will be utilized throughout the remainder of this paper<sup>16</sup>.

#### **VITAL INTEREST OF HOMELAND DEFENSE & SECURITY**

The Initial guidance and priorities of the president were articulated through the publication of the National Strategy for Homeland Security (NS-HLS) published in July 2002. This document provides a broad outline of the many significant changes needed within local, state and federal organizations to combat the new threats and capabilities possessed in today's world by global terrorist networks. The content of the NS-HLS is the foundation on which the new department is organized and re-organizing the existing efforts of the federal government of the United States to achieve the goal of a safe and secure homeland of the United States<sup>17</sup>.

The president reinforced and formalized his priorities for the security of the United States and its citizenry through the National Security Strategy. The current NSS was published in October 2002. It fundamentally shifts the priorities of any previous NSS. It places security of the homeland as the number one priority of the federal government. The document also recognizes that the ways and means to achieve the desired ends will require a changed military. The threats of the world have changed dramatically since the end of the cold war. Only by developing a structure that is consistent with the threats and capabilities of all of the potential enemies to the national interests can the military be an effective element of national power and aid in the successful pursuit of the security of the homeland<sup>18</sup>.

## **THE MILITARY ELEMENT OF NATIONAL POWER**

While the military takes the war to the enemy abroad, it must also play an important role defending at home against weapons of mass destruction. The National Guard, whose Cold War mission called for extended mobilization for deployment overseas to fight Soviet tank armies, needs to recapture its Minuteman heritage and prepare to respond at a moment's notice. Forces must become capable of moving quickly to bring order to an area devastated by attack<sup>19</sup>.

—Andrew F. Krepinevich, Jr.

In the short term it is likely that the cost associated with a restructured total force for the United States Army, Army Reserve and National Guard will meet little fiscal resistance. However over the long term, those factors that drove the total force to place various combat, combat support and combat service support in the mix they currently exist in between the components of the Army must continue to be balanced against budget requirements. In the end, the National Guard and the Army Reserve must be given sustainable missions that each can support in the manner consistent with the strategic interests of the United States and in the interests of the health of the United States Army total force<sup>20</sup>.

## **THE UNITED STATES ARMY NATIONAL GUARD**

In assessing the potential ways to reach the desired ends of homeland security the capabilities of the National Guard must be examined. Through this examination it will be clear that the Guard is uniquely suited to provide assistance to the Department of Homeland Security through the Department of Defense as the nation works to secure the homeland. The following sections will describe the organization of the Army National Guard. It will also outline its current

assigned missions, discuss the current missions being supported by the National Guard within NORTHCOM and review the issues concerning the continued conduct and participation of homeland defense and homeland security by the National Guard.

#### NATIONAL GUARD ORGANIZATION

The National Guard is directed via a joint bureau of the Departments of the Army and the Air Force. National Guard Bureau assists the fifty states and four United States territories with fulfillment of the National Guard federal mission. The guard trains in peace time for activation and participation in conflict along side the active component. When not fulfilling a mobilization mission the National Guard units are under state control and report to each state's Adjutant General<sup>21</sup>.

The Army National Guard (ARNG) has approximately three hundred and fifty five thousand members against an authorized end strength of three hundred and fifty thousand. The ARNG has authorized force structure of three hundred and eighty five thousand. Currently the ARNG force structured is broken down into eight divisions, fifteen separate enhanced brigades, three strategic brigades, and two Special Forces groups. The majority, or fifty-two percent of the ARNG strength is in combat organizations. Combat support makes up seventeen percent and combat service support makes up twenty-two percent<sup>22</sup>.

#### NATIONAL GUARD MISSIONS WITHIN THE TOTAL FORCE

The guard focuses its peacetime training efforts on being prepared to fulfill its mobilization war-fighting mission when federalized. Throughout the history of US conflict outside the United States the National Guard has been a significant contributor. In recent times the National Guard has become much more well known for its participation in support to the local, state and federal government in response to emergencies and natural disasters rather than in its fulfillment of war-fighting along side the active component. It fulfills these local state missions in response to the local officials under control of the state or local government. With the exception of Desert Shield, Desert Storm and the aftermath of 11 September the Army National Guard has played only a minor role in the wars and smaller contingencies fought by the United States since World War II and Korea<sup>23</sup>.

The National Guard has in the past several years taken on a significant new role in support of the active component. This mission has been in the form of peacekeeping or peace enforcement. Since 1996 and the United States intervention in the former Yugoslavia, many National Guard units have served on a rotational basis in support of that mission and others like it<sup>24</sup>.

These efforts have used everything from small detachments formed under provisional tables of organization all the way up to Division level headquarters elements having command over active component army units. This use of the National Guard has provided the active component with much needed relief from Bosnia, Kosovo and other similar missions. This utilization of the National Guard frees up active component units for apportionment to other contingencies around the world that the National Guard is often less suited to perform<sup>25</sup>.

#### NATIONAL GUARD MISSIONS IN THE WAR ON TERROR

Nearly a year and a half after the attacks of 11 September, unclassified sources place the number of reserve and National Guard personnel on active duty at over 78,000. Although this number has fluctuated over this period, the number of Army Reserve and Guard soldiers comprising the total has remained better than half of the total reservist activated. Of the 78,000 currently serving, nearly 50,000 are Army Reserve or National Guard. As we approach begin second ground war in Iraq it can be safely assumed that this number will increase significantly<sup>26</sup>.

What is also significant about the current trend in mobilization is the duration for which reserve forces are being called. During the first Gulf War approximately 265,000 reservist were mobilized. Very few served more than twelve months during the Gulf War. Many of the current activations are projected to last for two years<sup>27</sup>.

#### **Title 10**

There are currently three ways in which Guardsmen are performing duty associated with Homeland Security. The first method is Federal Active duty under Title 10. Title 10 is the United States law that governs the Active members of the United States Armed Forces. Under Title 10 activation the National Guard soldier is considered part of the United States Army and no longer under control of his state or the National Guard. There are a large number of Army National Guard units currently serving in Title 10 status both in the United States and in Afghanistan and other places around the world in support of the war in Iraq. These units and soldiers in many cases play a primary role in the war on terror around the globe<sup>28</sup>.

When the President activated 1,600 Guardsmen to assist the Immigration and Naturalization Service and Customs Service along the Mexican and Canadian borders. For this HLS mission the President activated the soldiers under Title 10. This decision led to several points of contention and confusion between each of the participating organizations. The President wanted federal control of the troops, hence activation under Title 10. Under Title 10 however, a soldier cannot legally carry a weapon for this type of duty. Defense of Department attorneys have resolved the issue by stating the soldiers can carry weapons in self-defense.

This issue caused a six-month delay in the deployment of Guardsmen to the borders to support INS and Customs<sup>29</sup>.

### **Title 32**

The second method of activation is under Title 32. Like Title 10 the soldier is placed on active duty. Unlike Title 10 the soldier remains under the control of their state and they are also frequently not limited by the restrictions contained in Title 10. The use of Title 32 and Title 10 must be carefully weighed to balance the effectiveness of the troops mobilized to support Homeland Security and the benefits to the soldier that are gained under Title 10 and not under Title 32.

Title 32 base pay and allowances are the same as under Title 10. All of the short-term benefits are the same. The long-term benefits however are not the same. Soldiers activated under Title 32 do not earn veteran status. Veteran status carries with it the benefit for home loans, certain job preferences and other long-term benefits. Title 32 soldiers cannot be deployed outside the United States. Both Title 32 and Title 10 calculate retirement credit in exactly the same manner<sup>30</sup>.

President Bush initiated the request for Guard troops to secure the nation's airports. In what many see as a potential trend for the future, the President left these troops under the control of the state governors. By activation under Title 32 the President eliminated several issues associated with the restrictions that hamper the type of missions that soldiers can perform under Title 10. Under Title 10 soldiers for instance, are prohibited from performing law enforcement duties. Under Title 32 the Governor under their authority within their local jurisdiction determine the Rules of Engagement (ROE) to be employed by the soldiers<sup>31</sup>.

Title 32 offers several significant advantages in the flexibility it allows in fulfillment of homeland security. The only potential downside is for the individual soldier. In the short-term this is unlikely to be a serious issue. Over the long-term it is an issue that must be addressed in an equitable fashion that recognizes the contribution being made by soldiers in Title 32 status that are deployed within the United States contributing to the security of the United States.

### **State Active Duty**

The third and final method of activation for National Guard soldiers is state active duty. As with Title 10 or Title 32 the soldier can be involuntarily activated to serve the state in which their National Guard unit resides. The rules that govern state active duty vary by state. What is important is that the state can conduct such call-ups without consent or consultation of the Department of Defense. Each state funds state active duty without Federal funds. Although the



number of National Guard used in a state active duty role is small in comparison to those serving under Title 10 or Title 32, it must still be taken into account. Many states have National Guard soldiers in this status providing critical infrastructure security. Activation under Title 32 or Title 10 takes precedent over any state activation.

Resources everywhere within the active Army, Army National Guard and Army Reserves are finite. Although state use of the National Guard is a minor point it can have an impact on the availability of important resources. This could be of particular concern in the case of high skill, high demand, low-density military occupation specialties. It is also important to consider that unlike Title 10, the governors of the states have the ability to provide National Guard resources under Title 32 or state active duty to other states. This is done through reciprocal agreements between all states that allow them to assist each other in time of emergency, natural disaster or other event, which requires resources that the state would not otherwise need or want to have on a permanent basis. In regard to plans concerning the National Guard and Homeland Security these agreements would appear to be of more of a potential benefit than harm.

#### **ISSUES WITH THE CURRENT MISSIONS OF THE NATIONAL GUARD**

It is clear that with the scope and duration of the current activations and a war again in South West Asia, there are several significant long-term considerations that must be examined and rectified. First the Department of Defense must ensure that Congress is properly advised on the best use of the total force as an element of national power. The Department of Defense must also recognize that today's short-term use of the reserves is a harbinger of the future. That future will require that the reserve is maintained and structured with an eye toward the long term prospects of its use. The Defense Department must be also be cognizant of the long-term impacts to the reserve that the current mobilization tempo may create.

#### **CONGRESSIONAL ISSUES**

As with all defense related issues the use of the National Guard requires funding from the United States Congress. At the center of the current debate isn't the use of the National Guard, but rather how to define the mission and in what status the units activated should perform homeland security missions. Clearly a Special Forces Group activated to go to Afghanistan or a Military Police Battalion going to Uzbekistan should be activated in Title 10.

Within the borders of the United States the potential for issues embodied in the 1878 Posse Comitatus Act have to be evaluated prior to a commitment to provide civil support. This issue has already proven to be troublesome. It has led to conflict, confusion and the poor use of

National Guard and Department of Defense resources. Over the past year there has been debate between those who would make all activations under Title 10 and those who believe that the mission should determine the type of activation<sup>32</sup>.

The only potential issue concerning the use of Title 32 that impacts the soldier is in the long-term recognition of veteran status. Title 32 does not provide the soldier with the benefit that is granted with service under Title 10. Certainly soldiers serving within the United States performing the same important duties within the United States deserve the same consideration as soldiers on Title 10 who are performing the same missions<sup>33</sup>.

The differences of opinion in this area are clearly defined in the differences between the United States Senate and the United States House of Representatives in the language each drafted in the Defense Authorization for fiscal year 2003. The United States Senate included language that makes use of the National Guard a more local affair that can be directed by the lead of a federal agency seeking military civil support and the corresponding state governor. The United States House of Representatives included language that is very restrictive in nature. It requires that soldiers be in Title 10 status for HLS missions, and specifically states that duty in support of the Border Patrol or Immigration & Naturalization Service must be performed by soldiers accompanied by a member of those organizations for the performance of all tasks<sup>34</sup>.

The house resolution points directly to the Posse Comitatus act and states that nothing in the language of the resolution should be construed as an attempt to change that standing law. Posse Comitatus carries with it significant and justified restraints on the use of soldiers for law enforcement duties. What the house language, if adopted, would mean is that only soldiers in Title 10 status can work on the standing NORTHCOM JTF-6 to assist the border patrol or INS. It also means that they are limited in the scope of things they can do to assist in the efforts being conducted<sup>35</sup>.

Many believe that the debate is really over control of the money rather than how to most effectively accomplish a given type of civil support mission. In either case, the Department of Defense must fulfill the obligations of achieving the ends identified by the National Security Strategy and provide civil support to the efforts of homeland security. The National Guard is uniquely suited to many aspects of this mission but these advantages can be negated by legislation that removes that flexibility<sup>36</sup>.

Additional debate has taken place concerning the continued role of the National Guard as a war-fighting reserve force. Proposals to do away with the National Guard's war-fighting mission have been discussed. This would make the National Guard a constabulary force, only responsible for homeland security missions within the borders of the United States. Others

argue for a continuation of the National Guard dual state/federal mission, with a primary focus on war-fighting and a secondary responsibility to homeland security. Others look to retaining the dual mission but making war-fighting a secondary rather than primary focus of National Guard units.

The Department of Defense must ensure that the debate is framed in the context of the total force, not in terms of what mission or missions will be assigned to the National Guard. Since the end of the Vietnam War the drive to integrate the active Army, the Army Reserve and the National Guard into a total force has been hard fought. The Total Force Concept worked well for more than two decades. Unfortunately the world has changed. However The Total Force Concept has been, and should continue to be, the methodology used in determining how best to structure the active and reserve components of the Army for the future benefit of the reserve and active component forces<sup>37</sup>.

#### SHORT-TERM USE VERSES LONG-TERM MISSION

Another serious consideration that needs to be addressed is how use of the Army National Guard for homeland security missions detracts from the National Guard missions associated with war-fighting and in the areas of peace enforcement and peacekeeping. The current United States Army structure does not allow the active component to deploy without significant reserve and guard participation. The current activation of the Army National Guard exceeds one hundred thousand, with the total number of guard and reserve forces mobilized exceeding two hundred thousand<sup>38</sup>.

The operational tempo of requirements for ground forces in operations other than war continues to grow. A restructure of the force and the addition of active component units may be required. But such a restructuring carries with it a significant investment of not just money, but time to equip, organize and train soldiers and units to achieve any assigned mission<sup>39</sup>.

Current utilization of the National Guard for Homeland Security within the borders of the United States means these units are not available for peace keeping in Bosnia, the Sinai, or Kosovo. If they're already assigned with missions of critical infrastructure protection within the United States these soldiers cannot be deployed for the War on Terrorism outside the United States. Should the United States need a force similar in composition and size as that needed for the first Gulf War to deal with the current Iraqi crisis, it may find itself short of not only active units, but short of National Guard units as well.

## LONG-TERM IMPACT TO THE TOTAL FORCE

Between 1960 and 1991 the United States Army conducted ten major contingency operations around the world. In dramatic contrast twenty-six major contingencies were conducted in the brief period of seven years from 1992 to 1998. It was during this same period that the Army contracted its force from almost 800,000 active duty personnel down to less than 500,000. In the calendar year 1997 the Department of Defense reported that reserve forces contributed 12.6 million man-days worth of support to missions around the world. This translates into two additional Army divisions worth of force structure serving around the world<sup>40</sup>.

As an integral part of the total force the reserve component has experienced no less an increase in operational tempo. Due to the shift of major elements from the active component to the reserve component to save money, each of the major contingency operation requires the support of Army Reserve and Army National Guard units to complete the mission. In 2000 the National Guard deployed 71,000 personnel to 64 different countries. By July 2001 the total was up twenty seven percent from 2000, with troops in 87 countries. The usage was significant without the events of September 11<sup>th</sup> and the homeland of the United States becoming a theater of war<sup>41</sup>.

This trend can only be expected to continue. With this trend comes the age-old problem of soldiers and service. Recruiting. Retention. The problem is again a total force issue, not one that will affect only the active or the reserve component. Many critics of the Department of Defense and the current force structure believe that the active component is just too small. Recognition of an issue regarding force structure is important, but effectively and efficiently aligning the force will be anything but easy<sup>42</sup>.

## RECOMMENDATIONS FOR FUTURE MISSIONS OF THE NATIONAL GUARD

As a geographically dispersed force the National Guard is located in communities where it is envisioned that future homeland security requirements are potentially the greatest. The National Guard is present in nearly 3,000 communities across the United States. Effective use of the National Guard will be critical to the successful achievement of several aspects of homeland security<sup>43</sup>.

## WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS

As early as 1997 the United States began to take specific steps to take advantage of some aspects of the National Guard to prepare for potential future terrorist attacks. The Department of Defense established Weapons of Mass Destruction Civil Support Teams (WMD-

CST) within the Army National Guard. Initially only ten teams were envisioned. This number was ultimately raised to thirty-two and are dispersed in different 26 states.

The teams have several specific missions.

- Deploy to provide early assessment and detection of a WMD weapon employment
- Advise state or local response elements on courses of action
- Define situational requirements and facilitate the identification of additional Department of Defense assets that may be required for the incident
- Assist in expediting employment of state and federal military support<sup>44</sup>

There are several strengths to the organization and disposition of the WMD-CSTs. They are all collocated with or in close proximity to an Air National Guard unit to allow coordination and facilitate the rapid movement of troops and equipment. The unit locations were determined based on population density, not state boundary. Any National Guard unit from any state can assist any other state. Jurisdictional boundaries are not relevant so long as the soldier is serving under the control of their own state National Guard chain of command<sup>45</sup>.

On September 11<sup>th</sup> the WMD-CST from the New York Army National Guard arrived in New York City within 12 hours from Albany. Much of this delay was caused by the fact that one of the key officials in the chain of command was killed in NYC in the terrorist attacks. The active component United States Marine Corps Chemical and Biological Incident Response Force would not have been able to configure its equipment in twelve hours, much less get from Virginia to NYC with their equipment and have completed tests for traces of nuclear, chemical or biological agents in the attacks against the World Trade Centers<sup>46</sup>.

The important facts here are not the success of the WMD-CST in NYC. The important considerations concern factors that will be consistent in future attacks. The attacks are initially a local event. If the attack had been in Burlington Vermont rather than New York City, the same team would have responded, and likely within a few hours. State boundaries are artificial lines, like phase lines on an operational overlay, they have relevance for command and control and nothing else for these teams.

Without local first responders who have the training, equipment and resources to adequately respond, the potential for greater loss of life is tremendous. In the case of a WMD attack, there can be no more critical piece of information in the early minutes and hours of the attack than to understand what type of contamination, agent or other threat does or does not need to be contented with. In a chemical attack on the battlefield the second thing a soldier

does after protecting themselves is to work to identify what type of weapon has been employed against them so that they can effectively treat casualties and prevent themselves from becoming a casualty. In a civilian environment, without early detection, a WMD attack can kill or injure more first responders than were possibly killed by the initial attack. Many first responders trying to give aid could needlessly expose themselves to agents or contamination or render medical aid that isn't the correct treatment needed by a casualty.

There are several specific recommendations in this area. The number of teams should be increased. There has been discussion of creating an additional 18 teams, bringing the total of one team per state. The location of additional teams should be based on population density and not state boundary as is currently being discussed. These teams should also be used as a focal point for the training of first responders from communities that surround their base of operations. Over the past year there has been a great deal of discussion concerning the training of first responders. WMD-CST personnel are highly trained and qualified and should be used to provide training and assistance in these areas. These teams should also participate in community exercises involving first responders.

The WMD-CSTs provide a workable model for other issues that surround various aspects of homeland security and military support to civil authorities. The Department of Defense should look to the model of the WMD-CSTs. The structure and mission set of the WMD-CSTs might be a useful model to be emulated for other areas. It would be much more appropriate to have response cells needed for WMD attacks to be geographically dispersed, and in the proximity of large population centers, than consolidated in one location.

#### MISSION AND PRIORITY FOR THE NATIONAL GUARD

Recently the president extended the current call up of Reserve and Guardsmen for up to 2 years. This is the longest call up since Vietnam<sup>47</sup>. The active Army end strength has been cut by almost half over the past decade. The Army Reserve and National Guard have also gotten smaller. Even before the dramatic decrease in the size of the Army, the Reserve and Guard had taken on greater importance in the way the United States organizes for war. During the Gulf War nearly twenty percent of the troops in the war zone were Reserve and Guardsmen<sup>48</sup>.

Those that discuss a mission change of the National Guard to focus solely on homeland security misunderstand the total force and the soldiers that comprise the National Guard. This potential course of action has far reaching effects on the total force. This would potentially remove many units from the war-fighting combat strength of the total Army force.

Without the Army National Guard the Army loses from one-third to two-thirds of its current war-fighting capacity in the areas of combat and combat support units. Making the National Guard the homeland security force has a significant impact on the total force. This is as big an issue for the active component as it is for the reserve components. Trying to change the Army National Guard requires so fundamental a change to the Army that it is not achievable in a time frame that would be considered reasonable. The Guard, Reserve and Active components are so thoroughly integrated due to the split of combat, combat support and combat service support that it would take several years at a minimum, to undo the integration that has been achieved over the past thirty years. The cost to offset the loss of the Army National Guard units to the total force through an increase in the Army Reserve or Active Army would be significant and only achievable over the long term.

Assigning the Guard the primary mission of Homeland Security and not war-fighting would potentially destroy the institution. This course of action greatly simplifies many of the significant challenges of Homeland Security but with potentially disastrous results. To think that an institution that has been serving the country in war and peace, and providing homeland security for 366 years would consent to being turned into a body shop tasked only with force protection or an on call constabulary force ignores why soldiers serve. It is also ignores the fundamental reasons the founding fathers wrote the National Guard into the constitution.

Currently the Guard is performing many non-war-fighting missions in support of homeland security. The Department of Defense can continue utilizing the Guard in this fashion and utilize both Title 10 or Title 32 to call to active duty those troops needed to support a variety of missions. In the short term the most readily available units are from the National Guard. They often are geographically located within a short distance of the critical infrastructure to be protected. They are also often units that are not currently apportioned to any Combatant Command contingency. In the short term these assets are tailor made for homeland security missions.

This ad hoc approach in the long term however limits the best use of units, personnel, and leaves the United States under prepared and short handed should a full-scale conflict erupt. The Department of Defense must establish a long-term plan similar to the one established for peacekeeping and peace enforcement missions.

Course of Action	Focused Mission	War-fighting Capability	Homeland Security Missions	Drain on Total Force
Current use of Guard Units	No	Significant reduction	Missions are being satisfied	Major drain on ability of Guard to deploy for other missions

Guard as Homeland Security Force	Yes	Eliminated as a War-fighting Force	Missions would be satisfied by Guard	Total force structure of the Army will have to be re-worked
Guard as a part of Homeland Security	Two focused missions <sup>49</sup>	Maintained by rotation of responsibility for Homeland Security	Missions satisfied on a rotational basis	Smaller impacts to Combatant Commands as unit responsibilities change

FIGURE 1: NATIONAL GUARD POTENTIAL MISSION SUMMARY

In the short term the following steps should be taken to best utilize National Guard units for homeland security.

- Refine a list of current missions that will continue to be an issue for Homeland Security. For example providing assistance to DEA, FBI, Immigration or Customs. This will be a continuous ongoing process, but trends can and will emerge that will allow for planning and forecasting as is the case with peacekeeping and other smaller scale contingency missions.
- Select one National Guard division (or two or three of the separate brigades) and task them with Homeland Security missions for the next 24 months.
- Begin the required training of selected units within 60 days.
- Designate Title 10 and Title 32 activations based on the mission type, not by blanket resolution of only one or the other<sup>50</sup>.
- Assess how this affects the total Army and make needed recommendations to the Army Chief of Staff, National Guard Bureau and the effected Combatant Commanders.
- Continue to refine task lists assigned to National Guard for Homeland Security.
- Build a long-term plan for the rotational use of Guard units similar to the one used for peace keeping and other missions around the world.

#### THE NATIONAL GUARD SEPARATE AND ENHANCED BRIGADES

The National Guard has many well-equipped and well-prepared units within the total force structure. Chief among them are the enhanced and separate brigades formed in the 1980s as part of the total force restructure efforts. At that time and since, these units have the beneficiaries of a higher level of funding and focus within the structure of the National Guard. In



that time these units have been used in only a few instances to satisfy real world mission anywhere inside or outside of the United States.

During the Gulf War only one of these combat Brigades was activated. This unit never made it out of the United States. Complete field artillery brigades and many other brigade and battalion size elements from the National Guard and Army Reserve were activated and deployed. The discussion here isn't to recount why this unit did or did not deploy to the Gulf, but rather to point out several facts relevant to the current total force situation.

A total force as small as the United States Army can no longer afford to leave on the shelf the equivalent of several divisions' worth of combat power with the sole mission of training for a conflict that will likely never come. Forces have again been called and assembled in South West Asia for a second conflict with Iraq. Many National Guard and Army Reserve units have been called and deployed and many others activated to assist in other areas. The enhanced brigades continue to train. If the total force structure of the Army is adequate to fight two wars in the Gulf without the use of a single one of these elements then it certainly requires that their mission be re-evaluated in light of the changes to the threats facing the United States.

How can the total force justify maintaining these units at a C1 (fully combat ready) rating and not employ them? A large number of National Guard Divisional units that have never been maintained at a level higher than C3 (combat ready), yet these units routinely find themselves in places like Bosnia and Afghanistan. The total force must address what can only be seen as an underutilization of a significant investment made in a considerable piece of Army force structure. Recent use of one brigade for peace keeping must be a harbinger of the future for use of these critical force structure resources.

#### THE NATIONAL GUARD MOBILE LIGHT BRIGADE RESTRUCTURE

The Department of Defense and the National Guard Bureau have begun a transition of three existing Divisions to a more mobile structure. This would include moving away from armor and mechanized forces to wheeled formations. The thought behind this is that it will make dual use of these units more attainable. They will still have the same or similar combat, combat support of service support mission in support of the active duty units, but will be easier to deploy due to their lighter vehicle makeup.

This lighter vehicle make up would more aptly suit civil support missions that rarely if ever would require tanks, armored fighting vehicles or armored personnel carriers. But throughout the history of the National Guard, units that are not found on the unit apportionment list within

the plans of combatant commands are historically under funded in respect to vehicles and vehicle readiness.

The total of wheeled vehicles these same National Guard divisions are already short is in excess of several thousand. A design that requires even more wheeled vehicles, although well founded and intentioned, is going to compound an already systemic issue. Simply stating that it's a good idea to convert these units so they more aptly support homeland security isn't enough. If the resources to provide these units with wheeled transportation don't back up this concept, the plan is completely hollow. It does nothing to facilitate an improvement in the war-fighting mission readiness and does even less to provide them with the ability to be an effective resource for the Defense Department support of HLS efforts.

## **CONCLUSION**

If you don't like change you'll like irrelevance even less.

—General Eric Shinseki, CSA

The United States has become a theater of war. Many of the old rules have changed and won't be returning to the way things were prior to September 11<sup>th</sup>, 2001 any time soon, if ever. The Department of Defense and the Army's Total Force including the National Guard must change to meet the new threats and capabilities of this new age. The change won't be easy. There will be winners and losers in the Army, Army Reserve, and National Guard.

The active component Army is too small not to have an Army Reserve and National Guard that are optimally structured to meet the worldwide missions of the Army, including support to missions assigned to Northern Command and homeland security. This will require significant change within the structure of many parts of the National Guard. This will also require funding, which in the short term appears to be in abundant supply. That trend should not be expected to continue indefinitely.

The quick and easy answer is already being floated. Increase the size of the active component. And certainly for several key enablers the Army Reserve and the Army National Guard should not be the only components with these key enablers. However the active component will need time to form, man, equip and train these units. It isn't a quick or an easy answer in truth. The Army needs to take a long-term focus and align the Total Force for a future that will be much like the past in the respects that will continue to matter the most.

- Future funding will require a significant portion of the force structure combat, combat support and combat service support stay in the Army National Guard and Army Reserve
- To answer future threats the need to deploy the Army National Guard and Army Reserve to support missions will increase, not decrease
- The required deployment of the Army National Guard and Army Reserve will remain as it has been regardless of standing up several high demand low density active component units that are now only found in the National Guard and Army Reserve
- The Army National Guard and the Army Reserve provide the total force with skilled, experience, highly qualified soldiers at a significantly cost savings to the Defense Department
- The current divisions and brigades within the Army National Guard provide adequate command and control, however they are sub-optimal structures when used for the prioritization of funding, resources and mission assignment

These points are reinforced by a wide variety of source data. Certainly the active component needs to add some specific types of force structure. The budget to make such additions will likely be hard fought to secure. Most recent discussion, even while we are at war in Iraq, leans in the other direction. It is likely that active component force structure will stay roughly as it is with the sacrifice of one type of force structure to gain back from the Army Guard and Army Reserve units like Civil Affairs and others.

Even with the addition of several high-demand low-density units the reserve components of the Army will be needed to support various contingencies. The units found only in a divisional structure are but one example. For missions that may only require one or two brigades to execute, slices elements of the divisional assets are required. These elements are much smaller in number in the current total force structure. This doesn't mean that the Army or the Army Guard must retain divisions. It means that the mold of how are forces are currently structured must be broken and recast into a new model or models that suit the new reality, not the old reality of the Cold War.

Several fundamental changes must be made to ensure that the total force remains effective and in balance. Effective in terms of having the right number of forces, the right types of units in sufficient quantity, and in a balance that addresses budget concerns which will ultimately force everyone's hand in addressing between the Army National Guard, Army Reserve and Active Army where these units are placed. Only an unbiased evaluation can serve the Army as a whole. The National Guard has survived three and a half centuries of change

serving the nation. But changes that some may find objectionable are required. It can survive the coming changes without compromising the things that make it unique within the history of the United States Armed Forces.

WORD COUNT = 8,682



## ENDNOTES

<sup>1</sup> Paul D. Wolfowitz, "The Guard and Reserve: Vital to the Nation's Security," The Officer (July/August 2002): 36-40. Many of these numbers vary from source to source.

<sup>2</sup> George W. Bush, The National Security Strategy (Washington, D.C.: The White House, October 2002), 6.

<sup>3</sup> Ibid., 13.

<sup>4</sup> Ibid., 6.

<sup>5</sup> George W. Bush, "Executive Order Establishing Office of Homeland Security," 8 October 2001; available from <http://www.whitehouse.gov/news/releases/2001/10/20011008-2.htm>; Internet; accessed 9 January 2003.

<sup>6</sup> Ibid.

<sup>7</sup> George W. Bush, "Homeland Security Act of 2002," 25 November 2002; available from <<http://www.whitehouse.gov/news/releases/2002/12/print/20021217-14.htm>>; Internet; accessed 11 January 2003.

<sup>8</sup> Ibid.

<sup>9</sup> Chairman Joint Chiefs of Staff, Joint Publication 3-26, Joint Doctrine for Homeland Security, First Draft (Washington, D.C.: The Pentagon, December 2002), 37-38.

<sup>10</sup> Colin Robinson, "New Homeland Unified Command's Establishment Full of Difficulties," 8 April 2002, available from <<http://www.cdi.org/terrorism/homeland-command-pr.cfm>>; Internet; accessed 26 December 2002.

<sup>11</sup> Ibid.

<sup>12</sup> Northern Command, "Northern Command Fact Sheet," available from <<http://www.northcom.mil/index.cfm?fuseaction=news.factsheets#usnorthcom>>; Internet; accessed 11 December 2002.

<sup>13</sup> Northern Command, "Joint Force Headquarters Homeland Security," available from <<http://www.northcom.mil/index.cfm?fuseaction=news.factsheets&factsheet=4>>; Internet; accessed 25 January 2003.

<sup>14</sup> Northern Command, "Joint Task Force Six," available from <<http://www.northcom.mil/index.cfm?fuseaction=news.factsheets&factsheet=2>>; Internet; accessed 25 January 2003.

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<sup>16</sup> Northern Command, "Homeland Security vs Homeland Defense," available from <<http://www.northcom.mil/index.cfm?fuseaction=s.homeland>>; Internet; accessed 11 December 2002.

<sup>17</sup> George W. Bush, The National Strategy for Homeland Security (Washington, D.C.: The White House, July 2002), 13.

<sup>18</sup> George W. Bush, The National Security Strategy (Washington, D.C.: The White House, October 2002), 29.

<sup>19</sup> Andrew F. Krepinevich, Jr., "A New War Demands A New Military" The Wall Street Journal, September 10, 2002; [journal on-line] available from [http://www.csbaonline.org/4Publications/Archive/O.20020910.A New War Demands /O.20020910.A New War Demands .htm](http://www.csbaonline.org/4Publications/Archive/O.20020910.A%20New%20War%20Demands%20/O.20020910.A%20New%20War%20Demands.htm). Internet. Accessed 29 December 2002.

<sup>20</sup> Kim Burger, "'War on Terrorism' Leads To Rethink On Reserves," Jane's Defense Weekly, 11 December 2002, 12-15

<sup>21</sup> Army National Guard, "Organization," available from <[http://www.arng.army.mil/about\\_us/organization/](http://www.arng.army.mil/about_us/organization/)>; Internet; accessed 11 January 2003.

<sup>22</sup> Army National Guard, "Force Structure," available from <[http://www.arng.army.mil/about\\_us/organization/force\\_structure.asp](http://www.arng.army.mil/about_us/organization/force_structure.asp)>; Internet; accessed 11 January 2003.

<sup>23</sup> Army National Guard, "Protecting Our World, Our Federal Mission," available from <[http://www.arng.army.mil/about\\_us/protecting\\_our\\_world.asp](http://www.arng.army.mil/about_us/protecting_our_world.asp)>; Internet; accessed 11 January 2003.

<sup>24</sup> Ibid.

<sup>25</sup> Army National Guard, "Our Federal Mission," 8 April 2001; available from <[http://www.arng.army.mil/news/news\\_view.asp?nav\\_link\\_id=12&news\\_id=261](http://www.arng.army.mil/news/news_view.asp?nav_link_id=12&news_id=261)>; Internet; accessed 25 January 2003.

<sup>26</sup> Army National Guard, "NATIONAL GUARD AND RESERVE MOBILIZED AS OF JANUARY 22, 2003," 22 January 2002; available from <[http://www.arng.army.mil/news/news\\_view.asp?news\\_id=553](http://www.arng.army.mil/news/news_view.asp?news_id=553)>; Internet; accessed 26 January 2003.

<sup>27</sup> Ann Scott Tyson, "Reservists Now Play Central, Not Backup, Role", Christian Science Monitor, September 3, 2002.

<sup>28</sup> Army National Guard, "Guard salutes Green Beret killed in Afghanistan," 29 May 2002; available from <[http://www.arng.army.mil/news/news\\_view.asp?nav\\_link\\_id=56&news\\_id=280](http://www.arng.army.mil/news/news_view.asp?nav_link_id=56&news_id=280)>; Internet; accessed 26 January 2003.

<sup>29</sup> George Chalink, "Identity Crisis", Government Executive, September 2002, 5.

<sup>30</sup> National Guard Association of the United States, "State vs. Federal," November 2001. [journal on-line]; available from <http://www.ngaus.org/ngmagazine/statevsfederal1101.asp>; Internet; accessed 29 March 2003.

<sup>31</sup> Army National Guard, "Posse Comitatus Act," available from <http://www.northcom.mil/index.cfm?fuseaction=news.factsheets&factsheet=5#pca>; Internet; accessed 11 December 2002.

<sup>32</sup> *Ibid.* 4.

<sup>33</sup> Jack Spencer and Larry M. Wortzel, PhD, "The Role of the National Guard in Homeland Security", *The Heritage Foundation*, April, 2002. [journal on-line]; available from <http://www.heritage.org/Research/HomelandDefense/BG1532.cfm>; Internet; accessed on 26 January 2003.

<sup>34</sup> Defense Authorization Conference, *Title 10 v. Title 32 for Securing the Homeland*, cited in *National Guard Association of the United States*, 13 September 2002. [journal on-line]; available from <http://www.ngaus.org>; Internet. Accessed 14 September 2002. Legislation now before congress recommends these types of missions be done under Title 32. The Senate is trying to amend the resolution and have it be Title 10 only. See Senate Provision S. 2514 Subtitle D—Homeland Defense, and House Provision HR 4546.

<sup>35</sup> *Ibid.*

<sup>36</sup> George Chalink, "Identity Crisis", *Government Executive*, September 2002, 5.

<sup>37</sup> Jack Spencer and Larry M. Wortzel, PhD, "The Role of the National Guard in Homeland Security", *The Heritage Foundation*, April, 2002. [journal on-line]; available from <http://www.heritage.org/Research/HomelandDefense/BG1532.cfm>; Internet; accessed on 26 January 2003.

<sup>38</sup> Department of Defense, "National Guard and Reserve Mobilization as of March 26, 2003," 26 March 2003, available from [http://www.defenselink.mil/news/Mar2003/b03262003\\_bt156-03.htm](http://www.defenselink.mil/news/Mar2003/b03262003_bt156-03.htm); Internet; accessed 26 March 2003.

<sup>39</sup> George Chalink, "Identity Crisis", *Government Executive*, September 2002, 5.

<sup>40</sup> Jack Spencer and Larry M. Wortzel, PhD, "The Role of the National Guard in Homeland Security", *The Heritage Foundation*, April, 2002. [journal on-line]; available from <http://www.heritage.org/Research/HomelandDefense/BG1532.cfm>; Internet; accessed on 26 January 2003.

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*

<sup>43</sup> George Chalink, "Identity Crisis", *Government Executive*, September 2002, 5.



<sup>44</sup> Emily Clark, "Weapons of Mass Destruction Civil Support Teams (WMD\_CST)," 24 September 2001; available from <<http://www.cdi.org/terrorism/wmdcst.cfm>>; Internet; accessed 29 January 2003.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ann Scott Tyson, "Reservist Now Play Central Role, Not Backup", Christian Science Monitor, 3 September 2002, 1-2. The immediate response by many is to increase the size of the AC. President Bush is cited as resisting this as an idea. The article discusses several issues unique to the Reserve. It sites pay decreases that many reservist experience when coming onto active duty and other issues connected to retention of reserve soldiers after mobilizations.

<sup>48</sup> Dave Moniz, "15,000 Reserves to Serve Second Year", USA Today, 26 August 2002, A01. The article sets the number of reserve and guard members activated during Desert Shield/Desert Storm at 265,000.

<sup>49</sup> The National Guard by charter has two missions. The first is to respond to a call to the national defense. Units train to perform their assigned war-fighting missions. In addition every Army National Guard unit is responsible within the state chain of command to be prepared to respond at the local and state level to emergencies and any associated missions. It is this second mission, which fits so well with potential Homeland Security missions that make the Army National Guard a somewhat easier fit into Homeland Security than other parts of the DoD.

<sup>50</sup> The effectiveness of Guard soldiers should not be a political debate based on who gets control of money. Title 10 or Title 32, a soldier costs the same amount to the taxpayer. Needlessly placing a soldier on Title 10 when it would limit their ability to assist a civilian agency is a poor use of limited resources of our total force.

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